



North Bay Police Service Board

By-Law # 16 North Bay Police Service Rules and Regulations

Legislative Reference / Authority

Community Safety and Policing Act, Regulations and Collective Agreements Between North Bay Police Association - North Bay Police Service Senior Officers Association and the North Bay Police Service Board

1. Preamble

- a. As prescribed in the *Community Safety and Policing Act (CSPA)* and through Regulation the North Bay Police Service Board shall establish policy(ies) consistent with the *Act*, Regulation(s) and any other applicable legislation.
- b. Pursuant to Section 10 of the *Community Safety and Police Act (CSPA)* the North Bay Police Service Board shall provide adequate and effective policing in the area for which they have policing responsibility in accordance with the needs of the population in the area and having regard for the diversity of the population in the area. It is the responsibility of the Board to develop rules and regulations for Members of the Service to follow.

2. Definitions

- a. Assignment means an assignment by the Chief of Police that designates Members who will, for a duration of time, serve in various specialized units, such as Investigative Support, Technical Services, Courts, etc. This designation is considered an assignment and not a promotion.
- b. Board means the North Bay Police Services Board.
- c. Chief means the Chief of Police of the North Bay Police Service.
- d. Collective Agreement means the existing agreement on wages and working conditions between the North Bay Police Service Board and the North Bay Police Association and the North Bay Police Service Senior Officers Association and shall include a decision or award of an arbitrator.
- e. Detached duties means duties assigned to a Member such as attendance at police schools, liaison with other agencies or police services, and any other special assignments that remove the Member from normal contact with the Service.
- f. Division means Service personnel regularly grouped under one head for the purpose of accomplishing a specified purpose.



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- g. Headquarters means the Police Headquarters at 135 Princess Street West, North Bay, Ontario also referred to as the Constable Leonard Slater Memorial Building.
- h. Member means an employee of the North Bay Police Service.
- i. Municipality means The Corporation of the City of North Bay.
- j. Platoon means a group of Police Officers in a subsection of the Patrol Section.
- k. Records Management System means the computerized system of records management utilized by the Service.
- l. Routine Orders means all orders of a temporary nature regarding personnel, police details, assignments, functions, and emergencies issued by the Chief of Police.
- m. Section means a functional unit within a Division.
- n. Service means the North Bay Police Service.
- o. Standard Operating Procedures (SOPs) means orders of the Chief of Police relating to policy and procedure, which are permanent in nature and are to be continuously observed by the entire Service.
- p. Sworn Member means a police officer of the North Bay Police Service.
- q. Subsection means a functional unit within a Section.
- r. Supervisor means any Member who has one or more Members of the Service under their direction.
- s. Unit means those Members of the Service who are temporarily grouped together under one supervisor to perform a specified task.

3. **BOARD TO DIRECT CHIEF OF POLICE**

- a. The Board will direct the Chief of Police and will monitor the Chief's performance in accordance with sections 37 (1) (f) & (g) and 40 (1) of the CSPA.



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4. ORGANIZATION

- a. The Chief of Police may divide the Service into Divisions, for the purpose of providing adequate and effective policing.
- b. The Chief may further divide the Service's Divisions into Sections, Subsections, Units, Platoons, and any other subdivisions as the Chief deems necessary for the provision of adequate and effective policing. The Chief shall ensure that such subdivision is represented in an organization chart for the Service which shall:
 - i. Describe the structure of the organization; and
 - ii. Illustrate the chain of command and responsibility.
- c. The Chief shall present an updated Organizational Chart to the Board at the first Board meeting each year for information/approval.

5. COMMAND RESPONSIBILITIES

- a. In accordance with section 79 of the *Community Safety and Policing Act*, the Chief of Police shall be responsible for:
 - i. Managing the members of the police service to ensure that they carry out their duties in accordance with the *CSPA*, its' regulations and in a manner that reflects the needs of the community;
 - ii. Administering the police service and oversee its operation in accordance with the Board's policies and strategic plan;
 - iii. Complying with any investigations conducted by the Complaints Director or the SIU Director and any inspections conducted by the Inspector General;
 - iv. Complying with the lawful directions of the Board; and
 - v. Establishing written procedures regarding the administration of his or her police service and the provision of policing by the police service.
- b. A Chief of Police may delegate in writing any of their powers and duties under the *CSPA* or the regulations to a member of the Chief of Police's police service, subject to any limitations, conditions or requirements set out in the delegation.
- c. A Deputy Chief of Police shall act in the place of the Chief of Police if the Chief is absent or unable to act and, when so acting, may exercise all the powers and shall perform all the duties of the Chief of Police.
- d. The Acting Chief of Police shall carry out all previously issued orders of the Chief, and such orders shall not be countermanded except in cases of emergency. When an order is countermanded or set aside, a written report shall be submitted to the Chief of Police outlining the reasons for the variance.



