

## City of Lacombe Bylaw 511

Consolidation to September 8, 2025

### **A Bylaw of the City of Lacombe, in the Province of Alberta (hereinafter referred to as "the Municipality"), to provide for a Municipal Police Commission**

WHEREAS, pursuant to Section 7 of the Municipal Government Act, RSA 2000, c. M-26, the City of Lacombe Council may pass bylaws for municipal purposes respecting services provided by or on behalf of a municipality;

AND WHEREAS, pursuant to Section 27 of the Police Act, RSA 2000, c. P-17, a municipality that has assumed the responsibility for establishing a municipal police service shall establish and maintain an adequate and effective municipal police service under the general supervision of a municipal police commission;

AND WHEREAS, pursuant to Section 28 of the Police Act, and subject to the regulations, Council shall prescribe rules governing the operations of the municipal police commission and may appoint up to 9 members of the commission;

AND WHEREAS, pursuant to Section 29 of the Police Act, in developing a budget, Council may obtain any information from the commission that may be necessary to enable it to assess the efficiency and the financing requirements of the police service;

AND WHEREAS, pursuant to Section 31 of the Police Act, Council is liable for any legal liability that is incurred by the commission;

AND WHEREAS, pursuant to Section 31(5) of the Police Act, where a commission has been established, Council shall not, except as permitted under the Act, perform any function or exercise any power in respect of the police service that the commission is empowered to perform or exercise;

AND WHEREAS, pursuant to Section 36 of the Police Act, the commission shall appoint for the police service the chief of police subject to the ratification of Council;

AND WHEREAS, a bylaw is required to establish a municipal police commission.

NOW, THEREFORE, the Council of the City of Lacombe duly assembled hereby enacts as follows:

#### **1. Bylaw Title**

- 1.1. The bylaw shall be referred to as "Municipal Police Commission Bylaw".

#### **2. Definitions**

In this bylaw:

- 2.1. "Chair" shall mean that member of the Commission appointed Chair pursuant to Section 4 of this Bylaw.
- 2.2. "Chief" shall mean Chief of Police of the Service.
- 2.3. "City" shall depending on its context mean either
  - a. the territory within the corporate boundaries of the City of Lacombe.
  - b. the Municipal Corporation of the City of Lacombe, its administration, personnel, agents or representatives.

- 2.4. "Commission" shall mean the Lacombe Police Commission appointed pursuant to this Bylaw.
- 2.5. "Council" shall mean the Municipal Council of the City of Lacombe.
- 2.6. "Minister" means the Minister designated under section 16 of the Government Organization Act as the Minister responsible for the Police Act, RSA 2000, c P-17. (b.511.1, 09/08/2025)
- 2.7. "Non-association staff" shall mean staff who are not members of the Lacombe Police Association and do not adhere to the collective agreement between the City of Lacombe and the Lacombe Police Association.
- 2.8. "Public Member" shall mean a member appointed from the public at large pursuant to Section 3.5 of the Bylaw. (b.511.1, 09/08/2025)
- 2.9. "Resident" means a person whose primary residence is in the City for at least the past six months. If more than one place of residence exists, the person shall designate their primary residence address using in order of priority a Driver's License, Income Tax, or Mail for confirmation to the Commission.
- 2.10. "Service" shall mean the Lacombe Police Service.

### **3. Appointment of Commission Members**

- 3.1. The Commission shall consist of no more than seven (7) members in total, including those appointed by Council and by the Minister. (b.511.1, 09/08/2025)
- 3.2. Council shall appoint up to five (5) members, including one (1) member of Council of the City of Lacombe and four (4) public members. (b.511.1, 09/08/2025)
- 3.3. The Members of Council shall be selected from time to time by resolution of Council.
- 3.4. Up to two (2) Commission Members may be appointed by the Province of Alberta pursuant to section 28(2.3) of the Police Act. (b.511.1, 09/08/2025)
- 3.5. Public members who are not appointed by the Province shall be appointed by resolution of Council at a meeting by Council.
- 3.6. A Public Member may serve on the Commission for a maximum of two consecutive three-year terms, unless at least two thirds of the whole Council passes a resolution stating that a Public Member may be reappointed for more than two consecutive terms, and as long as reappointment does not result in more than 10 consecutive years of service by that member.
- 3.7. Applications submitted from the public are forwarded by Administration to the Chair for evaluation using a skills matrix, ranked, and forwarded to the Mayor's office for review. Applications approved by the Mayor will be forwarded to the Commission for information, and subsequent ratification by Council per clause 3.5 and Section 28(2b) of the Police Act. (Amended per b. 425 s11(1)(c), 12/11/2025)
- 3.8. A Public Member shall be a resident of the City of at least 18 years of age.
- 3.9. A Public Member shall cease to be eligible to be a member of the Commission if that member:
  - a. ceases to be a resident of the City.
  - b. is hired in any capacity with the City of Lacombe, the Lacombe Police Service, or any other law enforcement agency.
  - c. ceases to satisfy the provision of Sections 170, 172 and 174 of the Municipal Government Act S.A. 1994, c. M-26.1 as if those provisions were imposed in this context.

