



# **NORTH BAY POLICE SERVICE**

## **RULES AND REGULATIONS**

**(North Bay Police Services  
Board By-Law # 07/01)**

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**NORTH BAY POLICE SERVICES BOARD  
BY-LAW # 07/01**

**NORTH BAY POLICE SERVICE RULES AND REGULATIONS**

By-Law # 6/96 is hereby rescinded and replaced with the following.

**WHEREAS** the North Bay Police Services Board is governed by the *Police Services Act*, R.S.O. 1990, c. P.15.

And **WHEREAS** s. 31(1)(c) of the *Police Services Act* requires the Board to establish policies for the effective management of the police service.

The North Bay Police Services Board hereby enacts as follows.

***Definitions***

1. For the purposes of this By-Law:
  - a) **ASSIGNMENT** shall mean an assignment by the Chief of Police whereby he/she designates Members who will, for a duration of time, serve in various specialized units, such as Investigative Support, Youth, Technical Services, Courts, etc. This designation is considered an assignment and not a promotion.
  - b) **BOARD** shall mean the North Bay Police Services Board.
  - c) **CHIEF** shall mean the Chief of Police of the North Bay Police Service.
  - d) **COLLECTIVE AGREEMENT** shall mean the existing agreement on wages and working conditions between the North Bay Police Services Board and the North Bay Police Association, and shall include a decision or award of an arbitrator.
  - e) **DETACHED DUTIES** shall mean duties assigned to a Member such as attendance at police schools, liaison with other agencies or police services, and any other special assignments that remove the Member from normal contact with the Service.
  - f) **DIVISION** shall mean Service personnel regularly grouped under one head for the purpose of accomplishing a specified purpose.

- g) **HEADQUARTERS** shall mean the Police Administration Building that houses the personnel of the Service.
- h) **MEMBER** shall mean a Member of the Service as defined by the *Police Services Act*.
- i) **MUNICIPALITY** shall mean the Corporation of the City of North Bay.
- j) **PLATOON** shall mean a group of Police Officers in a subsection of the Patrol Section.
- k) **RECORDS MANAGEMENT SYSTEM** shall mean the computerized system of records management utilized by the Service.
- l) **ROUTINE ORDERS** shall mean all orders of a temporary nature regarding personnel, police details, assignments, functions, and emergencies issued by the Chief of Police.
- m) **SECTION** shall mean a functional unit within a Division.
- n) **SERVICE** shall mean the North Bay Police Service.
- o) **STANDARD OPERATING PROCEDURES** shall mean orders of the Chief of Police relating to policy and procedure, which are permanent in nature and are to be continuously observed by the entire Service.
- p) **SWORN MEMBER** shall mean a police officer of the North Bay Police Service.
- q) **SUBSECTION** shall mean a functional unit within a Section.
- r) **SUPERVISOR** shall mean any Member who has one or more Members of the Service under his/her direction.
- s) **UNIT** shall mean those Members of the Service who are temporarily grouped together under one supervisor to perform a specified task.

***Board to Direct Chief of Police***

2. The Board will direct the Chief of Police and will monitor his/her performance in accordance with section 31(1)(e) of the *Police Services Act*.

### **Organization**

3. The Chief of Police may divide the Service into Divisions, for the purpose of providing adequate and effective police services.
4. The Chief may further divide the Service's Divisions into Sections, Subsections, Units, Platoons, and any other subdivisions as he/she deems necessary for the provision of adequate and effective police services. The Chief shall ensure that such subdivision is represented in an organizational chart for the Service, which shall:
  - a) Describe the structure of the organization; and
  - b) Illustrate the chain of command and responsibility.
5. The Chief shall present an updated Organizational Chart to the Board at least once annually.

