



REGIONAL MUNICIPALITY OF NIAGARA
POLICE SERVICES BOARD

5700 VALLEY WAY, NIAGARA FALLS, ONTARIO L2E 1X8

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March 1, 2021

Ms. Ann-Mario Norio, Regional Clerk
Regional Municipality of Niagara
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON
L2V 4T7

SENT BY EMAIL ONLY

Dear Ms. Norio:

**Re: Police Services Board By-law - Update to NRPS Schedule of Fees and Charges
Item 8.4 – 02.25.2021**

At its Public Meeting held February 25, 2021 the Niagara Police Services Board considered correspondence dated February 3, 2021 providing the Board with a revised By-law to update the Niagara Regional Police Service Schedule of Fees and Charges.

The following motion was passed:

'That the Board approve revised By-law 389-2021, a By-law to Provide for the Imposition of Charges for Police Services, as appended to the report and authorize the Board Chair to execute the required documentation;

And further, that By-law 389-2021 be forwarded to Regional Council for approval.

Carried.'

Further to Board direction, I would ask that you take the necessary action for approval of the By-law by Regional Council and that notification of the resolution passed by Council be provided to my office when available. I have enclosed a copy of the By-law for Council approval along with the cover memo for your reference.

Yours truly,

Deb Reid
Executive Director

:dc

Encl.

c: Chief of Police B. MacCulloch, NRPS



BY-LAW NO. 389-2021

A BY-LAW TO PROVIDE FOR THE IMPOSITION OF CHARGES FOR POLICE SERVICES

(as amended by By-laws 268-2004, 278-2006, 280-2006, 287-2009, 288-2009, 296-2010, 302-2010, 303-2010, 304-2010, 308-2011, 329-2012, 347-2014, 353-2014, 359-2016, 371-2017 and 388-2020)

1. PREAMBLE

- 1.1 WHEREAS the Regional Municipality of Niagara Police Services Board is responsible for the provision of police services and for law enforcement and crime prevention in the Regional Municipality;
- 1.2 AND whereas the Board has determined that it is appropriate to charge user fees in respect of certain service provided to any person;
- 1.3 AND whereas section 391 of the *Municipal Act, 2001*, S.O., c.25, and amendments thereto, provides that a local board may pass by-laws imposing fees or charges on any class of persons for, inter alia, services or activities provided or done by or on behalf of it;
- 1.4 AND whereas section 396(1)(b) of the *Municipal Act, 2001*, S.O., c.25, and amendments thereto, provides that discounts and other benefits for early payment of fees and charges may be given;
- 1.5 AND whereas section 396(1)(c) of the *Municipal Act, 2001*, S.O., c.25, and amendments thereto, provides that variable fees are considered appropriate by the Board may be charged in respect of such services;
- 1.6 AND whereas the said section 397 of the *Municipal Act, 2001*, S.O., c.25, and amendments thereto, requires that the Regional Municipality must pass a resolution approving the said by-law before it comes into force.

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

2. DEFINITIONS

- 2.1 "Board" means the Regional Municipality of Niagara Police Services Board;
- 2.2 "Person" means any member of the public and includes an individual, sole proprietorship, partnership, corporation, any other police service, and any other government body or agency;
- 2.3 "Police Service" means the Niagara Regional Police Service;

- 2.4 "Member" means a member of the Niagara Regional Police Service;
- 2.5 "Regional Municipality" means the Regional Municipality of Niagara.

3 CHARGES FOR SERVICE

- 3.1 Any person requesting and receiving any service described in Schedule "A" to this by-law shall pay the fee for such service as set out in the said Schedule "A", plus HST if applicable.
- 3.2 Any person requesting and receiving any service described in Schedule "B" to this by-law shall pay a fee for such service in accordance with a written agreement made between the Police Service and such person, plus HST if applicable.
- 3.3 Any person for whom the police service provides a service and in doing so incurs a cost not listed in Schedules "A" or "B" or in this by-law, shall pay to the police service an amount equal to the cost so incurred by the police service.

4 REPEAL OF FORMER BY-LAW

- 4.1 The provisions of By-law No. 371-2017 and other By-laws, sections of By-laws and user fees and charges of the Police Service inconsistent with the provisions of this By-law are hereby repealed and replaced by this by-law.

