



TOWN OF HINTON
BYLAW #2023
BYLAW OF THE TOWN OF HINTON IN THE PROVINCE OF ALBERTA
TO ESTABLISH A POLICING COMMITTEE

WHEREAS pursuant to section 28.03 of the Police Act, a municipality is required to form a Municipal Policing Committee.

AND WHEREAS pursuant to section 145 of the Municipal Government Act, a council may, by bylaws, establish council committees and other bodies; and establish the functions of the committee or body and the procedures to be followed by it.

NOW THEREFORE the Municipal Council of the Town of Hinton in session duly assembled hereby enacts as follows:

1. SHORT TITLE

1.1 This Bylaw may be referred to as the "Hinton Policing Committee"

2. TERMS OF REFERENCE

2.1 This Committee is hereby established as per the Terms of Reference attached in Schedule A.

3. RELATED DOCUMENTS

3.1 Council Procedure Bylaw No. 2003
3.2 Council Committees Bylaw No.1070-4.

4. SEVERABILITY

4.1 If any portion of this Bylaw, including the Terms of Reference, is found by a court of competent jurisdiction to be invalid, such portion shall be severed from the Bylaw, and the remainder is to remain valid.

5. REPEALS AND COMING INTO FORCE

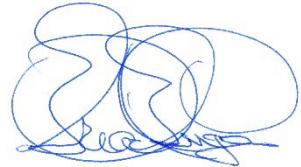
5.1 Protective Services Advisory Committee Bylaw No. 1130 and all amendments thereto are hereby repealed upon the coming into force of this Bylaw.

5.2 This bylaw shall take effect on the final day of passing.

READ A FIRST TIME THIS 04 DAY OF NOVEMBER 2025.

READ A SECOND TIME THIS 04 DAY OF NOVEMBER 2025.

READ A THIRD TIME THIS 04 DAY OF NOVEMBER 2025.



Mayor



Chief Administrative Officer

HINTON POLICING COMMITTEE TERMS OF REFERENCE

1. DEFINITIONS

- 1.1 “Act” means the *Municipal Government Act*, R.S.A. 2000 c. M-26, as amended;
- 1.2 “Chair” means the member of the Committee chosen to be the Chair of the Committee;
- 1.3 “Chief Administrative Officer” or “CAO” means the person appointed by Council to the position of chief administrative officer under section 205 of the Act and the City’s Chief Administrative Officer Bylaw;
- 1.4 “Chief Elected Official” means the person elected or appointed as Mayor;
- 1.5 “Committee” means the Hinton Policing Committee;
- 1.6 “Member” means any member of the Hinton Policing Committee;
- 1.7 “Member in Charge” refers to the person in charge of the Hinton Royal Canadian Mounted Police Detachment, often referred to as Detachment Commander or non-commissioned officer in charge – NCO i/c;
- 1.8 “Minister” means the Minister of Public Safety and Emergency Services;
- 1.9 “MPSA” means the Municipal Police Service Agreement;
- 1.10 “Municipal Policing Committee” means a municipal policing committee established for the Town of Hinton;
- 1.11 “RCMP” means Royal Canadian Mounted Police;
- 1.12 “Town” means the Municipality of the Town of Hinton;

2. COMMITTEE ESTABLISHMENT, DUTIES AND RESPONSIBILITIES

- 2.1 The Committee has the following duties, functions and responsibilities:

- 2.1.1 The Member in Charge, outlined in Article 7.0 and Article 8.0 of the MPSA, is delegated to the Committee to the extent of and pursuant to the language set out in the Police Act;
 - 2.1.2 Overseeing the administration of the MPSA;
 - 2.1.3 Representing the interests and concerns of the public and of the Council to the Member in Charge of the Hinton RCMP Detachment;
 - 2.1.4 Developing a yearly plan of priorities and strategies for municipal policing in consultation with the Member in Charge of the Hinton RCMP Detachment;
 - 2.1.5 Developing a community safety plan in conjunction with the local RCMP detachment and Chief Elected Official, including a plan for collaboration between the community and community agencies, and providing the community safety plan annually, or on request, to the Minister;

- 2.1.6 Assisting in the selection of the Member in Charge of the Hinton RCMP Detachment;
- 2.1.7 Reporting annually, or on request, to the Minister on the implementation of and updates to programs and services to achieve the priorities of the police service; and
- 2.1.8 As otherwise provided in the Police Act.

3. COMMITTEE MEMBERSHIP

3.1 The Committee shall consist of:

- 3.1.1 Chief Elected Official;
- 3.1.2 One (1) member of Council and alternate; and
- 3.1.3 Three (3) citizens at large.

