



## **BY-LAW NO. 184 - 99**

### *A BY-LAW RESPECTING COMMUNITY POLICING COMMITTEE FUNDRAISING*

#### **1 PREAMBLE**

- 1.1 Whereas Section 31 of the *Police Services Act*, R.S.O. 1990, c.P.15 and amendments thereto, sets out the responsibilities of Police Services Boards, including the responsibility to provide adequate and effective police services in the municipality;
- 1.2 And whereas Section 31(1)(b) provides that the Board shall generally determine, after consultation with the Chief, objectives and priorities of the Police Service;
- 1.3 And whereas Section 31(1)(c) provides that the Board shall establish policies for the effective management of the police force;
- 1.4 And whereas the Board considers it expedient to enact this by-law to provide guidelines to Community Policing Committees in respect of all issues relating to Fundraising.

#### **2 DEFINITIONS**

- 2.1 "Act" means the *Police Services Act*, R.S.O. 1990, c.P.15 and amendments thereto.
- 2.2 "Article" means an Article or Subarticle of this By-law.
- 2.3 "Board" means the Regional Municipality of Niagara Police Services Board.
- 2.4 "Community Policing Committee" means a volunteer committee which works in conjunction with the Service to promote community policing in a municipality.
- 2.5 "Donor" means a private individual, or a corporation, partnership, club or other organization, whether for profit or not, which contributes money, goods or services to a Community Policing Committee.
- 2.6 "Chief" means the Chief of Police of the Niagara Regional Police Service.

- 2.7 *“Fundraising”* means the solicitation of money for the benefit of a Community Policing Committee and not the Service, and the sale of goods, services or licences by the Community Policing Committee for the purpose of raising money for the benefit of that organization.
- 2.8 *“Member”* means a Member of the Niagara Regional Police Service as defined by the Act.
- 2.9 *“Qualified Donor”* means a Donor who meets the approval criteria set out in Article 5.3 of this by-law.
- 2.10 *“Section”* includes subsection, paragraph, subparagraph, clause and subclause and refers to sections of the Act.
- 2.11 *“Service”* means the Niagara Regional Police Service.

### **3 APPLICATION**

- 3.1 This by-law applies to:
- 3.1.1 Fundraising by Community Policing Committees,
- 3.1.2 Donors subject to the provisions of Article 5.4,
- 3.1.3 the receipt and/or disbursement of any monies received on account of Fundraising by Community Policing Committees.

### **4 RESTRICTIONS**

- 4.1 No Fundraising shall be undertaken by any Community Policing Committee except in accordance with the provisions of this by-law.
- 4.2 No Community Policing Committee shall enter into any arrangement to endorse a product or service.
- 4.3 The Board shall not approve any Fundraising proposal which may in the opinion of the Board compromise the integrity, objectivity or impartiality of the Service.

### **5. FUNDRAISING**

- 5.1 This Article applies to any Fundraising initiative undertaken by a Community Policing Committee or Committees in which the total money proposed to be raised exceeds \$5,000.
- 5.2 No such Fundraising shall be undertaken without prior Board approval.
- 5.3 In deciding whether to approve such Fundraising proposal, the Board shall consider the following criteria:
- 5.3.1 the Fundraising must be in good taste in the opinion of the Board,

- 5.3.2 there shall be no solicitation to the public at large without specific prior Board approval to be given in accordance with the provisions of Article 5.4 below,
- 5.3.3 the solicitation and the purpose of the Fundraising must not compromise, or appear to compromise, the integrity or the impartiality of the Service,
- 5.3.4 present and past activities of Donors must not be in conflict with those of the Service,
- 5.3.5 Donors must be of good standing in the community,
- 5.3.6 Donors must have a reputation of integrity and ethical standing.
- 5.4 The Board may approve a Fundraising plan which provides for solicitation to the public at large if it is satisfied that the remaining criteria relating to Donors will be met, and in the event that such solicitation to the public at large is approved, money is not to be accepted from any Donor who is known by the Service not to meet the approval criteria for Donors under Article 5.3, but each Donor need not be individually checked and approved.
- 5.5 The Board shall not approve any Fundraising proposal unless:
  - 5.5.1 it is satisfied that all monies to be raised are to be placed into a trust account of the Community Policing Committee opened for the purpose of holding monies received through Fundraising,
  - 5.5.2 the names and positions of the signing officers of the trust account are disclosed,
  - 5.5.3 the Community Policing Committee undertakes to account to the Board for all monies received and spent, and
  - 5.5.4 all necessary municipal, provincial and/or federal approvals have been obtained by the Community Policing Committee, or if not obtained, there is an undertaking not to proceed with any Fundraising until all such necessary approvals are so obtained.

**6. INITIAL REPORTING REQUIREMENTS**

- 6.1 Prior to undertaking any Fundraising drive in accordance with Article 5 above, the Chair or Chairs of the Community Policing Committees involved shall make a written report to the Board, with a copy to the Chief, containing the following information:
  - 6.1.1 a brief description of the program for which the Fundraising approval is being sought,
  - 6.1.2 an explanation of the Fundraising proposal,
  - 6.1.3 a description of the methods proposed to be used,
  - 6.1.4 information on the professional fundraiser, if any, being used, including the fee or commission being charged, and a statement as to whether or not the fundraiser would meet the approval criteria for Donors as set out in this Article,

6.1.5 the amount of money proposed to be raised.

**7. ANNUAL REPORTING REQUIREMENTS**

7.1 On or before November 30<sup>th</sup> of each year, the Chair or Chairs of Community Policing Committees involved in Fundraising throughout the year, shall make a written report to the Board, with a copy to the Chief, in respect of Fundraising initiatives exceeding \$5,000 and under \$5,000 containing the following information:

7.1.1 the number of Fundraising initiatives undertaken in the preceding year,

7.1.2 the date of Board approval in respect of each initiative exceeding \$5,000,

7.1.3 an accounting of all money received and spent in respect of each Fundraising initiative,

7.1.4 a brief explanation as to the success of the Fundraising initiative, and,

7.1.5 a brief explanation of the reason for the Fundraising initiative and the use to which the money was put,

7.1.6 a brief summary of any Fundraising initiatives proposed to be undertaken during the ensuing year.

7.2 The report referred to in this Article may be made by one Community Policing Chair on behalf of all Community Policing Committees in the Region, or individually by Community Policing Chairs, as the Community Policing Committees may agree.

**8. REPORTING FORMS**

8.1 The Community Policing Chair or Chairs may make their initial and annual reports using the forms attached as Appendix "A" and "B" to this by-law.

**9 ENACTMENT**

9.1 This by-law shall come into force upon the date of its passage by the Board.

ENACTED AND PASSED this 13th day of April, 2000.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

CHAIRPERSON original signed by Shirley Cordiner