5 ENACTMENT

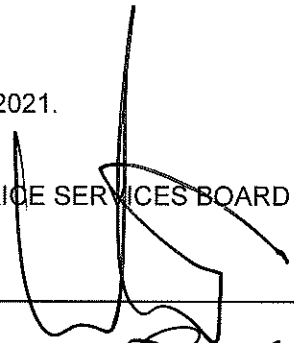
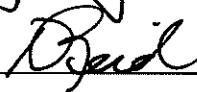
- 5.1 This By-law shall come into force upon the date that it is approved by Council of the Regional Municipality of Niagara.

ENACTED AND PASSED this 25th day of February, 2021.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

Chairperson

Executive Director

SCHEDULE A

Niagara Regional Police Schedule of Fees & Charges

ITEM DESCRIPTION	FEE		RATE BY-LAW	ADDITIONAL NOTES
Collision Reconstruction				
Complete Collision Reconstruction Report	\$3,500.00	Each	296-2010	
Accident Report (MTO)	\$35.00	Each	296-2010	Plus HST
Crash Data Retrieval (CDR) System Report	\$500.00	Per Vehicle	296-2010	
CDR Supplementary Report	\$150.00	Per Vehicle	296-2010	
Field Book	\$100.00	Each	296-2010	
Field Sketch	\$250.00	Each	296-2010	
Photographs	\$150.00	Minimum	296-2010	\$15.00 each
Scale Diagram (3 feet x 4 feet)	\$800.00	Each	296-2010	
Scale Diagram (8 inches x 11 inches)	\$400.00	Each	296-2010	
Technical Collision Investigation Field Notes	\$78.00	Minimum	296-2010	\$13.00/page
Technical Collision Investigation (TCI) Report	\$78.00	Minimum	296-2010	\$13.00/page
Technical Calculation Notes	\$500.00	Each	296-2010	
Vehicle Inspection Report	\$100.00	Per Vehicle	296-2010	
Vehicle Mechanical Examination Report	\$250.00	Per Vehicle	296-2010	
Interview with a Member of the Niagara Regional Police Service Collision Reconstruction Unit	\$250.00	Minimum	296-2010	\$250.00/1 st hour plus \$75.00 for each additional hour
Records				
Incident Report	\$50.00	Each	278-2006	Plus HST
Motor Vehicle Collision Report	\$50.00	Each	371-2017	Plus HST
Officer Notes	\$50.00	Each	389-2021	Plus HST
Witness Statements	\$50.00	Each	389-2021	Plus HST
Insurance Synopsis Letter	\$40.00	Each	347-2014	Plus HST
Fingerprints	\$25.00	Each	278-2006	
Court Summary Letter	\$40.00	Each	278-2006	
Criminal Background Check – Employees	\$50.00	Each	371-2017	
Criminal Background Check – Volunteers	\$20.00	Each	371-2017	
Information & Privacy Application Fee	\$5.00	Each	329-2012	\$0.20/page photocopying \$30.00/hour for search or preparation
Records Suspension (Pardon Application)	\$75.00	Each	371-2017	
Criminal File Closure Fee	\$50.00	Each	359-2016	
Photocopies and Computer Printouts	\$0.20	Per Page	297-2010	
Researched Motions by Records/CPIC Clerk	\$30.00	Per Hour	347-2014	
Emergency & Investigative Support				
Request for Transcript by Crown Attorney's Office	\$5.60	Per Page	347-2014	
Forensic Services				
Reproducing Photographs from Digital Mini Lab	\$15.00	See Notes	278-2006	Per 15 minutes of recording
Non-Disclosure Costs for Printed Photographs	\$15.00	Each	347-2014	Minimum \$115.00
Video/Audio Tape Dubs	\$50.00	See Notes	278-2006	Per copy hour
Policing Standards Unit				
Researched Motions by Detective Sergeant	\$50.00	Per Hour	278-2006	
Video Unit				
Sale of Training Programs	\$20.00	Per Hour	278-2006	
Script Writing and Research	\$75.00	Per Hour	297-2010	
Field Productions	\$150.00	Per Hour	297-2010	
Post Production and Editing	\$100.00	Per Hour	278-2006	
Forensics	\$30.00	Per Hour	278-2006	
2020 Special Duty				
Constable				
Hourly	\$97.08	Min. 4 Hours	388-2020	Includes Admin. Fee of 20%
Holiday	\$129.44	Min. 4 Hours	388-2020	Includes Admin. Fee of 20%
Sergeant				
Hourly	\$109.55	Min. 4 Hours	388-2020	Includes Admin. Fee of 20%
Holiday	\$146.06	Min. 4 Hours	388-2020	Includes Admin. Fee of 20%
Inspector				
Hourly	\$133.59	Min. 4 Hours	TBA	Includes Admin. Fee of 20%
Holiday	\$178.12	Min. 4 Hours	TBA	Includes Admin. Fee of 20%