3.2 The Minister may appoint a maximum of three (3) Provincial Members, in accordance with section 7 of the Police Governance Regulation.

3.3 Council will appoint Committee Members for a two- or three-year term to stagger appointments and provide continuity of the Committee.

3.4 For any Members of Council appointed to the Committee, their appointment terminates on that person's ceasing to be a member of Council.

3.5 To be eligible for appointment to the Committee, an individual must:

- 3.5.1 Not be an employee of or contracted with or to the Town of Hinton, the RCMP, any Provincial or Municipal Police or Peace Officer service/agency, or the Ministry of Justice and Solicitor General;
- 3.5.2 Be a Canadian Citizen or landed immigrant and resident of the Town for at least 12 consecutive months immediately preceding the date of appointment;
- 3.5.3 Be of the full age of 18 years at the date of appointment;
- 3.5.4 Supply an enhanced security check showing no convictions for a criminal offence; and
- 3.5.5 Take the oath of office prescribed by the Police Act prior to commencing to perform the duties and functions of Members.

3.6 When appointments for membership on the Committee are being considered, cultural diversity of the community shall be taken into account.

- 3.7 If a Member resigns or otherwise ceases to be a Member before the end of the Member's term of appointment expires, Council must appoint a replacement Member to fill the vacancy.
- 3.8 A replacement Member referred to in subsection 3.7 shall serve the remainder of the departing Member's term.
- 3.9 The appointment of a Member may not be revoked by Council except for cause. The following acts or omissions are deemed to be "cause" within the meaning of subsection 3(5) of the Police Governance (Ministerial) Regulation:
 - 3.9.1 Member violates the Council Committees Bylaw, this Bylaw, the Police Act, or any directive of the Ministry of Justice and Solicitor General; issued under the authority of the Police Act;
 - 3.9.2 A Member fails to attend three (3) consecutive meetings of the Committee, unless that absence is due to illness or authorized by the Chair;
 - 3.9.3 A Member ceases to be a resident of the Town;
 - 3.9.4 A Member fails to maintain the qualifications listed in Section 3.5 of this Bylaw; or
 - 3.9.5 A Member discloses publicly any information that if made public could jeopardize police operations, or any information provided to the Member or to the Committee in confidence.

4. NON-VOTING PARTICIPANTS AND ATTENDEES

- 4.1 The CAO, or designate, members of administration, and the Member in Charge:
 - 4.1.1 May attend any Committee meeting, including an in camera session;
 - 4.1.2 May act as discussion facilitators and information resources for Members;
 - 4.1.3 May not make motions or vote on any issue before the Committee; and
 - 4.1.4 The CAO shall provide administrative support in a non-voting capacity to the Committee.
- 4.2 A Member may invite an interested party to speak to an issue before the Committee, at the discretion of the Chair, but the interested party may not make motions or vote on any issue before the Committee.
- 4.3 Any member of Council may attend any Committee meeting, including an in-camera session, but may not debate, make motions, or vote on any issue before the Committee.

5. COMMITTEE MEETINGS

- 5.1 At the first regular meeting of each year, the Members shall choose, from among their membership, a Committee Chair and Vice-Chair, in accordance with the following conditions:
 - 5.1.1 The Chief Elected Official is not eligible to be chosen as a Chair or Vice-Chair; and
 - 5.1.2 The Committee shall select a Chair from among the citizen members.
- 5.2 In addition to any other duties or responsibilities specified in this Bylaw or the Police Act, the role of the Chair is to chair the meetings of the Committee.
- 5.3 The Vice-Chair shall act in the Chair's absence.
- 5.4 The Committee shall hold no less than four (4) regular meetings per year, at such times and locations determined by the Chair.
- 5.5 Special meetings may be called by the Chair by providing all Members with at least 24 hours' notice, unless such notice is waived by unanimous consent of the Members.
- 5.6 A majority of the Committee constitutes a quorum.
- 5.7 The hierarchy of the procedural rules governing meetings of the Committee is as follows, ranked in order of precedence:
 - 5.7.1 The Act and any applicable regulations under the Act;
 - 5.7.2 This Bylaw;
 - 5.7.3 The Town's Council Procedure Bylaw No. 2003 applied mutatis mutandis to the Committee;
 - 5.7.4 The Council Committees Bylaw No. 1070-4;
 - 5.7.5 Council-approved policies, procedures and guidelines specifically applicable to the Committee.
- 5.8 Meetings of the Committee shall be open to the public except where a majority of the Members present at a meeting vote in favour of a motion to deal with a matter in camera on the basis that public disclosure of the matter or an aspect of the matter would be a breach of personal privacy and/or could jeopardize delivery of policing services, in accordance with applicable privacy and freedom of access to information legislation.
- 5.9 Subject to applicable Protection of Privacy legislation, the Committee has the authority to

establish one or more sub-committees either on a standing basis or for a time-limited specific task or purpose, and the meetings, deliberations, or other activities of a sub-committee may be closed to the public at the discretion of the sub-committee members.