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6. **STANDARD OPERATING PROCEDURES AND ROUTINE ORDERS**

- a. The Chief of Police or designate shall issue their published orders in the form of Standard Operating Procedures and Routine Orders, as defined in Section 2 of this By-Law.
- b. The Chief shall not issue any order, either in the form of a Standard Operating Procedure or Routine Order, which will conflict with the provisions of these Rules and Regulations, or of any other by-law, policy, rule or regulation of the Board.
- c. The Chief may issue orders to implement and/or clarify a by-law, policy, rule or regulation of the Board.
- d. The Chief shall ensure that:
 - i. Each Member of the Service is knowledgeable of and abides by the Standard Operating Procedures and Routine Orders and any other orders issued by the Chief of Police or designate; and
 - ii. Supervisors inform and update Members under their direction of any changes to the Standard Operating Procedures and Routine Orders.
- e. Under no circumstances will ignorance of procedures or orders be accepted as a valid excuse for contravention of procedures or orders.
- f. The Chief of Police shall ensure that each Member:
 - i. When assigned to perform the duties of another rank, adheres to the Standard Operating Procedures and any other orders of the Chief affecting that rank;
 - ii. When assigned temporarily or permanently to detached duties, continues under the direction of the Service's Standard Operating Procedures and any other orders of the Chief; and
 - iii. While attending any police orientated educational facility abides by the rules and regulations of the director or person in charge of that institution.

7. **APPOINTMENT TO THE SERVICE**

- a. Pursuant to the provisions of the *CSPA* and upon recommendation of the Chief of Police, appointment of full-time members shall be made by the Board.
- b. The Chief shall recommend the appointment of Service Members to the Board.
- c. Notwithstanding the above, the Board may, from time to time, grant the Chief permission to hire full-time Members prior to formal appointment hired in this



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manner shall be brought before the Board for appointment pursuant to the provisions of the *CSPA*.

- d. The Chief shall have sole discretion to provide an applicant with the reason why the applicant was not hired by the Service, or to authorize a Member to provide an applicant with such information.
- e. The Chief may engage temporary and part-time staff as may be required from time to time.

8. **SUSPENSION**

- a. The Chief may suspend Members from duty, providing such suspension is in accordance with the provisions of the *CSPA*.
- b. The Chief shall ensure that a Member who has been suspended immediately surrenders their issued firearm, identification card, badge, Etoken and FOB to the Chief or designate.

9. **GRIEVANCE**

- a. The Chief shall deal with Members' grievances in accordance with the provisions of the Collective Agreement, subject to the best interests of the police service.

10. **ANNUAL LEAVES AND LEAVES OF ABSENCE**

- a. The Chief shall administer Members' annual leave and other leaves of absence in accordance with the provisions of the Collective Agreement.

11. **SICKNESS OR INJURY**

- a. The Chief shall:
 - i. Administer Members' sick leave entitlement in accordance with the provisions of the Collective Agreement;
 - ii. Administer Members' entitlement to benefits for employment-related injuries and illness in accordance with the provisions of the *Workplace Safety and Insurance Act, 1997 S.O. 1997, c. 16, Schedule A*;
 - iii. Establish procedures to control the reporting and provision of such leave and benefits to Members; and
 - iv. Ensure that no Member makes a settlement in respect of any claim for damages arising out of an on-duty injury without the consent of the Board.



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12. **RESIGNATION FROM THE SERVICE**

- a. Resignations will become effective immediately on the approval of the Board.
- b. The Chief may provide a written statement of conduct to a prospective employer of a current or former Member, upon receipt of a Waiver of Responsibility from the Member.

13. **RETIREMENT FROM THE SERVICE**

- a. Retirement shall be affected in accordance with the regulations governing the Ontario Municipal Employees Retirement System (OMERS) and the Collective Agreement.