- 3.10. The Council may terminate the appointment of a Council appointed Commission Member for cause.
- 3.11. The appointment of a member to the Commission who was appointed by the Minister may not be revoked by Council, but may be revoked by the Minister at the discretion of the Minister.
- 3.12. Where a vacancy is created in the membership of the Commission the Council shall appoint a Member to complete the remainder of the original term of appointment.
- 3.13. All Commission members, whether Public, a Council Member, or a Provincial Appointment, must complete a security clearance.

#### **4. Appointment of Chair**

- 4.1. The Commission at its first meeting of the Commission held after January 1st in each year shall elect a Chair and Vice Chair from among the Public Members.

#### **5. Meetings of the Commission**

- 5.1. The Commission shall hold at least six public meetings more or less distributed evenly throughout the year.

#### **6. Special Commission Meetings**

- 6.1. The Chair
  - a. may call a special meeting whenever the Chair considers it appropriate to do so, and
  - b. must call a special meeting if they receive a written request for the meeting, stating its purpose, from a majority of the Commission members.
- 6.2. A special meeting called under subsection 6.1(b) must be held within 14 days after the date that the Chair receives the request.
- 6.3. The Chair calls a special meeting by giving at least 24 hours' notice in writing to each Commission member, and unless all matters on the agenda are to be discussed in camera, the public stating the purpose of the meeting and the date, time and place at which it is to be held.
- 6.4. A special meeting may be held with less than 24 hours' notice to all Commissioners and without notice to the public if at least 2/3 of the whole Commission agrees to this in writing before the beginning of the meeting.
- 6.5. No matter other than that stated in the notice calling the special meeting may be transacted at the meeting unless the whole Commission is present at the meeting and the Commission agrees to deal with the matter in question.

#### **7. Rules Governing Meetings**

- 7.1. A quorum of the Commission shall be fifty percent (50%) plus one member of the membership at the time of the meeting.
  - a. A decision of the members forming a quorum at a duly convened meeting of the Commission shall be deemed to be the decision of the whole Commission.
  - b. The Chair shall be responsible for the conduct of a meeting. In their absence, the Vice Chair or delegate shall be responsible for the conduct of the meeting.
- 7.2. The Commission may adopt any other additional rules and procedures governing the meetings and activities of the Commission insofar as they are not inconsistent with the Police Act or this Bylaw.

#### **8. Freedom of Information and Protection of Privacy**

- 8.1. Subject to Section 18 of AR 186/2008, Freedom of Information and Protection of Privacy Regulation and Section 197 (1) of the Municipal Government Act, RSA 2000, c. M-26, meetings of the Commission shall be open to the public with the exceptions to disclosure in Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act*.

## **9. Chief Attend Meetings**

- 9.1. The Chief, or when unable to attend, the Chief's delegate shall attend all meetings of the Commission in an advisory capacity but may not vote.
- 9.2. The Chief or designate attending a meeting of the Commission may at the discretion of the Commission be excluded from any private session of a meeting.

## **10. CAO Attend Meetings**

- 10.1. The CAO or their designate shall attend the Commission meetings as a non-voting participant and shall be excluded from in-camera matters unless invited by the Commission to remain.