5.10 Committee meeting agendas shall be made available to the public at least five (5) days prior to a meeting.

5.11 Meeting minutes shall be prepared for every Committee meeting and shall contain the following:

- 5.11.1 The date, time and location of the meeting;
- 5.11.2 The names of all Members present and those absent;
- 5.11.3 The name of any other person who participated in the Committee meeting (but not including members of the public who attend a Committee meeting solely for the purposes of observing); and
- 5.11.4 Any motions made at the meeting, along with the results of the vote on the motion.

5.12 Details of the content of debate shall not be recorded in the minutes.

5.13 Minutes may, at the request of a Member, include any action item accepted by that Member and may also, with the approval of the Committee, include action items for the entire Committee or for a sub-committee.

5.14 No Member shall participate in any discussion nor vote upon any matter in which the Member has a conflict of interest, or in which the Member has a pecuniary interest as defined in the Act.

6. COMMITTEE RELATIONSHIP WITH TOWN ADMINISTRATION

6.1 Neither the Committee nor any individual Member has any authority with respect to the Town's administrative matters or functions, including but not limited to:

- 6.1.1 Establishing any policies, procedures or protocols with respect to the actions of Town employees, units, or departments;
- 6.1.2 Giving direction to any Town employee;
- 6.1.3 Hiring, appointing, suspending, removing, terminating, or reviewing the performance of any Town employee;
- 6.1.4 Establishing or directing organizational structures or work assignments; and
- 6.1.5 Expenditure or authorizing expenditure of any Town funds, including funds budgeted by Council for support of the Committee.

- 6.2 To the extent deemed necessary by the CAO, in their sole discretion, the Committee shall receive relevant information in the Town's possession, including information about Hinton's RCMP Detachment Services to assist the Committee in carrying out its duties, functions and responsibilities.
- 6.3 The Committee, and individual Members, shall comply with any protocol or directive established by the CAO for supplying to the Committee any information in the Town's possession or control, including a requirement that such information be kept confidential.
- 6.4 At the request of the Committee, the CAO shall cause a section of the Town's public website to be created for the Committee, including but not limited to:
 - 6.4.1 A statement of the Committee's duties, functions and responsibilities;
 - 6.4.2 Names of Members of the Committee;
 - 6.4.3 Details of any work plan the Committee may adopt, and any report from the Committee on its progress on the work plan;
 - 6.4.4 Committee agendas and approved minutes;
 - 6.4.5 Calendar of committee meeting dates and times;
 - 6.4.6 Copies of any reports or recommendations to Council from the Committee, other than those made on a confidential basis;
 - 6.4.7 Details of any community safety plan the Committee may assist in developing; and
 - 6.4.8 Details of how a member of the public may make a submission to a meeting of the Committee.
- 6.5 The Chief Elected Official is the only member of the Committee authorized to make public statements on behalf of the Committee.
- 6.6 Any public statement issued by the Committee must comply with the Town of Hinton's Public Communications Policy AD-1204.

7. COMMITTEE REPORTING TO COUNCIL

- 7.1 The Committee is required to make an annual report to Council on its activities during the previous year and may, in addition, make such other reports or recommendations to Council as it deems advisable from time to time concerning matters within the Committee's scope of duties, functions and responsibilities.
- 7.2 A report or recommendation from the Committee to Council may be made in whole or in

part on a confidential basis if the Committee considers it necessary to do so in order to maintain confidentiality of private information or to avoid jeopardizing the delivery of policing services, in accordance with applicable privacy and freedom of access to information legislation.

8. MISCELLANEOUS

- 8.1 Citizen at large Members serve as volunteers without remuneration but will only be reimbursed for travel expenses, if required, in accordance with the Travel Expense and Credit Card Policy No.070.
- 8.2 In the event of a conflict between the MPSA and this Bylaw that cannot be resolved by application of rules of interpretation established by statute or common law, the provisions of the MPSA shall prevail over the provisions of this Bylaw.
- 8.3 Members shall not be held personally liable for any actions or claims arising out of their lawful and good faith exercise of the powers granted to the Committee pursuant to this Bylaw.