

**MUNICIPALITY OF CROWSNEST PASS  
PROVINCE OF ALBERTA**

**Bylaw 847, 2012**

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A BYLAW OF THE MUNICIPALITY OF CROWSNEST PASS, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ESTABLISHMENT AND OPERATION OF ENFORCEMENT SERVICES/PEACE OFFICER APPOINTMENT WITHIN THE MUNICIPALITY OF CROWSNEST PASS.

**WHEREAS:** Section 7 of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, and all amendments thereunto, authorizes a Council to pass Bylaws for Municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and for services provided by or on behalf of the Municipality;

**NOW THEREFORE:** the Council of the Municipality of Crowsnest Pass in the Province of Alberta, duly assembled, hereby enacts as follows respecting the safety, protection of people and property and the establishment of a Peace Officer/Enforcement Services Bylaw.

**NOW THEREFORE,** the Municipal Council of the Municipality of Crowsnest Pass, Alberta, duly assembled, hereby enacts as follows:

**PART 1: DEFINITIONS**

- 1.0 This Bylaw may be cited as the Peace Officer/Enforcement Services Bylaw.
- 2.0 In this bylaw, except where otherwise defined:
  - 2.1 **“ACT”** means all acts carried under the Peace Officer official appointment;
  - 2.2 **“ALLIED AGENCIES”** means all those agencies in which the Peace Officer or the Enforcement Services Unit is required to work with or liaise with. They include Police Services, RCMP, Provincial Peace Officers, Sheriffs, and Municipal Peace Officers in other jurisdictions, Provincial Ministries, Alberta Emergency Management Agency, Corporate Health and Safety, Corporate Emergency Response Teams, Corporate Security Teams;
  - 2.3 **“BYLAW”** means a Bylaw of the Municipality of Crowsnest Pass;
  - 2.4 **“CHIEF ADMINISTRATIVE OFFICER”** means the Chief Administrative Officer of the Municipality appointed by Council, or his designate;
  - 2.5 **“CARRY ON”** means to carry on, continue, operate, perform, keep, hold, occupy, deal in or use a thing, object or practice for gain;
  - 2.6 **“COMMUNITY BASED POLICING”** means a philosophy that combines traditional aspects of law enforcement with prevention measures, problem-solving, community engagement, and community partnership;
  - 2.7 **“COUNCIL”** means the duly elected officers of the Municipality and the Chief Elected Officer;
  - 2.8 **“CROWSNEST PASS REGULATION”** means any agreement, fire protection boundary or any requirement for Fire & Rescue Service as required by the Crowsnest Pass Regulation 197/2002 and any amendments thereunto;
  - 2.9 **“DANGEROUS GOODS”** means any product, substance or organism specified in the Regulations or included by its nature in any of the classes listed in the Regulations under the *Transportation of Dangerous Goods Control Act*, R.S.A. 1980, Chapter T-6.5, as amended;
  - 2.10 **“DIRECTOR”** means the Director of Protective and Community Services designated by the Chief Administrative Officer or any designated persons in an acting capacity;

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- 2.11 **“EMERGENT INCIDENT”** means a situation where Enforcement Services/Peace Officer is required to respond to a fire, explosion, dangerous goods, medical, rescue or other emergency event:
- 2.11.1 **“NON EMERGENT” INCIDENT** means a situation whereby; a complaint has been registered, the Peace Officer has observed an infraction, within the municipality or a call is placed within the policy level of priority and not considered an emergency.
- 2.12 **“EQUIPMENT”** means any tools, contrivances, devices or materials used by the Peace Officers within Enforcement Services;
- 2.13 **“FEES AND CHARGES BYLAW”** means The Municipality of Crowsnest Pass Fees and Charges Bylaw as amended from time to time;
- 2.14 **“FIRE GUARDIAN”** means that person or persons named or appointed by Council as a Fire Guardian (s) on or before April 01 of each calendar year pursuant to the Forest and Prairie Protection Act.
- 2.15 **“INCIDENT COMMANDER”** means the first qualified Member of Enforcement Services in attendance at an Incident who assumes command in accordance with policies and procedures of the unit;
- 2.16 **“JURISDICTION”** means that area of service authorized by the Solicitor General within the Peace Officer’s formal appointment documents, which can be changed or amended with permission from the Solicitor General;
- 2.17 **“MANAGER OF PROTECTIVE SERVICES/FIRE CHIEF”** means the Manager/Fire Chief of the Protective and Community Services Department;
- 2.18 **“MUNICIPALITY”** means The Municipality of Crowsnest Pass;
- 2.19 **“PEACE OFFICER”** means a member of the Royal Canadian Mounted Police or a Community Peace Officer appointed pursuant to the provisions the Police Act of Alberta R.S.A. 2000, Chapter P-17, as amended or repealed and replaced from time to time:
- 2.19.1 **“CONTRACTED PEACE OFFICERS”** are specifically assigned to a formal contract for service with the Municipality;
- 2.19.2 **“JURISDICTIONAL PEACE OFFICERS”** are specifically assigned a temporary jurisdictional change from their Municipality of origin to service The Municipality of Crowsnest Pass through the auspices of a special event or a disaster with jurisdiction terminating at the end of the event.
- 2.20 **“PROPERTY”** means any real or personal property which without limiting the generality of the foregoing includes land and structure;
- 2.21 **“STANDARD OPERATING PROCEDURES”** means those procedures guiding the enforcement unit and the Peace Officers with one (1) original and updated copy lodged in the RCMP Detachment and one (1) original and updated copy lodged in the Enforcement Services unit in the care and control of the Sergeant;
- 2.22 **“VIOLATION TICKET”** means a ticket issued pursuant to Part II of the Provincial Offences Procedure Act RSA 2000 c. P-34 as amended from time to time.

