

HARVEY RURAL COMMUNITY

By-Law No. 2023-12

A By-law Respecting the Provision of Police Protection Service in Harvey Rural Community

The Council of Harvey Rural Community, under the authority vested in it by Section 10(3) of *Local Governance Act* and Amendments thereto, hereby makes and enacts this by-law as follows:

1. Title

This by-law may be cited as the Police Services By-law of Harvey Rural Community.

2. Definitions

In this By-law, unless the context otherwise requires:

“Municipality” means Harvey Rural Community.

“Council” means the Council for Harvey Rural Community.

“Agreement” means the Provincial Police Service Agreement between Harvey Rural Community and the Province of New Brunswick for the provision of police services.

“Parties” means Harvey Rural Community and the Province of New Brunswick.

“Police Act” means the Province of New Brunswick’s *Police Act* Chapter P-9.2 and regulations thereunder and amendments thereto.

3. Responsibility

It is the Municipality’s responsibility pursuant to the *Police Act* (“the Act”) to provide and maintain police services within the Municipality, as defined in section 3(1).

4. Authority

The Municipal Council for Harvey Rural Community entered into a Provincial Police Service Agreement with the Province of New Brunswick for the provision of policing services by the Royal Canadian Mounted Police as enabled by the *Police Act* in the Province of New Brunswick.

5. Provision of Police Services

The Municipality shall be policed by members of the Royal Canadian Mounted Police under the terms of the Provincial Police Service agreement in a manner consistent with detachment policing and the specialized services that operate in support of detachment policing as may be required from time to time.

6. Terms and Conditions

- a) The Agreement shall be in full force and effective January 1, 2024 until either party gives notice of termination or upon termination of the Provincial Police Service Agreement.
- b) The Agreement may be extended or renewed for an additional period(s) upon terms that are agreed to by both Parties.
- c) A notice of termination of the Agreement by the Municipality shall include an alternate police services model as prescribed by the *Police Act* which will be implemented by the Municipality and, if applicable, proof of a contractual agreement.
- d) Notice of termination must be in writing and agreed and signed.

e) The Agreement cannot be modified, changed or amended except by signed, written agreement by both Parties.

7. Severability

If any part of this by-law shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this by-law.

8. Effective Date

In Witness whereof the Harvey Rural Community has caused its corporate seal to be hereunto affixed to this By-Law the 13th day of December 2023.

First Reading: November 15, 2023

Second Reading: December 13, 2023

Third Reading: December 13, 2023

Katherine Henry
CAO

Richard Corey
Mayor