



## BY-LAW # 99

### BY-LAW RESPECTING THE ENFORCEMENT OF BYLAWS OF THE VILLAGE OF ALMA

Pursuant to the authority vested in it by the Local Governance Act, S.N.B 2017, Chapter 18, the Municipal Council of the Village of Alma enacts as follows:

#### 1. TITLE

Usual Title” By-Law Enforcement By-Law”

#### 2. DEFINITIONS

The following definitions apply to this By-Law:

“By-Law” means a By-Law of the Village of Alma.

“Bylaw Enforcement Officer” means a person named and sworn par council for the purpose of the enforcement of the Village of Alma By-Laws.

“Clerk” means the Clerk of the Village of Alma.

“Council” means the Municipal Council of the Village of Alma.

“Local Government” means the Incorporated Village of Alma.

“Municipality” means the Incorporated Village of Alma.

“Police Officer” means a Police Officer appointed under the Police Act or a Member of the Royal Canadian Mounted Police.



### 3. GENERALITIES

3.1 Council may according to the local governance, hire or retain the services of a By-Law Enforcement Officer.

3.2 A Police Officer is by virtue of their office, a By-Law Enforcement Officer.

3.3 A By-Law Enforcement Officer:

- a) Is employed for the preservation and maintenance of the public peace;
- b) Is responsible for the Enforcement of all By-Laws of the Municipality;
- c) Is appointed under the Local Governance Act;
- d) Is appointed under section 14(3) of the Police Act;
- e) Is appointed under the Community Planning Act;
- f) Is named and appointed as a Designated Person according to the Emergency Measures Plan of the Village of the Municipality;
- g) Can Issue Penalties and/or Tickets according to the Local Governance Act and the By-Laws of the Municipality;
- h) Can serve documents on behalf of the Municipality;
- i) Can direct traffic in conformance with law and in the event of a fire or other emergency or to expedite traffic or to ensure safety to direct traffic as conditions may require notwithstanding the provisions of law;
- j) Must be appointed by motion of Council attached as Appendix "A", except if they are a Police Officer;
- k) Must Swear an Oath or Solemnly Affirm to their Office as per attached Appendix "B", except if they are a Police Officer.

### 4. TRAINING & EXPERIENCE

4.1 A By-Law Enforcement Officer must:

- a) Possess a valid certification in the use of intermediate intervention tools & handcuffing;
- b) Possess a valid certification in Standard First Aid, CPR & AED or higher;
- c) Possess training in By-Law Enforcement, or in Policing or have relevant



experience in the field of Law Enforcement.

## 5. EQUIPMENT

5.1 A By-Law Enforcement Officer must, while on duty:

- a) Have on his person, his Officer Identification Card and Badge;
- b) Wear a uniform or be easily identifiable as a By-Law Enforcement Officer when wearing civilian clothing;
- c) Be equipped with intermediate intervention tools, handcuffs and wear a Bullet and Stab Resistant Vest while on duty.

5.2 The Patrol Vehicle used by the By-Law-Enforcement Officer is an Emergency Vehicle of the Village and shall be equipped accordingly.

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Reading in it's Entirety:

15(2)(3) - Local Governance Act

Third Reading and its Adoption:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



APPENDIX - A

## MOTION

### APPOINTMENT - BY-LAW ENFORCEMENT OFFICER

WHEREAS Council has adopted various By-Laws;

WHEREAS Council may appoint By-Law Enforcement Officers for the Local Government and determine their mandate;

BE IT RESOLVED that the following person is appointed a By-Law Enforcement Officer of the Local Government in accordance with the Local Governance Act (Act), the Police Act and the Community Planning Act:

\_\_\_\_\_;

BE IT ALSO RESOLVED THAT the appointment includes all generalities as prescribed by Section 3.2 of By-Law #99, the Act, the Regulations of the Act and the Police Act;

BE IT ALSO RESOLVED THAT the position of By-Law Enforcement Officer is employed for the preservation and maintenance of the public peace;

BE IT ALSO RESOLVED THAT the By-Law Enforcement Officer of the Local Government exercise their discretion according to the files given to them by the Clerk or during patrols of the Local Government;

BE IT ALSO RESOLVED THAT the above mentioned appointment continue as long as the Officer is an employee or is retained by the Local Government.

Proposed by \_\_\_\_\_, seconded by \_\_\_\_\_.  
Motion Carried.