



**REGIONAL MUNICIPALITY OF NIAGARA
POLICE SERVICE BOARD
FINANCE COMMITTEE
PUBLIC AGENDA**

Thursday, May 9, 2024, 9:30 am

Niagara Regional Police Service - Headquarters

Community Room 1st Floor, 5700 Valley Way, Niagara Falls

To view the live-stream meeting proceedings, please visit <https://calendar.niagarapolice.ca/meetings>

Pages

1. CALL TO ORDER

2. LAND ACKNOWLEDGEMENT STATEMENT

3. DECLARATIONS OF CONFLICT/PECUNIARY INTEREST

4. ADOPTION OF MINUTES

There are no minutes from previous meetings.

5. PRESENTATIONS

There are no presentations.

6. NEW BUSINESS

6.1 Police Service Board - Special Fund Policy Review

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Correspondence dated April 12, 2024 from Deb Reid, Executive Director, Niagara Police Service Board, providing the Board's By-law No. 403-2024 respecting the Administration, Limitations and Guidelines of the Special Fund. This by law is being brought forward as per Board direction given at its February 22, 2024 meeting to review the by law and determine the best use of funds that the Board considers in the public interest, while ensuring that the funding priorities and criteria remain reasonable and align with the Board and Service strategic goals and the newly created Police Foundations Program. To supplement the report, the Service will provide a presentation on the Special Fund Operating Account that will outline the purpose, revenue sources, disbursements, future considerations and recommendations for the Committee's consideration.

That the information be received.

7. OTHER NEW BUSINESS

8. ADJOURNMENT



INTERNAL CORRESPONDENCE

To: Chair and Members

From: Deb Reid

Dept: Niagara Police Service Board

Dept: Executive Director
Niagara Police Service Board

Date: April 12, 2024

Re: Administration, Limitations and Guidelines of the Special Funds By-law 403-2024

Purpose:

The purpose of this report is to bring forward the Board's By-law No. 403-2024 respecting the Administration, Limitations and Guidelines of the Special Fund.

Background Information and Discussion:

At the Police Service Board meeting on February 22, 2024 the Board requested the Special Fund By-law be provided to the Board Members for further review. This report is intended to provide the Board with an opportunity to review the By-law to ensure that the funding priorities and criteria remain reasonable and align with the Board and Service strategic goals and the newly created Police Foundations Program, to determine the best use of funds that the Board considers in the public interest.

Sections 258 (2) and 259 (3) of the *Community Safety and Policing Act* give Police Service Boards the authority to use the proceeds from the sale of unclaimed personal property and money found and seized by the police service for any purpose that it considers in the public interest, including charitable donations. Pursuant to its statutory authority, the Niagara Police Service Board established a Special Fund, which is the common practice among Police Service Boards in Ontario.

As background, in 1997 the Niagara Police Service Board approved a Special Fund policy as part of its Financial Reporting By-law. Over the past 17 years, the policy was revised by the Board and the By-law has been reviewed and updated in the years 2000, 2005, 2012, 2018, 2021 and 2024. The Board's Special Fund By-law governs the fund administration and requires the Chief of Police to monitor expenditures and report quarterly on all activity in the Special Fund, including revenue, disbursements and balance. The funds have traditionally been used to cover requests for purposes such as making donations to fundraising events held by organizations working closely with the Police Service; funding members of the Police Service to participate in police-sponsored community events; or contributing to programs/projects that further the work of the Police Service in the areas of crime prevention, community policing or other public safety initiatives.

The By-law assists the Board in determining how to fairly allocate the limited discretionary funds available within the Special Fund that are used to support community organizations and events that complement the work of the Police Service and the Board. A copy of the Board's Special Fund By-law 403-2024 is attached as Appendix A.

