

BY-LAW NO. 2024-12

A BY-LAW RESPECTING THE PROVISION OF MUNICIPAL POLICE SERVICE IN TANTRAMAR

The Council of Tantramar, 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 Tantramar.
2. It is the Municipality's responsibility pursuant to the Police Act ("the Act") to provide and maintain police services with the Municipality, as defined in section 3(1).
3. Through resolution of Council on November 14, 2023, the Municipal Council for Tantramar entered into a Municipal Police Service Agreement with the Federal Government of Canada for the provision of policing services by the Royal Canadian Mounted Police as enabled by the Police Act in the Province of New Brunswick.

TITLE

2. This By-Law must be cited as Tantramar Policing By-Law.

POLICE ESTABLISHMENT

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

Tantramar may also hire additional persons or services to supplement the provision of policing services throughout Tantramar, 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 Tantramar;
 - 4.2 "By-Law Enforcement Officer" means a person designated by Council to enforce the By-Laws of Tantramar;

- 4.3 **“Chief Administrative Officer”** means Chief Administrative Officer of Tantramar or their designated;
- 4.4 **“Commissioner”** means the Commissioner of the Royal Canadian Mounted Police or their designate;
- 4.5 **“Council”** means the Council of Tantramar;
- 4.6 **“District 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 Tantramar;
- 4.8 **“Municipality”** shall mean Tantramar;
- 4.9 **“Municipal Police Service Agreement”** shall mean the agreement between the Government of Canada and Tantramar 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 District 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 Tantramar, 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 Tantramar.

REPEAL

Previous By-Laws entitled *Town of Sackville Policing By-Law* and *Village of Dorchester Policing By-Law* are hereby repealed.

Coming into Force

This By-Law comes into force on being passed by Council.

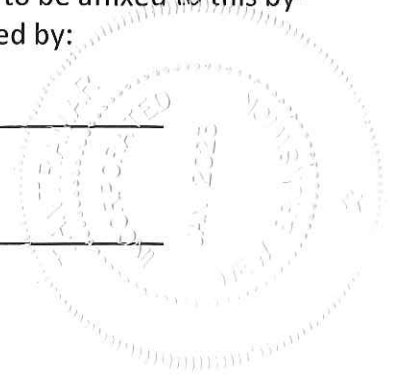
IN WITNESS WHEREOF Tantramar has caused hereto affixed its Corporate Seal of the said Municipality to be affixed to this by-law the 28th day of May 2024 and signed by:

Andrew Black

MAYOR

Donna Beal

CLERK



Read a First time this 9th day of April 2024.

Read a Second time this 28th day of May 2024.

Read a Third time and done and passed by Council this 28th day of May 2024.