14. **PAID SPECIAL DUTIES**

- a. The Chief may approve Paid Duties to be performed by Sworn Members.
- b. The Chief shall establish procedures to control billing, accounting and performance of Paid Duties.

15. **POLICE HEADQUARTERS**

- a. The Chief shall ensure that there are procedures in place to regulate the use of Police Headquarters and any other premises used by the Service.

16. **CORRESPONDENCE**

- a. The Chief shall ensure that all official correspondence issued from the Service is signed by the Chief or designate.

17. **USE OF PRIVATE VEHICLES**

- a. The Chief may authorize Members to use private vehicles, boats or motorized snow vehicles for police duties, provided the conveyance is insured to protect the Board, the Service, and the Municipality against civil liability, and provided that it conforms with all legislated mechanical standards.

18. **ADVSERTISING REWARDS**

- a. The Chief shall ensure that no Member participates or interferes in the publishing of any reward for the recovery of lost property by the owner or their agent.



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- b. The Chief may cause a description of property lost, found, stolen, or presumed stolen, to be advertised in the media, if so desired.
- c. The Board may offer a reward for the arrest and conviction of persons responsible for the commission of serious crimes, and the conditions of such reward may be established at that time.

19. **SALUTING**

- a. The Chief shall ensure that all Members, while in uniform, salute during the playing of the national anthem, the raising or lowering of the national flag, the passing of a funeral procession or a public parade when the national flag is displayed. At official ceremonies the Chief or designate may take the salute on behalf of the Members in uniform.

20. **SERVICE AWARDS, MEDALS AND COMMENDATIONS**

- a. The Board may issue the Police Exemplary Service Medal to a Member, upon the recommendation of the Chief of Police or, in the case of the Chief, upon the recommendation of the Board, under the conditions outlined by the Canadian Association of Chiefs of Police.
- b. The Board may issue a Certificate of Commendation to a Member for exceptionally outstanding police service, where an officer shows unusual alertness and initiative in performing his/her duty.
- c. The Chief may issue a Commendation to a Member for outstanding service.
- d. The Chief shall establish procedures for the reporting of outstanding service and for the recommendations for commendation.
- e. The Chief shall ensure that all Commendations granted by the Board or the Chief are published in Routine Orders and are entered on the Member's Service Record.

21. **CREDENTIALS**

- a. The Chief shall ensure that:
 - i. Each Sworn Member, while on duty, carries a badge and an approved identification card signed by the Chief of Police, bearing the Member's name and photograph, and identifying them as a Member of the Service;
 - ii. Sworn Members shall produce the badge and identification card whenever required to establish their identity as a Member of the Service;



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- iii. While on duty, Sworn Members shall produce the badge and identification card to any member of the public requesting it at a reasonable time;
 - iv. While on duty, Sworn Members who are not in uniform shall, when requested, display the badge and identification card to identify the bearer as a peace officer; and
 - v. No Member uses his/her badge or identification card to obtain any favour or private advantage.
- b. The Chief shall ensure that Members do not issue to any person anything, which presumes to grant to the person any special privileges or considerations as far as the Service is concerned.
 - c. The Chief may issue retired Sworn Members of the Service with a badge and identification card that are marked “Retired”.

22. LITIGATION

- a. The Chief shall:
 - i. Establish procedures to ensure that any legal proceedings served upon a Member arising out of action taken in the discharge of police duty, is reported to the Chief of Police, seized, investigated and documented;
 - ii. Immediately notify the Chairperson of the Board, the Board’s solicitor and the City solicitor of the Service of any legal proceeding document; and
 - iii. Ensure that no Member supplies any information to, or discusses with, any person except their personal solicitor, any facts pertinent to any litigation against the Municipality, the Board or the Service, except as authorized by the Chief.
- b. The Board shall provide legal indemnification to Members in accordance with the provisions of the Collective Agreement.

23. NO COMMERCIAL ENDORSEMENT

- a. The Chief shall ensure that no Member is authorized to use any photographs or videotaped footage of themselves in uniform, in connection with any testimonial or advertisement of any commodity or commercial enterprise.

24. COME INTO FORCE

- a. This By-Law comes into effect on the date of signing.



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Read the first time this 16th day of April, 2024

Read the second time this 16th day of April, 2024

Read the third time this 16th day of April, 2024

R. Stivrins
Board Chair