2023 and 2024 Year-to-Date Donations:

The following chart provides a breakdown of the requests for funding and donations made for the year 2023 and year to date 2024 (as at March 31, 2024):

2023 Organization/Description of Event	Amount
Solidarité Des Femmes Et Families Immigrantes Francophones (SOFIFRAN) Niagara	\$500
NRPS Men's Hockey Team – International Police Hockey Tournament	\$1,500
Ontario Association of Police Services Boards – Spring Conference	\$1,000
NRPS Brazilian JiuJitsu Team – Charity Event	\$2,000
NRPS Men's Elite Hockey Team – International Police Hockey Tournament	\$1,500
Ontario Association of Police Services Boards – Conference Host	\$5,000
Ontario Women in Law Enforcement (OWLE) – Awards Banquet	\$500
Canadian American Law Enforcement Organization (CALEO) – Training Symposium	\$300
Family and Children Services (FACS) – Fundraising Gala	\$2,500
Niagara Chapter of Native Women (NCNW) – Fundraising Event	\$500
Pathstone Foundation – Hope Gala	\$2,500
NRPS Bicycle Registry Program	\$6,320
NRPS Tug of War Teams Cross Border Competition	\$1,400
Niagara Regional Police Pipe Band – World Pipe Band Championships	\$2,500
NRPS – Peace Officers Memorial Run to Remember	\$2,000
United Way – NRPS Campaign Kickoff	\$3,000
Motorcycle Ride for Dad - Niagara Chapter	\$2,000
Niagara Unity Awards Gala	\$841.18
Emergency Task Unit (ETU) Half Marathon – Fundraising Event	\$1,000
Canadian Association of Police Governance – AGM & Conference	\$1,000
Beyond the Blue (BYB) – Award Gala	\$1,537.50
Crime Stoppers Niagara – Golf Tournament	\$1,250
Wise Guys Charity Fund – Golf Tournament	\$1,000
Service with Pride – Awards Gala	\$1,600
Port Colborne Special Olympics Chapter -Fundraising Event	\$450
Canadian Police Memorial "Ride to Remember" – NRPS Team Registration	\$3,600
Fort Erie Native Friendship Centre – Implementation of Indigenous Crosswalk	\$500
Penner Home Hardware Spotlight Gala	\$2,500
Heartland Forest – Annual Pumpkin Fest	\$1,000
Association of Black Law Enforcers Scholarship (ABLE) – Scholarship & Awards Gala	\$1,500
Out of the Cold Dinner Program – Sponsorship Meal/Shelter Persons in Need	\$1,500
Socks for Change Program – Distribution of Socks to Persons in Need	\$1,500
Total Disbursements	\$55,798.68

2024 Organization/Description of Event (YTD as at March 31, 2024)	Amount
United Way – NRPS Campaign Kickoff	\$2,000
NRPS Women's Hockey Team – International Police Hockey Tournament	\$1,500
NRPS Men's Elite Hockey Team – International Police Hockey Tournament	\$1,500
Family and Children Services (FACS) – Fundraising Gala	\$2,500
Gillian's Place – Breakfast to End Gender-Based Violence and Wrapped in Courage Pancake Breakfast Campaigns	\$2,000
Greater Niagara Chamber of Commerce – Women in Niagara	\$857
Ontario Association of Police Service Boards (OAPSB) – Spring Conference & AGM	\$1,000
United Way – Campaign Celebration Breakfast	\$400
NRPS Women in Policing – Internal Support Network Lunch and Learn Initiative	\$3,000

NRPS Men's Recreational Hockey Team – International Police Hockey Tournament	\$1,500
Welland Heritage Council and Multicultural Centre – Youth Empowerment Award	\$2,000
Ontario Women in Law Enforcement (OWLE) – Awards Gala	\$2,280
NRPS Tug of War Teams – Cross Border Competition	\$1,400
Total Disbursements (YTD as at March 31, 2024)	\$21,937.00

The above noted requests for funding from the Board's Special Fund have been reviewed by the Board on an item-by-item basis to ensure they meet the criteria set out in the Board's Special Fund By-law and that they are consistent with the guiding principles and Board policy.

