



BY-LAW NO. 512-2024

**A BY-LAW TO ESTABLISH POLICY
RESPECTING EXTREME INCIDENT RESPONSE PLAN**

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 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;
- 1.3 AND WHEREAS O. Reg. 392/23: Adequate and Effective Policing (General) ("the Adequacy Regulation") prescribes standards for adequacy and effectiveness of police services;
- 1.4 AND WHEREAS Section 12 of the Adequacy Regulation requires every Police Service Board to comply with any obligations of Police Service Boards set out in the Extreme Incident Response Plan;
- 1.5 AND WHEREAS the Board has deemed it appropriate that it establish a policy respecting Extreme Incident Response Plan;
- 1.6 AND WHEREAS the Ministry of the Solicitor General has approved the Provincial Extreme Incident Response Plan for the purpose of the Adequacy Regulation, a copy of which is attached hereto as Appendix A, contains guidelines directing the Board, Chief and Police Service relative to an extreme incident.

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 the Niagara Regional Police Service;

- 2.4 “*Extreme incident*” means a situation in which there is reason to suspect either:
- (a) a terrorism offence within the meaning of Section 2 of the Criminal Code (Canada) that will cause or has caused casualties or negative impacts to critical infrastructure in the Police Service’s area of policing responsibility will be or has been committed;
 - (b) a criminal offence that will cause or has caused mass casualties will be or has been committed, and the effects of that offence could potentially exceed the capacity of the Police Service;
 - (c) a criminal offence that will cause or has caused negative impacts to critical infrastructure, requiring a response by the Police Service that could potentially exceed its capacity, will be or has been committed;
 - (d) multiple active attacker incidents, at least one of which is in the Police Service’s area of policing responsibility, will occur or are occurring, simultaneously, and there is reason to suspect the incidents are related;
 - (e) a protest, demonstration or occupation that will pose a serious threat to human life or critical infrastructure will occur or is occurring.
- 2.5 “*Extreme Incident Response Plan (EIRP)*” means the Provincial Plan approved by the Ministry of the Solicitor General dated November 2023 and available on a website of the Government of Ontario, as amended;
- 2.6 “*Member*” means a member of the Niagara Regional Police Service;
- 2.7 “*Ministry*” means the Ministry of the Solicitor General; and
- 2.8 “*Service*” means the Niagara Regional Police Service.

3 BOARD POLICY

- 3.1 The Board enacts this policy in accordance with its obligations under Section 12 of the Adequacy Regulation, and the Provincial Extreme Incident Response Plan, as approved by the Ministry of Solicitor General, and as described in Ontario Regulation 392/23: Adequate and Effective Policing (General). The Board is committed to requiring the Chief to implement a systematic, unified, and efficient response to any Extreme Incident to ensure comprehensive preparedness and effective crisis management, in accordance with all stipulations outlined within the Provincial Extreme Incident Response Plan and the Adequacy Regulation, with the goal of preventing the continuation of the incident, safeguarding human life and property and restoring order.

4 DIRECTION TO THE CHIEF

4.1 PROCEDURES

- 4.1.1 The Chief, or designate, shall establish procedures relating to Extreme Incidents that are consistent with the EIRP and the Adequacy Regulation, which procedures shall include, at a minimum, the following:
- (a) Procedures respecting planning for response to Extreme Incidents as required by Section 2 of the EIRP; Operational Response Procedures as required by Section 3 of the EIRP;
 - (b) Inter-agency cooperation, information sharing and intelligence sharing protocols as required by Section 4 of the EIRP;

- (c) Procedures respecting public communications and media relations as referenced in Section 5 of the EIRP;
- (d) Post incident review procedures as required by Section 6 of the EIRP

5 REPORTING REQUIREMENTS OF CHIEF

- 5.1 The Chief or designate shall inform the Board of the Extreme Incident in real time, where applicable, and shall continue to provide appropriate updates through the Board Chair.
- 5.2 The purpose of the real time reporting is to ensure that the Board is aware of the Extreme Incident, and to facilitate the provision of additional resources to address the Extreme Incident, if required.
- 5.3 The Chief shall make a written report to the Board following an Extreme Incident within the times specified in Section 6 of the EIRP to review and evaluate the Police Service's response to the incident. The report must include at a minimum, the matters addressed in Section 6 of the EIRP, and:
 - (a) Budget impacts of the response to the Extreme Incident;
 - (b) Comment on the sufficiency of available personnel, including personnel from the Service and other agencies, training of such personnel, and equipment available for use during the Extreme Incident, and if insufficient, recommendations to address the insufficiency.
 - (c) Any other information which the Chief deems appropriate to enable the Board to carry out its oversight responsibilities.

6 REPORTING REQUIREMENTS OF BOARD

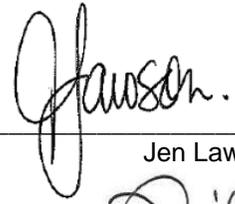
- 6.1 The Board shall not make any information from the report available to the public without consulting the Chief regarding (1) whether any information from the report should not be disclosed; and (2) whether the information could be redacted if access to the report were requested under the *Freedom of Information and Protection of Privacy Act* (FIPPA) and the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).

7 IMPLEMENTATION

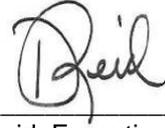
- 7.1 By-law Nos. 276-2006, 369-2017 and all other By-laws, sections of By-laws and procedural policies of the Board inconsistent with the provisions of this By-law are hereby repealed effective March 31, 2024.
- 7.2 This By-law shall come into force on the date it is enacted.
- 7.3 The Chief shall implement this By-law, where applicable, through General Order.

ENACTED AND PASSED this 23rd day of May, 2024.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD



Jen Lawson, Chair



Deb Reid, Executive Director

Appendix A
Link to Provincial Plan
[Extreme Incident Response Plan | ontario.ca](#)