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**PART 2: ENFORCEMENT SERVICES PEACE OFFICER AUTHORITY**

- 2.0 The Council does hereby establish The Crowsnest Pass Enforcement Services/Peace Officer, for the purpose of:
- 2.1 Responding to emergent incidents with the intent to protect lives and preserve property in accordance with The Enforcement Services Standard Operating Procedures/Policies, Provincial Statute Authority, Peace Officer Provincial Appointments, Crowsnest Pass Regulation, Enforcement Services Business and Traffic Plan and all municipal bylaws;
  - 2.2 Responding to non-emergent incidents with the intent to protect lives and preserve property in accordance with section 2.1. including routine patrols, community based policing initiatives, and public engagement and education.
  - 2.3 Responding to incidents as requested by allied agencies including Crowsnest Pass Fire & Rescue Service, the RCMP, Fish and Wildlife, Sustainable Resource Development, Provincial Office of Traffic Safety, Environmental Protection Officers and other agencies as requested;
  - 2.4 Operating within the parameters of the Crowsnest Pass Regulation and all pertinent legislation and appointed jurisdictions;
  - 2.5 Issuing notices, orders, violation tickets, laying information, and other authorities within the Municipal Bylaws, Provincial Statutes, Solicitor General Peace Officer Handbook amended from time to time, and the Unit's Standard Operating Procedures amended from time to time;
  - 2.6 Investigating complaints, and appearing in court to provide evidence;
  - 2.7 Carrying upon his person at all such times as he is acting as a Municipal Community Peace Officer evidence in writing and bearing the uniform of his position as a Community Peace Officer representing the Municipality of Crowsnest Pass;
  - 2.8 Acting with discretion within the boundaries of his duty.
- 3.0 The Authority of a Municipal Community Peace Officer shall terminate when:
- 3.1 The person ceases to be an employee of the Municipality;
  - 3.2 The Chief Administrative Officer, the Director of Protective & Community Services, or the Community Peace Officer Sergeant terminates the appointment of a Community Peace Officer;
  - 3.3 The Solicitor General of Alberta terminates the appointment of a Community Peace Officer;
- 4.0 Upon termination of an appointment the Community Peace Officer shall turn in his weapons, badge, identification card and full uniform to the Sergeant in charge or the Director of Protective & Community Services where the "kit" will be disassembled and weapons stored;
- 5.0 The Director of Protective & Community Services or his designate, that being the Sergeant in charge of Peace Officers may appoint contract Municipal Peace Officers.
- 6.0 All contract Peace Officers shall execute the form of contract set out by the Municipality. The duties of a Contract Peace Officer shall be as set out in the contract;

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- 7.0 The appointment of any Contract Community Peace Officer may be terminated within the auspices of the signed contract by the CAO or his designates namely the Director of Protective & Community Services and or his designate, that being the Sergeant in charge of Peace Officers, or by resolution of Council;
- 8.0 The Director of Protective & Community Services and/or his designate that being the Sergeant in charge of Peace Officers, may request jurisdictional amendments from the Solicitor General in emergency situations, large special events, or in the mutual aid of other municipalities as requested;
- 9.0 The Sergeant in charge of Peace Officers may respond at his discretion to jurisdictional requests for mutual aid from other municipalities filing the required jurisdictional changes and requirements for service with the Solicitor General.

**PART 3: REPORTING**

- 3.0 The Municipal Community Peace Officer(s) will report within the Protective & Community Services Department and will consist of a Peace Officer Sergeant and a Peace Officer. Contracted or events requiring additional Peace Officer jurisdiction the Municipality of Crowsnest Pass will report to the Sergeant.

**PART 4: POWERS**

- 4.0 Powers of the Municipal Community Peace Officers are authorized under the Municipal Bylaws and within the Provincial Offences and Procedures Act Revised Statutes of Alberta 2000 current as of November 02, 2010 and amended from time to time.

**PART 5: SEVERABILITY**

- 5.0 If any Section or Sections of this Bylaw or parts thereof are found in any court of law to be illegal or beyond the power of Council to enact, such Section or Sections or parts thereof shall be deemed to be severable and all other Sections or parts of this Bylaw shall be deemed to be separate and independent there from and to be enacted as such.

That Bylaw 186, 1986 is hereby rescinded.

That this Bylaw shall come into full force and effect upon the final passing thereof.

READ a first time this 1<sup>st</sup> day of May, 2012.

CARRIED UNANIMOUSLY

READ a second time this 15<sup>th</sup> day of May, 2012.

CARRIED UNANIMOUSLY

READ a third time and finally passed this 21<sup>st</sup> day of August, 2012.

CARRIED UNANIMOUSLY

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*Bruce Vernon Decoux*

MAYOR

**Original Signed**

*Myron Thompson*

CHIEF ADMINISTRATIVE OFFICER