The Service reports to the Board on a quarterly basis on all activity in the Special Fund, including any reward(s) offered/paid, revenue, disbursements and provides the balance and unrestricted balance available to the Board. The final year-end quarterly report from the Service considered by the Board at its March 28, 2024 meeting reported the balance of the Special Fund – Special Operating Account #125-255-0 (which is used for sponsorships/donations) as at December 31, 2023 was \$59,832.33. In addition, an annual external audit is conducted on the Special Fund and those results were reported to the Board at its January 25, 2024 meeting. Grant Thornton LLP conducted their on-site audit review of the Special Funds Accounts referred to as the General Operating Account and Special Operating Account and no exceptions were noted in the report.

To further assist the Board with its review to align with the Board and Service strategic goals and the newly created Police Foundations Program, I have attached a copy of Board By-law 420-2024: A By-law to Establish Policy Respecting a Police Foundations Program to Support Crime Prevention and Community Programs that Build Safer Communities in the Niagara Region (see Appendix B).

This report is submitted in compliance with the Board's request to review the Board's By-law respecting the Administration, Limitations and Guidelines of the Special Fund.

Recommendation:

That the information be received.



Deb Reid
Executive Director

Encl. (2)



BY-LAW NO. 403-2024

**A BY-LAW RESPECTING THE
ADMINISTRATION, LIMITATIONS AND GUIDELINES
OF THE SPECIAL FUND**

1. PREAMBLE

- 1.1 WHEREAS subsection 37 (1) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA")* provides that a Board shall provide adequate and effective policing in the in the area for which it has policing responsibility as required by Section 10 of the *CSPA*;
- 1.2 AND WHEREAS subsection 38 (2) of the *CSPA* provides that Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;
- 1.3 AND WHEREAS subsection 258 (2) of the *CSPA* governs the disposition of personal property that comes into the possession of the Police Service;
- 1.4 AND WHEREAS subsection 258 (2) of the *CSPA* provides that the Chief of Police may cause the property to be sold and the Board may use the proceeds for any purpose that it considers in the public interest, including a charitable donation;
- 1.5 AND WHEREAS subsection 259 (3) of the *CSPA* provides with respect to money that comes into the possession of the Police Service other than under Section 258, that If three months have elapsed after the day the money came into the possession of a Police Service maintained by a Police Service Board and the owner has not claimed it, the Police Service Board may use it for any purpose that it considers in the public interest;
- 1.6 AND WHEREAS the Board deems it expedient to pass a By-law governing policy regarding the use of the Special Fund.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD ENACTS AS FOLLOWS:

2 DEFINITIONS

- 2.1 "Act" or "CSPA" means *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*, and amendments thereto;
- 2.2 "Board" means the Regional Municipality of Niagara Police Service Board;
- 2.3 "Chief" means the Chief of the Niagara Regional Police Service;
- 2.4 "Member" means a member of the Niagara Regional Police Service;

- 2.5 *"Property"* means personal property of all kinds that come into possession of the police pursuant to the *CSPA* and regulations made there under, but not including firearms and money;
- 2.6 *"Special Fund"* means the Special or General Operating Account of the Niagara Regional Police Service which is used for the lawful purposes of the Board and Service in accordance with sections 258 and 259 of the *CSPA*;
- 2.7 *"Service"* means the Niagara Regional Police Service.

3 BOARD POLICY

- 3.1 To establish a Special Fund policy, consisting of a set of guidelines that identifies recognized funding priorities to assist the Board in allocating the discretionary funds in a manner that provides consistency and rationale in dealing with expenditures that come before the Board for consideration.

4 TYPES OF ACCOUNTS

- 4.1 *Special Operating Account* shall be in the form of a chequing account specifically for use as directed by the Chief and the Deputy Chief.
- 4.2 *General Operating Account* shall be in the form of a chequing account and shall be used for lawful purposes of the Board and the Service including the payment of rewards.
- 4.3 The Chief may, after consultation with the Deputy Chief of Police from time to time, invest any part of the funds in the above accounts in Guaranteed Investment Certificates, Term Deposits, Treasury Bills, interest bearing institutional accounts or such other investments as the Chief and the Deputy Chief of Police deem appropriate with a view to maximizing the interest return on the fund, the monies so invested, together with the accumulated interest shall form a part of the Special Operating Account or the General Operating Account as the case may be.

