



BY-LAW NO. 311 – 2011

**A BY-LAW RESPECTING
EQUIPMENT - BODY ARMOUR
(AI-015)**

1. PREAMBLE

- 1.1 WHEREAS subsection 31(1) of the *Police Services Act* provides that a Board is responsible for the provision of police services and for law enforcement and crime prevention in the municipality and shall:
- b. generally determine after consultation with the Chief of Police, objectives and priorities with respect to the police service in the municipality;
 - c. establish priorities for the effective management of the police service; and
 - e. direct the Chief of Police and monitor his or her performance;
- 1.2 AND whereas subsection 31(6) of the *Police Services Act* provides that the Board may, by by-law, make rules for the effective management of the police service;
- 1.3 AND whereas O. Reg. 268/10, Section 7 of the *Police Services Act* sets out requirements that all articles of uniform and equipment necessary for the performance of duty shall be provided by the municipality, but, where a uniform or equipment is damaged or lost through the fault of the member of a police service, the member shall bear the cost of replacement;
- 1.4 AND whereas Section 135 of the *Police Services Act* provides for the making of regulations regarding the use of any equipment by a police service for any of its members;
- 1.5 AND whereas the Ministry of Community Safety and Correctional Services Policing Standards requires a police services board to have a policy with respect to equipment – body armour for the purposes of workplace safety under the *Police Services Act*;
- 1.6 AND whereas the *Occupational Health and Safety Act*, R.S.O. 1990, c.0.1 as amended, sets out the responsibilities of employers, supervisors and workers for workplace safety, the Board prescribes the Chief of Police shall establish procedures and processes with respect to equipment – body armour;

- 1.7 AND whereas Part AI-015 of the Policing Standards Manual (2000), a copy of which is attached hereto as Appendix A, contains guidelines directing the Board, the Chief and members relative to equipment – body armour.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD ENACTS AS FOLLOWS:

2 DEFINITIONS

- 2.1 “Act” means *Police Services Act*, R.S.O. 1990, c.P.15, as amended;
- 2.2 “Board” means the Regional Municipality of Niagara Police Services Board;
- 2.3 “Chief” means the Chief of the Niagara Regional Police Service;
- 2.4 “Member” means a member of the Niagara Regional Police Service;
- 2.5 “Ministry” means the Ministry of Community Safety and Correctional Services;
- 2.6 “Service” means the Niagara Regional Police Service.

3 BOARD POLICY

- 3.1 The Board recognizes the importance of workplace and public safety, including safety with respect to body armour, and therefore it is the policy of this Board to require the Chief to set out procedures as directed in this by-law with respect to the provision, use and function of body armour equipment.

4 DIRECTION TO THE CHIEF

4.1 PROCEDURES

- 4.1.1 The Chief shall develop and maintain written procedures in accordance with Appendix A that govern the provision, use and function of body armour equipment.
- 4.1.2 The Chief shall consult with designated employee representatives regarding the acquisition of body armour.

4.2 MEMBERSHIP AND TRAINING

- 4.2.1 The Chief shall ensure that the procedures developed and maintained in section 4.1 above require that members receive the appropriate training in relation to body armour.

5 REPORT TO THE BOARD

- 5.1 The Chief shall make a written report to the Board on or before August 30th of each year with respect to body armour equipment for police service firearms. The report shall contain:
 - a. a summary of the written procedures relating to body armour equipment;
 - b. the status of Service compliance with the said procedures; and
 - c. confirmation that Members have been trained in accordance with section 4.2.

6 IMPLEMENTATION

- 6.1 This By-law shall come into force upon the date of its passage.
- 6.2 The Chief shall implement this By-law, where applicable, through general order.

ENACTED AND PASSED this 15th day of December, 2011.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

Chairperson

Executive Director