SCHEDULE "B"

SERVICE PROVIDED	FEE CHARGED
Casino Unit	Fees charged in accordance with written agreement with City of Niagara Falls.
Video Training Alliance	Fees charged in accordance with written agreements between the Niagara Regional Police Service and other Police Services.
Secondments	Fees charged in accordance with written agreements between the Niagara Regional Police Service and other organizations.
Joint Projects	Fees charged in accordance with written agreements between the Niagara Regional Police Service and other organizations.
Seminars	Fees charged according to Member hours utilized in presenting seminar.



NIAGARA REGIONAL POLICE SERVICE Police Services Board Report

PUBLIC AGENDA

Subject: Update to the Schedule of Fees and Charges
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2021-01-08

RECEIVED
BOI
JAN 14 2020

Recommendation(s)

That the Police Services Board approve the revised rates and direct staff to ensure that all documentation be updated accordingly.

Key Facts

- The purpose of this report is to update the Schedule of Fees and Charges by making the recommended changes
- Creating fees for officer notes and witness statements in relation to motor vehicle collision reports
- Removal of False Alarm attendance fees

Financial Considerations

Requests for witness statements and officer's notes will be removed from the FOI process and reassigned to the Insurance Clerk. As such, the Service will be able to apply fees as the procedure falls outside the *Municipal Freedom of Information and Protection of Privacy Act*. On average, the Service receives approximately 212 requests per year. After considering provincial averages, the Service is recommending a fee of \$50.00 for each item. The recommended changes have a potential for generating \$31,800.00 per year.

It is further recommended that the fee for police attendance at False Alarms be removed from the schedule as the Service no longer applies false alarm fees.

Analysis

Managing the above noted requests outside of the formal Freedom of Information process allows the analysts to focus on the more complicated access to information requests. It also allows the service to apply appropriate fees. Of the 34 police services surveyed, 32 manage witness statements and officer's notes in the same manner as being proposed.

Alternatives Reviewed

There are currently no fees allocated to officer notes and witness statements.

Relationship to Police Service/Board Strategic Priorities

This report is being issued in compliance with Board By-Law 371-2017.

Relevant Policy Considerations

By-Law 371-2017

Other Pertinent Reports

N/A

This report was prepared by Gary Holden, Records Manager, Records & Information Management in consultation with Superintendent Richard Frayne, Corporate Services and recommended by Bill Fordy, Deputy Chief of Police, Support Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

User Fees and Charges for Services By-Law 371-2017

User Fees and Charges Schedule A



BY-LAW NO. 371-2017

A BY-LAW TO PROVIDE FOR THE IMPOSITION OF CHARGES FOR POLICE SERVICES

(as amended by By-laws 268-2004, 278-2006, 280-2006, 287-2009, 288-2009, 296-2010, 302-2010, 303-2010, 304-2010, 308-2011, 329-2012, 347-2014, 353-2014 and 359-2016)

1. PREAMBLE

- 1.1 WHEREAS the Regional Municipality of Niagara Police Services Board is responsible for the provision of police services and for law enforcement and crime prevention in the Regional Municipality;
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4 REPEAL OF FORMER BY-LAW

- 4.1 The provisions of By-law No. 359-2016 and other By-laws, sections of By-laws and user fees and charges of the Police Service inconsistent with the provisions of this By-law are hereby repealed and replaced by this by-law.

5 ENACTMENT

- 5.1 This By-law shall come into force upon the date that it is approved by Council of the Regional Municipality of Niagara.