5 GUIDING PRINCIPLES

- 5.1 The Board will give preference to funding requests that fall into one of the following categories:
- a) **Community Relations through Involvement with Police-Related Organizations**
Intended to enable the Board/Service to purchase tickets or contribute donations for individuals officially representing the Police Service Board and/or the Niagara Regional Police at external organizations and/or fundraising events. The attendance and participation of Board and Service members at fundraising events for organizations that work closely with the Niagara Regional Police Service serves to demonstrate the Board's goodwill and community involvement.
 - b) **Board/Police Service Relations**
To assist members of the police service to participate in police-sponsored events, with the goal of enhancing the image of the Niagara Regional Police in other communities as well as home.
 - c) **Public Education/Awareness**
To provide funding to projects that assist the Board in communicating to the general public information related to crime prevention, community policing or other public safety issues.

d) Special Board/Police Requirements

Intended to provide flexibility to the Board to fund one-time requirements associated with Board functions, such as the sponsorship of functions at police-related conferences, or special meeting requirements outside of normal budgetary provisions.

6 FUNDING GUIDELINES

- 6.1 That all requests for funding from the Special Fund, not otherwise explicitly authorized by this policy, are to be considered on an item-by-item basis.
- 6.2 Notwithstanding 6.1, the Chair be given the authority to pre-approve disbursements from the Special Fund on an exception basis and in keeping with the general policy statement, with such approved item being placed on the next Board agenda.
- 6.3 That the first priority be for those initiatives that directly relate to the guiding principles of the policy.
- 6.4 Approval of funding for particular items is not to be considered a precedent, which binds the Board, and that this be clearly enunciated to any recipients.
- 6.5 The Special Fund continue to be utilized to offer financial support for individuals, groups and/or organizations attending police-oriented competitions. These items are to be considered through one single convenor or organizer.
- 6.6 That community groups be advised that a condition of receiving the funds is the filing of the previous year's annual audited statement.
- 6.7 That recipients be advised that as a condition of receiving the funds, the organization must be willing to make available, if requested, financial records indicating the disposition of the Board's contribution of the project or activity.
- 6.8 Groups and organizations requesting funding must be based in Niagara and organized along not-for-profit principles.
- 6.9 The organization receiving the funding must clearly provide a benefit for the Niagara Regional Police and the community.

7 FUNDING LIMITATIONS

- 7.1 The Fund not be used for any item that would normally be funded through the current/operating or capital budget for either the Board or the police service.
- 7.2 Use of the funds must not extend beyond the current fiscal year.
- 7.3 Funds cannot be used to cover a deficit from a previous year.
- 7.4 The Board not commit to ongoing programs, recurring donations, capital costs or administrative funding.
- 7.5 Funds not used as allocated or not needed within the fiscal year, in whole or in part, shall be returned to the Board.
- 7.6 Funds will only be provided to the group directly responsible for the activity or project being funded.

- 7.7 The Board not support through use of the Special Fund any overtly political or partisan political events or activities.
- 7.8 That support for community events be limited to those events where the proceeds go to support a policing priority or priority of the Board, or the goals and work of the Board as identified in the guiding principles.
- 7.9 That, unless there are exceptional circumstances, the Board not fund any group or organization that has applied and received a response to its application from the Region of Niagara for funding in the current calendar year.
- 7.10 That the Board not commit to any single disbursement over \$1,000 without prior consideration as the effect such disbursement would have on the unrestricted fund balance.

8 LEVEL OF FUNDS

- 8.1 *Special Operating Account:* The Chief shall ensure that the balance not exceed \$90,000 and that any amount exceeding the limit be paid over to the general revenue account of the Service.
- 8.2 *General Operating Account:* That, unless there are exceptional circumstances, the Board place a global maximum limit of \$110,000 per annum for disbursements from the Fund and that any amount exceeding the limit be paid over to the general revenue account.

