THE CITY OF WINNIPEG
BY-LAW NO. 148/2012

A By-law of THE CITY OF WINNIPEG to establish the Winnipeg Police Board and provide for the appointment of its members.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1. This by-law may be referred to as the **"Winnipeg Police Board By-law"**.

2. In this by-law:

"Act" means *The Police Services Act*, C.C.S.M., c.P94.5 and the regulations thereto, as amended and replaced from time to time;

"Board" means the Winnipeg Police Board established by this by-law;

"Board Budget" means the annual operating budget of the Board;

"Citizen" means a person, other than a member of Council, who meets the appointment criteria set forth in the Police Board Regulation 130/2012 as amended or replaced from time to time;

"Council" means the Council of The City of Winnipeg;

"Council Appointee" means a member of the Board as appointed by Council;

"Councillor" means a person elected to Council; and

"Records" includes quotations, contracts, correspondence, invoices, vouchers, timesheets, and any other documents that support actions taken by the Board.

Establishment of the Winnipeg Police Board

3. There is hereby established a board to be known as the "Winnipeg Police Board" which shall have such duties as provided in the Act and as hereinafter provided.

Composition of the Board and Term

4. The Board shall be composed of seven (7) members which shall include the Chair and Vice Chair of the Board.

5. Five (5) members of the Board, including the Chair and Vice Chair, shall be appointed by Council as follows:

(a) the Mayor or his or her nominee, subject to ratification by Council, who shall also be appointed as Chair of the Board;
(b) one (1) Councillor; and
(c) three (3) Citizens.

6. Council Appointees who are Councillors shall be appointed for a one (1) year term. Notwithstanding the foregoing, a Councillor may be a Board member only so long as they remain a Councillor.

7. Council Appointees who are Citizens shall be appointed for a term not to exceed the lesser of three (3) years or the term of office of the Council that made the appointment.

8. A Council Appointee shall be eligible for reappointment to the Board if the reappointment does not result in more than eight (8) consecutive years of service on the Board by such Council Appointee.

9. All Council Appointees must meet the qualifications for appointment set out in the Act or this By-law. Council Appointees who are Citizens shall be selected to provide a balance of skills on the Board.

10. Where a Council Appointee resigns or is otherwise unable to carry out and complete his or her term of office, Council may in accordance with Section 5 appoint a person to complete the remainder of that term.

11. Council may revoke the appointment of any Council Appointee for cause including, without limitation, if the Council Appointee:

    (a) is convicted of, or found guilty of, contravening a federal or provincial enactment or has any outstanding charges for contravening a federal or provincial enactment awaiting court disposition;

    (b) fails to attend three (3) consecutive regular meetings of the Board, unless the absences are authorized by a resolution of the Board passed before or at one of those meetings;

    (c) becomes under the Act or this by-law disqualified from being or remaining a Board member;

    (d) ceases to meet the qualifications set out in the Act or this by-law for being or remaining a Board member;

    (e) becomes bankrupt, or suspends payment or his or her debts as they generally fall due, or is declared insolvent; or

    (f) is found to be or becomes of unsound mind.

12. Prior to their appointment, all potential Board members must pass background security checks including, without limitation, any background security checks required pursuant to the Act. Notwithstanding the foregoing, at any time during the term of a Board member, Council may require an updated criminal records search.

13. Each Board member shall sign declarations agreeing to confidentiality and that they have no conflict of interest regarding matters within the Board's jurisdiction.

Meetings

14. The Board shall hold a minimum of nine (9) monthly meetings per year.

15. In addition, the Board shall annually hold a minimum of two additional public consultations to solicit community input on public safety issues and priorities, which public consultations shall be held in locations throughout the city.

Remuneration

16. Citizen members of the Board shall be paid the following remuneration by the City for time spent in attendance at meetings of the Board, including public consultations:

    (a) Chair and Vice Chair:

        (i) $190.00 for four (4) meeting hours or less;
        (ii) $336.00 for more than four (4) meeting hours.

    (b) Other Citizen members:

        (i) $109.00 for four (4) meeting hours or less; or
        (ii) $192.00 for more than four (4) meeting hours.

Board Budget and Support Staff

17. The Board shall annually prepare and submit a Board Budget for consideration by Council in accordance with City budget procedures. Council is responsible for establishing the total Board Budget.

18. Within such Board Budget, the Board may hire such persons as it deems appropriate.

Police Budget

19. The Board shall submit operating and capital estimates to Council that will show the amounts that will be required to maintain the Winnipeg Police Service and provide it with equipment and facilities. The format of the estimates, the period they cover, and the timetable for their submission shall be in accordance with City budget procedures.

20. The Board shall provide sufficient information to enable Council to determine the financing requirements of the Winnipeg Police Service including, if directed by Council, strategic plans, variance reports, capital plans and variance analysis. Council is responsible for establishing the total budget of the Winnipeg Police Service.

Reporting

21. The Board shall prepare an annual strategic plan which shall be submitted to Council for information through the Standing Policy Committee on Protection and Community Services.

22. At the end of each year, the Board shall issue an annual report to Council for information through the Standing Policy Committee on Protection and Community Services, which annual report shall include a summary of the Board's activities for the year.

23. The Board shall prepare annual audited financial statements for the Board Budget and the Winnipeg Police Service budget which shall be submitted to Council for information through the Standing Policy Committee on Protection and Community Services.

24. The Board shall provide a quarterly update on the Board Budget and the Winnipeg Police Service Budget to the Standing Policy Committee on Finance for information.

25. In order to assess the effectiveness and efficiency of the Winnipeg Police Service in respect of the funds provided by Council:

    (a) Council may request Records from the Board and the Board shall provide the Records requested; and

    (b) Council may direct the City Auditor or external auditors to audit any Records provided.

Record Retention

26. All Records shall be subject to retention and disposition schedules in accordance with the City's Records Management By-law No. 86/2010 as amended or replaced from time to time.

DONE AND PASSED in Council assembled, this _____ day of _____, 2012.

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Mayor

_____
City Clerk

Approved as to Content:

_____
Chief Operating Officer

Approved as to Form:

_____
for Director of Legal Services/City Solicitor