

TOWN OF PENHOLD
BYLAW NO. 827/2024

Community Peace Officer Bylaw

Being a Bylaw of the Town of Penhold in the Province of Alberta, for the purpose of specifying the powers and duties of a Community Peace Officer(s) pursuant to the Municipal Government Act of Alberta.

WHEREAS Section 555 of the Municipal Government Act, a person who is appointed as a Community Peace Officer is, in the execution of enforcement duties, responsible for the preservation and maintenance of the public peace.

AND WHEREAS Section 556 of the *Municipal Government Act*, RSA 2000, Chapter M-26, as amended (the "Act") states that Council must by bylaw:

- A) Specify the powers and duties of bylaw enforcement officers and
- B) Establish disciplinary procedures for misuse of power, including penalties and appeal process applicable to misuse of power by bylaw enforcement officers.

AND WHEREAS Council of the Town of Penhold has adopted, by approving this Bylaw, the Government of Alberta, Solicitor General and Public Security, Public Security Peace Officer Program, "Policy and Procedures Manual" which provides guidance in meeting Provincial mandates.

AND FURTHER laying out protocols, expectations and discipline action with penalties and appeal processes within stipulated guided situations.

AND WHEREAS this Bylaw further specifies Appointments under the Peace Officer Act that is currently enforced and available within their scope of employment if so, approved by the Department of Justice and Solicitor General:

- Animal Protection Act
- Dangerous Dog Act
- Environmental Protection and enhancement Act, Part 9, Division 2
- Gaming, Liquor, and Cannabis Act
- Petty trespass Act
- Provincial Offences Procedure Act
- Traffic Safety Act
- Tobacco and Smoking Reduction Act
- Weed Control Act

NOW THEREFORE, the Council of the Town of Penhold, in the Province of Alberta duly assembled enacts as follows:

1. BYLAW TITLE

1.1 This Bylaw may be referred to as **the Community Peace Officer Bylaw**.

2. DEFINITIONS

Community Peace Officer - means a person appointed as such by the Solicitor General of Alberta, while on duty and acting under the scope of their appointment.

Council - means the Council of the Town of Penhold duly assembled and acting as such.

Chief Administrative Officer or Designate- means the Chief Administrative Officer for the Town of Penhold appointed by Council, hereinafter referred to as the Municipal Manager, or his designate.

Municipal Ticket (tag) - means a form prescribed by the Chief Administrative Officer of the Town or his designate, allowing payment to the Town Office of the penalty specified by this Bylaw for an offence, which shall be accepted by the Town in lieu of prosecution of the offence.

Violation Ticket - means a violation ticket as defined in the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34. (A violation ticket under Part 2 or Part 3)

3. PURPOSE

3.1 The purpose of this bylaw is to:

- a) delegate enforcement related powers, duties, and functions to Community Peace Officers;
- b) establish disciplinary procedures for misuse of power by Community Peace Officers; and
- c) deal with other matters respecting the enforcement of bylaws and other enactments.

4. POWERS AND DUTIES OF A COMMUNITY PEACE OFFICER

4.1 The powers and duties of a Community Peace Officer are as follows:

- a) To enforce the various Provincial Statutes and Bylaws which the Council and the Province of Alberta have authorized the Community Peace Officer to enforce;
- b) To follow the directions of the Chief Administrative Officer (CAO) or designate and to report to them as required;
- c) To respond to and investigate complaints;

- d) To conduct routine patrols;
- e) To issue notices, violation tickets, or tags;
- f) To assist in the prosecution of Provincial Statutes, and Bylaw contraventions including appearances in court to provide evidence;
- g) To perform all other duties as assigned by the Chief Administrative Officer (CAO) or designate; and the Province of Alberta; and
- h) To take the Oath of Office for Peace Officers upon being appointed as Community Peace Officer of the Town of Penhold and to always carry upon his/her person as he/she is acting as Community Peace Officer, an identification card signed by the Assistant Deputy Minister/Director of Law Enforcement (ADM) of the Public Security Division.

5. DISCIPLINE OF COMMUNITY PEACE OFFICERS

The Chief Administrative Officer (CAO) or designate will be responsible for the discipline of a Community Peace Officer(s) in accordance with the Government of Alberta Solicitor General, Public Security Peace Officer Program, "Policy and Procedures Manual" as well as the Town of Penhold "Community Peace Officer Policy Handbook".

AND FURTHER the Government of Alberta Solicitor General, Public Security Peace Officer Program, "Policy and Procedures Manual" as well as the Town of Penhold "Community Peace Officer Policy Handbook" forms part of this Bylaw.

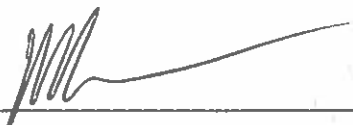
This Bylaw shall come into force and effect when it receives third and final reading and is duly signed.

Bylaw 779/2019 is hereby repealed.

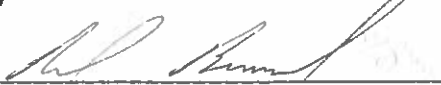
Read a first time this 12th day of August 2024.

Read a second time this 23rd day of September 2024.

Read a third and final time; and passed this 23rd day of September 2024.



Mayor



Chief Administrative Officer