9 FUND APPROVALS

- 9.1 Except as set out below, the Board is responsible for all funding approvals.
- 9.2 The Chief and Deputy Chief, and/or Finance Manager, jointly may authorize any disbursement from the General Operating Account
- 9.3 The Chief of Police and/or designated staff have the authority for disbursements from the Special Operating Account up to a limit of \$10,000 for the following:
- a) Annual audit of the Special Fund to be paid for from the proceeds of the Special Fund;
 - b) Costs incurred by Executive Services to administer the Fund;
 - c) External auction support;
 - d) Auction advertising;
 - e) Jewelry appraisals; and
 - f) Discretionary disbursements, consistent with Board policy.

10 FUND ADMINISTRATION

- 10.1 The Chief of Police, under the direction of the Board, has primary responsibility for the Special Fund.
- 10.2 The Chief of Police or designated staff are responsible for the accounting and day-to-day handling of the Special Fund.
- 10.3 The Chief of Police shall ensure the appropriate procedures are in place for the collection, maintenance and disbursement of funds.
- 10.4 The Chief of Police shall ensure the appropriate accounting and audit systems are in place to protect the integrity of the Special Fund.

11 REPORT TO THE BOARD


- 11.1 The Chief of Police shall make a written report to the Board on a quarterly basis on all activity in the Special Fund. The report shall contain reports on any reward(s) offered /paid, revenue, disbursements and provide the balance and unrestricted balance available to the Board.
- 11.2 On an annual basis, an external auditor shall provide a report on the Special Fund.

12 IMPLEMENTATION


- 12.1 By-law Nos. 190-2000, 265-2005, 320-2012, 376-2018 and 392-2021, as amended, and all other By-laws, sections of By-laws and policies of the Board inconsistent with the provisions of this By-law are hereby repealed effective March 31, 2024.
- 12.2 This By-law shall come into force on April 1, 2024.
- 12.3 The Chief shall implement this By-law, where applicable, through general order.

ENACTED AND PASSED this 28th day of February, 2024.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD



Jen Lawson, Chair



Deb Reid, Executive Director



BY-LAW NO. 420-2024

A BY-LAW TO ESTABLISH POLICY RESPECTING A POLICE FOUNDATION PROGRAM TO SUPPORT CRIME PREVENTION AND COMMUNITY PROGRAMS THAT BUILD SAFER COMMUNITIES IN THE NIAGARA REGION

1. PREAMBLE

- 1.1 WHEREAS subsection 37 (1) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA")*, as amended, provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the *CSPA*;
- 1.2 AND WHEREAS subsection 38 (2) of the *CSPA* provides that a Police Services Board may establish policies respecting matters related to the Police Service or the provision of policing;
- 1.3 AND WHEREAS the Board has deemed it appropriate and consistent with the principles set out in Section 1 of the *CSPA*, with its objectives and priorities determined pursuant to Sections 37 and 38 of the *CSPA* that a Police Foundation Program be established to support crime prevention and community programs that build safer communities in the Niagara Region.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD ENACTS AS FOLLOWS:

2 DEFINITIONS

For the purpose of this By-law, the following definitions apply:

- 2.1 "Act" or "CSPA" means the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*, and amendments thereto;
- 2.2 "Board" means the Regional Municipality of Niagara Police Service Board;
- 2.3 "Board of Directors" means the Directors of the Foundation appointed pursuant to the process detailed in this By-law, and "Director" has a corresponding meaning;
- 2.4 "Chief of Police" or "Chief" means the Chief of the Niagara Regional Police Service;
- 2.5 "Donor" means a private individual, or a corporation, partnership, club or other organization, whether for profit or not, which contributes money, goods or services to the Police Foundation;

- 2.6 “*Foundation*” means the Police Foundation established pursuant to this By-law;
- 2.7 “*Member*” means a member of the Niagara Regional Police Service as defined by the *Act*;
- 2.8 “*Qualified Donor*” means a donor meeting the approval criteria set out in this By-law;
- 2.9 “*Service*” means the Niagara Regional Police Service;
- 2.10 “*Sponsor*” means a private individual, or a corporation, partnership or organization, whether for profit or not, which contributes money, goods or services to the Service pursuant to a Sponsorship arrangement;
- 2.11 “*Sponsorship*” means a contribution of money, goods or services to a Qualified Donor by a private individual, or a corporation, partnership or organization, whether for profit or not, in exchange for the right to be associated with the Service, either for advertising or promotional purposes, or for a community service purpose.