### **Command Responsibilities**

6. In accordance with section 41(1) of the *Police Services Act*, the Chief of Police shall be responsible for:
  - a) The general administration of the Service and overseeing the operation of the Service in accordance with the objectives, priorities and policies established by the Board under s. 31(1) of the *Police Services Act*;
  - b) Ensuring that Members carry out their duties in accordance with the *Police Services Act* and the regulations thereto and in a manner that reflects the needs of the community, and that discipline is maintained in the Service;
  - c) Ensuring that the Service provides community-oriented police services; and
  - d) Administering the complaints system in accordance with Part V of the *Police Services Act*.
7. In all absences of the Chief of Police, unless the Chief or the Board designates otherwise, the next senior ranking officer shall have the designation of Acting Chief of Police.
8. The Acting Chief of Police shall carry out all previously issued orders of the Chief, and such orders shall not be countermanded except in cases of emergency. When an order is countermanded or set aside, a written report shall be submitted to the Chief of Police outlining the reasons for the variance.

### ***Standard Operating Procedures and Routine Orders***

9. The Chief of Police or designate shall issue his/her published orders in the form of Standard Operating Procedures and Routine Orders, as defined in section 1 of this By-Law.
10. The Chief shall not issue any order, either in the form of a Standard Operating Procedure or Routine Order, which will conflict with the provisions of these Rules and Regulations, or of any other by-law, policy, rule or regulation of the Board.
11. The Chief may issue orders to implement and/or clarify any by-law, policy, rule or regulation of the Board.
12. The Chief shall ensure that:
  - a) Each Member of the Service is knowledgeable of and abides by the Standard Operating Procedures and Routine Orders and any other orders issued by the Chief of Police or designate; and
  - b) Supervisors inform and update Members under their direction of any changes to the Standard Operating Procedures and Routine Orders.
13. Under no circumstances will ignorance of procedures or orders be accepted as a valid excuse for contravention of procedures or orders.
14. The Chief of Police shall ensure that each Member:
  - a) When assigned to perform the duties of another rank, adheres to the Standard Operating Procedures and any other orders of the Chief affecting that rank;
  - b) When assigned temporarily or permanently to detached duties, continues under the direction of the Service's Standard Operating Procedures and any other orders of the Chief; and
  - c) While attending any police school or college, abides by the rules and regulations of the director or person in charge of the institution.

### ***Appointment to the Service***

15. Appointments to the Service shall be made by the Board.
16. The Chief shall recommend the appointment of Service Members to the Board.
17. Notwithstanding section 15 above, the Board may, from time to time, grant the Chief permission to hire full-time Members prior to formal appointment by the Board. As soon as reasonably possible thereafter, any Member

hired in this manner shall be brought before the Board for appointment pursuant to the provisions of the *Police Services Act*.

18. The Chief shall have sole discretion to provide an applicant with the reason he/she was not hired by the Service, or to authorize a Member to provide an applicant with such information.
19. The Chief may engage temporary and part-time staff as may be required from time to time.

### ***Suspension***

20. The Chief may suspend Members from duty, providing such suspension is in accordance with the provisions of the *Police Services Act*.
21. The Chief shall ensure that a Member who has been suspended immediately surrenders his/her issue firearm, identification card, and badge to the Chief or designate.

### ***Grievance***

22. The Chief shall deal with Members' grievances in accordance with the provisions of the Collective Agreement.

### ***Annual Leave and Leaves of Absence***

23. The Chief shall administer Members' annual leave and other leaves of absence in accordance with the provisions of the Collective Agreement.

### ***Sickness or Injury***

24. The Chief shall:
  - a) Administer Members' sick leave entitlement in accordance with the provisions of the Collective Agreement;
  - b) Administer Members' entitlement to benefits for employment-related injuries and illness in accordance with the provisions of the *Workplace Safety and Insurance Act, 1997*, S.O. 1997, c. 16, Sched. A;
  - c) Establish procedures to control the reporting and provision of such leave and benefits to Members; and
  - d) Ensure that no Member makes a settlement in respect of any claim for damages arising out of an on-duty injury without the consent of the Board.

### ***Resignation from the Service***

25. Resignations will become effective immediately on the approval of the Board.
26. The Chief may provide a written statement of conduct to a prospective employer of a current or former Member, upon receipt of a Waiver of Responsibility from the Member.

### ***Retirement from the Service***

27. Retirement shall be effected in accordance with the regulations governing the Ontario Municipal Employees Retirement System, and the Collective Agreement.

### ***Paid Special Duties***

28. The Chief may approve Paid Special Duties to be performed by Members.
29. The Chief shall establish procedures to control billing, accounting and performance of Paid Special Duties.
30. Rates charged for Paid Special Duties shall be set in accordance with the Collective Agreement.