## **11. Board Secretary to the Commission**

- 11.1. In the absence of a Commission supported secretary, Council by resolution or the CAO shall appoint an employee of the Municipality as Board Secretary to the Lacombe Police Commission who shall:
- a. attend all meetings and keep a record of all proceedings of the Commission including hearings.
  - b. keep and maintain at a place designated by the Commission all records, correspondence and other documents.
  - c. perform such other duties related to the position of Board Secretary as the Commission may require.
  - d. not vote
  - e. Be excluded from in-camera matters unless invited by the Commission to remain.
  - f. Be subject to a duty of confidentiality to the Commission as if a member of the Commission.
  - g. Be subject to a security clearance.

## **12. Information to Council**

- 12.1. The meeting minutes related to the portion of the Commission meeting open to the public and approved by the Commission shall be made available for public viewing.
- 12.2. Council may request any information it considers necessary to enable it to assess the efficiency and financing requirements of the Service.
- 12.3. The Chair shall respond to the Mayor on any requests for information made under Section 12.2.
- 12.4. The Mayor shall share all information from the Commission with Council.

## **13. Powers and Duties of the Commission**

- 13.1. The Commission shall oversee the Service by:
- a. allocating the funds that are provided by Council.
  - b. establishing policies to provide for efficient and effective policing.

- c. issuing instructions, as necessary, to the Chief in respect to such policies.
- d. ensuring that sufficient persons are employed for the Service for the purposes of carrying out the functions of the Service.
- e. monitoring the compliance and achievement of the goals, objectives and policies of the Service.

## **14. Appointment of Chief**

- 14.1. The Commission shall appoint the Chief of Police. The initial appointment of any individual as Chief of Police must be ratified by Council.

## **15. Appointment of Members**

- 15.1. The Commission shall have the power to appoint Members of the Service other than the Chief but may by resolution delegate this responsibility to the Chief.

## **16. Preparation of Policing Plan**

- 16.1. Annually the Commission shall submit to the Council a Policing Plan for the next ensuing fiscal year which will specify the level of police service and programs to be provided to the municipality.

## **17. Preparation of Budget**

- 17.1. Annually the Commission shall submit to Council estimates of all money required in the next ensuing fiscal year to:
  - a. pay the remuneration of the Police officers and other persons employed by the Service.
  - b. provide and pay for the maintenance of accommodation, equipment and operating costs of the police service.
  - c. support such capital purchases as may be contemplated by the Commission.

## **18. Funding**

- 18.1. The Council, by December 31 of each year, shall determine the amount of funding that will be provided to the Service for the next fiscal year.
- 18.2. Upon confirmation of the amount of funds to be received from Council, the Commission shall adopt a budget allocating the funds available.

## **19. Authorization of Expenditures**

- 19.1. Upon approval of the budget, the Chief may authorize expenditure of funds in accordance with the provisions of the budget, subject to the purchasing policies of the City.

## **20. Negotiation of Collective Agreement**

- 20.1. The Council shall approve the Collective Agreement with the Lacombe Police Association under the authority of the Police Officers Collective Bargaining Act.
- 20.2. The negotiating committee shall be composed of the Chief Administrative Officer (CAO), the Senior Manager of People Services, and the Chief of Police or designate who is a current member of the Lacombe Police Service with a contract outside the collective agreement between the City and the Lacombe Police Association.
- 20.3. The Commission shall be entitled to provide its views and recommendations to the negotiating committee during the period of negotiations.

## **21. Determination of Wages and Salaries**

- 21.1. The Commission shall annually review and establish wage and salary levels for the positions of those Police Officers not included in the Lacombe Police Association and for other persons employed for the Service.
- 21.2. The Commission shall establish personnel policies for Non-Association Staff positions that are not markedly inconsistent with the policies established for other City staff.

## **22. Effective Date**

- 22.1. This bylaw shall come into force and effect when it receives third reading and is duly signed.

## **23. Severability**

- 23.1. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

## **24. Repeal Of Bylaw 78**

- 24.1. Bylaw 78, and its amendments Bylaw 78.1, 78.2, 78.3, 78.4, 78.5, 78.6, 78.7, 78.8 are hereby repealed.

INTRODUCED AND GIVEN FIRST READING THIS 27<sup>th</sup> day of November, 2023.

GIVEN SECOND READING THIS 22<sup>nd</sup> day of January, 2024.

GIVEN THIRD AND FINAL READING THIS 26<sup>th</sup> day of February, 2024.

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Original Signed

Mayor

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Original Signed

Chief Administrative Officer