3 BOARD POLICY

- 3.1 It is the policy of the Board to support the establishment of a Police Foundation Program to support crime prevention and community programs that build safer communities in the Niagara Region that is independent of the Board and Service, and in conjunction with that Foundation, to provide citizens, community agencies and corporations with the opportunity to support the Foundation by making public donations or sponsorships that will further the Foundation’s goals and objectives.
- 3.2 The Foundation shall be committed to ensuring that such donations and sponsorships are used solely for the purpose of furthering the goals and principles of the Foundation and that the receipt of donations or sponsorships does not undermine the integrity, impartiality and reputation of the Board or Service.

4 GUIDING PRINCIPLES

- 4.1 The public donations and sponsorships received by the Foundation shall support and be consistent with the Foundation’s goals and principles as described in this By-law, and as may be more fully described in the Foundation’s policies when developed by its Board of Directors.
- 4.2 There shall be no binding conditions related directly or indirectly to policing attached to the public donations or sponsorships, which shall only be used for the purposes approved by the Foundation’s Board of Directors.
- 4.3 The acceptance of any public donation or sponsorship shall not commit the Service to additional, unbudgeted resources, unless approved by the Board, in consultation with the Chief of Police.
- 4.4 All offers of public donations and sponsorships must be made in writing to the Foundation’s Board of Directors.
- 4.5 No public donation or sponsorship shall be accepted from an anonymous source or donors.
- 4.6 No public donations or sponsorships shall be accepted from a person whose background, including criminal record, lifestyle or association, would cause or have the potential to cause embarrassment to the Foundation, the Board or the Service.

- 4.7 Expenses incurred for Foundation administration should not exceed twenty (20) per cent of the costs associated to providing the programs to the community.
- 4.8 Where possible, the Board and Service will provide in-kind services to the Foundation for the sole purpose of reducing the administrative cost burden on the Foundation expense. The in-kind services provided shall not impact the Service or Board operating budgets or give rise to requests for additional budget funds.
- 4.9 The Foundation shall not:
- 4.9.1 Interfere with or give the perception of interfering with the delivery of policing services in the Region.
- 4.9.2 Interfere with or give the perception of influencing or interfering with the Board respecting any of its powers and duties as outlined in Section 37 and 38 of the *Act*.
- 4.9.3 Interfere with or give the perception of influencing or interfering with the Chief respecting any of his/her powers and duties as outlined in Section 79 of the *Act*.
- 4.9.4 Provide funding that would have the effect of reducing or increasing the Board or Service budget.
- 4.9.5 Provide funding for any matter that would reasonably fall within the meaning of adequate and effective policing.
- 4.9.6 Request any funding from the Board or Service to offset any deficit incurred by the Foundation.

5 FOUNDATION BOARD OF DIRECTORS

- 5.1 The Board, in consultation with the Chief, shall develop and implement a selection process for the Foundation's inaugural Board of Directors.
- 5.2 The Foundation's Board of Directors shall develop and implement a selection process for subsequent Board of Director appointments.
- 5.3 The selection process shall be open and transparent through public advertisement and shall provide equal opportunity to any members of the public who wish to serve.
- 5.4 Directors appointed to the Board of Directors shall be appointed to staggered two and three year terms, which can be renewed as part of subsequent selection processes.
- 5.5 The Foundation Board shall consist of seven Directors, with no more than one representative from the Board, Chief of Police as a non-voting ex-officio Director, and one from the Service.
- 5.6 Directors appointed to the Board of Directors should not have any direct or indirect association with goods sold or services provided to the Board or Service.
- 5.7 Once the Board of Director appointments are made, the Directors shall develop a policy governing the procedures of the Board.
- 5.8 Once the Board of Director appointments are made, the Directors shall develop criteria governing donations and sponsorships which shall be consistent with the following:

- 5.8.1 With respect to programs:
 - 5.8.1.1 All programs must be consistent with the Foundation's mission, values and beliefs;
 - 5.8.1.2 Programs must not, in the opinion of the Board of Directors, form part of adequate and effective policing, which the Board is obligated to provide pursuant to the *Act*.
- 5.8.2 With respect to donors and sponsors:
 - 5.8.2.1 The proposed donor or sponsor shall meet the requirements of Article 5.8.2.7 through 5.8.2.12.
 - 5.8.2.2 Marketing methods must not compromise the integrity, objectivity or impartiality of the Board, the Service or its community partners.
 - 5.8.2.3 Promotional materials must be compatible with the Service's community policing messages.
 - 5.8.2.4 The public image in the marketplace must be favourable.
 - 5.8.2.5 Past and present activities must not be in conflict with those of the Board or the Service.
 - 5.8.2.6 Products and services should not have a negative impact on the environment.
 - 5.8.2.7 Must be a good corporate citizen.
 - 5.8.2.8 Must be of good standing in the community.
 - 5.8.2.9 Must have values consistent with the Foundation's mission, values and beliefs.
 - 5.8.2.10 Must have a reputation of integrity and ethical standing.
 - 5.8.2.11 The Board of Directors shall consider whether or not the donor or sponsor is involved in the production, sale or distribution of cannabis, tobacco or liquor, the nature of that involvement, and whether or not the nature of such involvement offends any aspect of the above approval criteria.
 - 5.8.2.12 Must not have a criminal record for an indictable offence.
- 5.8.3 With respect to solicitations for sponsorships:
 - 5.8.3.1 The solicitation must be approved by the Board of Directors.
 - 5.8.3.2 The solicitation must be in good taste in the opinion of the Board of Directors.
 - 5.8.3.3 There must be no general solicitation to the public-at-large.
 - 5.8.3.4 Solicitations must be made to potential sponsors who meet the requirements of Article 5.8.

- 5.8.3.5 The solicitation must relate to a specific program(s) which meet the requirements of Article 5.8.
- 5.8.3.6 The solicitation must not involve an operational policing program.
- 5.8.3.7 The solicitation must not compromise, or appear to compromise, the integrity or impartiality of the Foundation, the Board or the Service.
- 5.8.4 In soliciting and accepting donations and sponsorships, the Foundation shall state clearly to potential donors and sponsors that it is an independent entity from both the Board and the Service.

6 REPORT TO THE BOARD

6.1 ANNUAL REPORTING REQUIREMENTS

6.1.1 On or before March 31st of each year, the Board of Directors shall make a public written report to the Board containing the following information:

- (a) The number of programs funded through public donations and sponsorships, together with a brief description of the programs;
- (b) An explanation of the status of the program funded by the public donation or sponsorships;
- (c) A statement of budgeted and actual program receipts and expenditures in respect of each public donation and sponsorship, including the amount received from donors or sponsors in respect of each program;
- (d) The Foundation's expenses for the year;
- (e) The names of the Foundation's Board of Directors;
- (f) The external audited financial statements for the Police Foundation Program;
- (g) All regulatory tax filings required for a registered charity.

6.2 EXCEPTION BASED REPORTING

6.2.1 The Foundation shall report on those circumstances where a public donation or sponsorship has resulted in an "exceptional" circumstance, or a circumstance which may be detrimental to the police service; and/or has significant issues of potential liability to the Board and the Service.