### ***Police Headquarters***

31. The Chief shall ensure that there are procedures in place to regulate the use of the Police Administration Building and any other premises used by the Service.

### ***Correspondence***

32. The Chief shall ensure that all official correspondence issued from the Service is signed by the Chief or designate.

### ***Use of Private Vehicles***

33. The Chief may authorize Members to use private vehicles, boats or motorized snow vehicles for police duties, provided the conveyance is insured to protect the Board, the Service, and the Municipality against civil liability, and provided that it conforms with all legislated mechanical standards.

### ***Advertising Rewards***

34. The Chief shall ensure that no Member participates or interferes in the publishing of any reward for the recovery of lost property by the owner or his agent.
35. The Chief may, if he/she considers it desirable, cause a description of property lost, found, stolen, or presumed stolen, to be advertised in the media.
36. The Board may offer a reward for the arrest and conviction of persons responsible for the commission of serious crimes, and the conditions of such reward may be established at that time.

### ***Saluting***

37. The Chief shall ensure that all Members, while in uniform, salute during the playing of the national anthem, the raising or lowering of the flag, and the passing of a funeral procession.

### ***Service Awards, Medals and Commendations***

38. The Board may issue the Police Exemplary Service Medal to a Member, upon the recommendation of the Chief of Police or, in the case of the Chief, upon the recommendation of the Board, under the conditions outlined by the Canadian Association of Chiefs of Police.
39. The Board may issue a Certificate of Commendation to a Member for exceptionally outstanding police service, where an officer shows unusual alertness and initiative in performing his/her duty.
40. The Chief may issue a Commendation to a Member for outstanding service.
41. The Chief shall establish procedures for the reporting of outstanding service and for recommendations for commendation.
42. The Chief shall ensure that all Commendations granted by the Board or the Chief are published in Routine Orders and are entered on the Member's Service Record.

### ***Credentials***

43. The Chief shall ensure that:
  - a) Each Sworn Member, while on duty, carries a badge and an approved identification card signed by the Chief of Police, bearing

- the Member's name and photograph, and identifying him/her as a Member of the Service;
- b) Sworn Members produce the badge and identification card whenever required to establish their identity as a Member of the Service;
  - c) While on duty, Sworn Members produce the badge and identification card to any member of the public requesting it at a reasonable time;
  - d) While on duty, Sworn Members who are not in uniform display the badge and identification card to identify the bearer as a peace officer; and
  - e) No Member uses his/her badge or identification card to obtain any favour or private advantage.
44. The Chief shall ensure that Members do not issue to any person anything which presumes to grant to the person any special privileges or considerations as far as the Service is concerned.
45. The Chief may issue retired Sworn Members of the Service with a badge and identification card that are marked "Retired".

### ***Litigation***

46. The Chief shall:
- a) Establish procedures to ensure that any writ served upon a Member in a legal proceeding arising out of action taken in the discharge of police duty, is reported to the Chief of Police, seized, investigated and documented;
  - b) Immediately notify the Chairperson of the Board, the Board's solicitor and the City solicitor of any action required to protect a Member of the Service; and
  - c) Ensure that no Member supplies any information to, or discusses with, any person except his/her personal solicitor, any facts pertinent to any litigation against the Municipality, the Board or the Service, except as authorized by the Chief.
47. The Board shall provide legal indemnification to Members in accordance with the provisions of the Collective Agreement.

### ***No Commercial Endorsement***

48. In accordance with sections 31(7) and 49 of the *Police Services Act* regulating secondary activities of police officers, the Chief shall ensure that no Member authorizes the use of any photographs or videotaped footage of him/herself in uniform, in connection with any testimonial or advertisement of any commodity or commercial enterprise.

***Coming Into Force***

49. This By-Law comes into effect on the date of signing.

READ a 1<sup>st</sup> time this 16th day of October, 2001.

READ a 2<sup>nd</sup> time this 16th day of October, 2001.

READ a 3<sup>rd</sup> time and ENACTED AND PASSED this 16th day of October, 2001.

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Colin P. Vezina  
Chairman

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Susan Vester  
Secretary