



BY-LAW NO. 433-2024

**A BY-LAW TO ESTABLISH POLICY
FOR THE ADMINISTRATION OF THE DISCLOSURE
OF SECONDARY ACTIVITIES TO THE CHIEF OF POLICE**

1. PREAMBLE

- 1.1 WHEREAS subsection 37 (1) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA")* provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;
- 1.2 AND WHEREAS subsection 38 (1) (d) of the CSPA provides a Police Service Board shall establish policies respecting disclosure of secondary activities under Section 89 and decisions under that section;
- 1.3 AND WHEREAS subsection 39 (1) (h) provides that a Police Service Board shall monitor the Chief of Police's decisions regarding the restrictions on secondary activities set out in Section 89 and review the reports from the Chief of Police on those decisions;
- 1.4 AND WHEREAS the Board deems it expedient to pass a By-law to establish guidelines relating to secondary activities to the Chief of Police.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD ENACTS AS FOLLOWS:

2. DEFINITIONS

- 2.1 "Act" or "CSPA" means the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*, and amendments thereto;
- 2.2 "Board" means the Regional Municipality of Niagara Police Service Board;
- 2.3 "Chief" means the Chief of Police of the Niagara Regional Police Service;
- 2.4 "Member" means a Member of the Niagara Regional Police Service as defined in the CSPA;
- 2.5 "Secondary Activities" means off-duty employment/activities other than the duties performed for the Service;
- 2.6 "Service" means the Niagara Regional Police Service.

3. DIRECTION TO THE CHIEF

- 3.1 The Chief shall develop and implement a procedure requiring full disclosure of the details on any secondary activity in which a Member is engaged.
- 3.2 When a Member has disclosed full particulars of an activity to the Chief, the Chief shall first determine whether the provisions of Section 89 of the CSPA prohibits the activity.
- 3.3 Where the Chief determines the activity is prohibited by subsection 89 (1) of the CSPA, the Member shall not be permitted to engage in that activity.
- 3.4 The Chief shall take such steps as are necessary to determine that his or her decision has been complied with.

4. REPORT TO THE BOARD

- 4.1 The Chief shall submit to the Board annual reports on disclosures and decisions made pursuant to Section 89 of the CSPA and the provisions of this By-law, which shall appear on the public agenda.
- 4.2 The annual report shall be divided into two sections entitled “Uniform” and “Civilian” and shall contain the following information:
 - (a) the total number of applications or disclosures of secondary activities made to the Chief of Police;
 - (b) the nature or type of each of the secondary activities applied for or disclosed;
 - (c) the total number of secondary activities approved by the Chief of Police;
 - (d) the nature or type of each of the secondary activities approved by the Chief of Police;
 - (e) the total number of secondary activities denied by the Chief of Police;
 - (f) the nature or type of each of the secondary activities denied by the Chief of Police;
 - (g) the reasons for each of the denials referred to in subparagraph (f) above;
 - (h) the total number of applications or disclosures of secondary activities presently pending.

5. IMPLEMENTATION

- 5.1 By-law Nos. 150-1995 and 284-2008, as amended, and all other By-laws, sections of By-laws and procedural policies of the Board inconsistent with the provisions of this By-law are hereby repealed effective March 31, 2024.
- 5.2 This By-law shall come into force on April 1, 2024.

ENACTED AND PASSED this 28th day of March, 2024.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD



Jen Lawson, Chair



Deb Reid, Executive Director