7. LEGAL INDEMNIFICATION

7.1 The Foundation through its Board of Directors shall provide the Board with an indemnity agreement in the form and content provided by the Board pursuant to which the Foundation will indemnify and hold harmless the Board, the Police Service all members and employees, agents and servants of each from and against any and all liabilities that may arise out of the operation of the Foundation, and further the Foundation shall secure a Comprehensive Third Party Liability policy adding the Board as a named insured in the amount of \$2,000,000.

8. CHARITABLE AND CORPORATE STATUS

8.1 The Board of Directors shall take all reasonable steps to incorporate the Foundation, and once incorporated, to apply for Charitable Status.


8.2 The Police Services Board will pay reasonable legal costs in relation to those steps.

9. IMPLEMENTATION


- 9.1 By-law No. 402-2023, and all other By-laws, section of By-laws and policies of the Board inconsistent with the provisions of this By-law are hereby repealed, effective March 31, 2024.
- 9.2 This By-law shall come into force on April 1, 2024.
- 9.3 The Foundation's Board of Directors shall implement this By-law, where applicable, through its governing policy and procedures.

ENACTED AND PASSED this 28th day of February, 2024.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD



Jen Lawson, Chair



Deb Reid, Executive Director

Niagara Regional Police Service

Police Service Board Finance Committee

May 9, 2024

Special Funds By-Law 403-2024

Has two purposes:

1. **Special Operating Fund Account** – holds the proceeds from the disposition of unclaimed personal property that has come into the possession of the Police Service to be disbursed by the Board in a manner that considers the public interest, including charitable donations; in accordance with Sec 258 (2) and 259 (3) of the CSPA
2. **General Operating Account** – holds funds for the payment of rewards, in accordance with By-Law 406-2024 Citizen Rewards.

There are two bank accounts that are managed by the NRPS Finance Unit and transactions are reported quarterly to the Board. The accounts are subject to annual audit by an external party.

Special Operating Fund Account – Revenue Sources

1. Property Sold at Auction - held for 90 days and any unclaimed goods are sold at auction or disposed; CSPA 258 (2)
2. Found/Seized Money – unclaimed found monies are held a minimum of 90 days or in the case of seized conclusion of court plus 30 days; CSPA 259 (3)
3. Tuck Shop Net Proceeds – from sale of NRPS branded souvenirs and mementos

Revenue Sources	2022	2023
Property Sold at Auction	\$40,086.00	\$24,111.52
Found/Seized Money	13,019.75	12,633.90
Tuck Shop Net Proceeds	565.54	779.80
TOTAL REVENUE	\$53,671.29	\$37,525.22
Auction Fees	(20,042.97)	(12,055.76)
AVAILABLE FUNDS FOR DISTRIBUTION	\$33,628.32	\$25,469.46

5.1 Special Operating Fund Account – Disbursements

- a) Donations to Police Related Organizations – contribute donations to external organizations and/or fundraising events.
- b) Participation in Community Events/Community Relations – to purchase tickets to an event or to support member participation in police-sponsored events.
- c) Contributing to Community Programs – to provide funding to projects that assist the Board in communicating to the general public information related to crime prevention, community policing, or other public safety issues.
- d) Other expenditures – auction fees, banking, and audit fees.

2023 Organization/Description of Event	2023 Year
Donations to Police Related Organizations	\$18,750
Participation in Community Events/Community Relations	29,229
Contributing to Community Programs	7,820
Total Disbursements	55,799

Future Considerations

- The Board could consider a general annual donation to the Police Foundation for the disbursement of funds to some of the organizations listed in the table.
 - Benefit:
 - reduce the number of special funds requested directly to the Board thereby reducing the administrative burden;
 - streamline the process for requesting donations to one funding source, the Police Foundation.
 - Risk:
 - Board no longer has direct control over the organizations that would be approved for donation funding;
 - depending on the mandate of the Police Foundation, some of these organizations may not qualify for funding.

Recommendation

FINANCE COMMITTEE RECOMMENDATION:

- That the Board's Finance Committee re-evaluate the Board's By-law No. 403-2024 respecting the Administration, Limitations and Guidelines of the Special Fund, when the Police Foundation's policies are developed by its Board of Directors.