

**BY-LAW NO. 263**  
**TOWN OF SACKVILLE POLICING BY-LAW**  
**A BY-LAW RESPECTING THE PROVISION OF MUNICIPAL POLICE SERVICE IN THE**  
**TOWN OF SACKVILLE**

The Council of the Town of Sackville, under the authority vested in it by Section 10 (3) of the *Local Governance Act*, R.S.N.B. 2017, ch. 18, and amendments thereto, enacts as follows:

**PURPOSE AND INTENT**

1. To provide direction on the establishment, operation and terms of the provision of policing services within the Town of Sackville.

**TITLE**

2. This By-Law must be cited as the Town of Sackville Policing By-Law.

**POLICE ESTABLISHMENT**

3. The Council hereby establishes that policing services will be provided by the Royal Canadian Mounted Police throughout the Town of Sackville under the Municipal Police Service Agreement with the Government of Canada.

The Town may also hire additional persons or services to supplement the provision of policing services throughout the Town of Sackville, as approved by way of By-Laws and/or resolutions of Council (i.e. By-Law Enforcement Officer).

**DEFINITIONS**

4. In this by-law:
  - 4.1 "**Bylaw**" shall mean any legislation or ordinance passed by the Council of the Town of Sackville;
  - 4.2 "**By-Law Enforcement Officer**" means a person designated by Council to enforce the By-Laws of the Town of Sackville;
  - 4.3 "**Chief Administrative Officer**" means Chief Administrative Officer of the Town of Sackville or his designate;
  - 4.4 "**Commissioner**" means the Commissioner of the Royal Canadian Mounted Police or their designate;
  - 4.5 "**Council**" means the Council of the Town;

- 4.6 **“Detachment Commander”** means the member in charge of a detachment who manages its physical, financial and human resources;
- 4.7 **“Mayor”** shall mean the elected head of the municipality;
- 4.8 **“Municipality”** shall mean the Town of Sackville;
- 4.9 **“Municipal Police Service Agreement”** shall mean the agreement between the Government of Canada and the Municipality of Sackville for the use or employment of the Royal Canadian Mounted Police, or any portion thereof, in aiding the administration of justice in the municipality and in carrying into effect the laws in force;
- 4.10 **“Peace Officer”** includes any Constable, Police Officer, Cadet, Inspector, Special Constable, or Police Commissionaire employed or appointed for the preservation and maintenance of the public peace and order or for the service or execution of judicial process;
- 4.11 **“Royal Canadian Mounted Police” or “RCMP”** means the police force for Canada continued under the *Royal Canadian Mounted Police Act*.

#### **MANAGEMENT AND OPERATION OF THE MUNICIPAL POLICE FORCE**

5. 5.1 The Mayor and Council may set the objectives, priorities and goals of the Municipal Police Service, which are not inconsistent with those of the Province.
- 5.2 The internal management of the Municipal Police Service, including its administration and the determination and application of professional police standards and procedures, will remain under the control of the Government of Canada.
- 5.3 The Mayor will determine, in consultation with the Commissioner, the level of policing service to be provided by the Municipal Police Service.
- 5.4 Nothing in this by-law will be interpreted as limiting in any way the jurisdiction of the Province in respect of the administration of justice and law enforcement in the Province of New Brunswick.
- 5.5 The Detachment Commander will act under the direction of the Mayor, or such other person as the Mayor may designate in writing, in aiding the administration of justice in the municipality and in carrying into effect the laws in force in the Province and Municipality.

#### **POLICE SERVICES**

6. 6.1 Those Members or persons who form part of the Municipal Police Service:
- (a) will perform the duties of peace officers;
  - (b) will render such services as are necessary to:

- (i) preserve the peace, protect life and property, prevent crime and offences against the laws of Canada and the laws in force in the Province, and by-laws of the Town, apprehend criminals, offenders and others who may be lawfully taken into custody; and
- (ii) execute all warrants and perform all duties and services in relation thereto that may, under the laws of Canada or the laws in force in the Province or the municipality, be executed and performed by peace officers.
- (c) will render such services as are necessary to police offences against by-laws of the Municipality, to enable an effective and efficient delivery of police services in the Municipality.

6.2 The Members and persons shall carry out their policing duties in a professional manner respecting and adhering to all rules, regulations, directives, policies and orders of every description issued by the RCMP and or the Town.

This by-law comes into effect on the date of its enactment.

Read a first time this 9<sup>th</sup> day of October, 2018.

Read a second time this 13<sup>th</sup> day of November, 2018.

Read a third time and passed Council on this 13<sup>th</sup> day of November, 2018.

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Mayor

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Clerk