

Bylaw 35-2020 Amendment No. 1 to Bylaw 3-2009 (the Enforcement Officer Bylaw)**Report Purpose**

To allow Council to consider Bylaw 35-2020, a bylaw to amend bylaw 3-2009 to align it with the Memorandum of Understanding with the RCMP.

Recommendation

THAT Bylaw 35-2020 Amendment No. 1 to Bylaw 3-2009 be given first reading.
THAT Bylaw 35-2020 Amendment No. 1 to Bylaw 3-2009 be given second reading.
THAT Bylaw 35-2020 Amendment No. 1 to Bylaw 3-2009 be considered for third reading.
THAT Bylaw 35-2020 Amendment No. 1 to Bylaw 3-2009 be given third reading.

Our Prioritized Strategic Goals

Goal 8 - Foster an environment for safe communities
Continuously improving the way we work, as one organization, in an agile and sustainable manner

Report

The Municipal Government Act requires that Council pass a bylaw with respect to the powers and duties of bylaw enforcement officers, including disciplinary procedures, and an appeal process. Since February 11, 2009, with the passage of Bylaw 3-2009, administrative oversight and discipline of the Strathcona County's bylaw enforcement officers has been under the jurisdiction of the Officer in Charge of the County's RCMP detachment, with an appeal process to the Chief Commissioner.

On February 4, 2020, Council approved a Memorandum of Understanding between Strathcona County and the RCMP, which does not provide for oversight and discipline as a function of the Officer in Charge.

Administration is recommending that Bylaw 3-2009 be amended to align with the Memorandum of Understanding, and to return the oversight of bylaw enforcement officers to internal Strathcona County processes. Bylaw 35-2020 is ready for three readings.

Council and Committee History

February 4, 2020 **RCMP Memorandum of Understanding**
THAT the Chief Commissioner be authorized to enter into and sign the Memorandum of Understanding between Strathcona County and the RCMP, as set out in Enclosure 1 to the February 4, 2020, Legislative and Legal Services report; and
THAT the Memorandum of Understanding be sent to the Minister for approval.

Other Impacts

Policy: N/A

Legislative/Legal: Section 556 of the MGA provides that council must, by bylaw, specify the powers and duties of bylaw enforcement officers and establish disciplinary procedures for misuse of power, including penalties and an appeal process applicable to misuse of power by bylaw enforcement officers.

Interdepartmental: LLS has worked with Community Services Division and with Human Resources

Master Plan/Framework: N/A

Enclosure(s)

- 1 Bylaw 35-2020 Amendment No. 1 to Bylaw 3-2009
- 2 Bylaw 3-2009