ENACTED AND PASSED this 23rd day of November, 2017.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

Chairperson

Executive Director

SCHEDULE "B"

SERVICE PROVIDED	FEE CHARGED
Casino Unit	Fees charged in accordance with written agreement with City of Niagara Falls.
Video Training Alliance	Fees charged in accordance with written agreements between the Niagara Regional Police Service and other Police Services.
Secondments	Fees charged in accordance with written agreements between the Niagara Regional Police Service and other organizations.
Joint Projects	Fees charged in accordance with written agreements between the Niagara Regional Police Service and other organizations.
Seminars	Fees charged according to Member hours utilized in presenting seminar.

SCHEDULE A

Niagara Regional Police Schedule of Fees & Charges

Item	Fee		Rate By-Law	Additional Notes
<u>Collision Reconstruction</u>				
Complete Collision Reconstruction Report	3,500.00	Each	296-2010	
Accident Report (MTO)	35.00	Each	296-2010	plus HST
Crash Data Retrieval (CDR) System Report	500.00	Per Vehicle	296-2010	
CDR Supplementary Report	150.00	Per Vehicle	296-2010	
Field Book	100.00	Each	296-2010	
Field Sketch	250.00	Each	296-2010	
Photographs	150.00	Minimum	296-2010	\$15 each
Scale Diagram (3 feet x 4 feet)	800.00	Each	296-2010	
Scale Diagram (8 inches x 11 inches)	400.00	Each	296-2010	
Technical Collision Investigation Field Notes	78.00	Minimum	296-2010	\$13/page
Technical Collision Investigation Report (TCI Report)	78.00	Minimum	296-2010	\$13/page
Technical Calculation Notes	500.00	Each	296-2010	
Vehicle Inspection Report	100.00	Per Vehicle	296-2010	
Vehicle Mechanical Examination Report	250.00	Per Vehicle	296-2010	
Interview with a Member of the Niagara Regional Police Collision Reconstruction Unit	250.00	Minimum	296-2010	\$250/1st hour plus \$75 for each additional hour
<u>Records</u>				
Incident Report	50.00	Each	278-2006	plus HST
Motor Vehicle Collision Report	50.00	Each	371-2017	plus HST
Insurance Synopsis Letter	40.00	Each	347-2014	plus HST
Fingerprints	25.00	Each	278-2006	
Court Summary Letter	40.00	Each	278-2006	
Criminal Background Check - Employees	50.00	Each	371-2017	
Criminal Background Check - Volunteers	20.00	Each	371-2017	
Information & Privacy Application Fee	5.00	Each	329-2012	\$0.20/page photocopying \$30/hour for search or preparation
Records Suspension (Pardon Application)	75.00	Each	371-2017	
Criminal File Closure Fee	50.00	Each	359-2016	
Photocopies and Computer Printouts	0.20	Per page	297-2010	
Researched motions by Records/CPIC Clerk	30.00	Per hour	347-2014	
<u>Emergency & Investigative Support</u>				
Request for Transcript by Crown Attorney's Office	5.60	Per page	347-2014	
<u>Forensic Services</u>				
Reproducing Photographs from Digital Mini Lab	15.00	See notes	278-2006	Per 15 min. of recording
Non-disclosure costs for printed photographs	15.00	Each	347-2014	Minimum \$115
Video/audio tape dubs	50.00	See notes	278-2006	Per copy hour
<u>Policing Standards Unit</u>				
Researched motions by Detective Sergeant	50.00	Per hour	278-2006	
<u>Video Unit</u>				
Sale of Training Programs	20.00	Per hour	278-2006	
Script Writing & Research	75.00	Per hour	297-2010	
Field Productions	150.00	Per hour	297-2010	
Post Production & Editing	100.00	Per hour	278-2006	
Forensics	30.00	Per hour	278-2006	
<u>False Alarms</u>				
False Alarm Attendance	50.00	Each	302-2010	Fixed charge for attendance

SCHEDULE A
Niagara Regional Police Schedule of Fees & Charges

<i>Item</i>	<i>Fee</i>		<i>Rate By-Law</i>	<i>Additional Notes</i>
<u>2017 Special Duty</u>				
Constable				
Hourly	91.08	Min. 4 hrs	370-2017	Includes Admin. Fee of 20%
Holiday	121.44	Min. 4 hrs	370-2017	Includes Admin. Fee of 20%
Sergeant				
Hourly	102.78	Min. 4 hrs	370-2017	Includes Admin. Fee of 20%
Holiday	137.04	Min. 4 hrs	370-2017	Includes Admin. Fee of 20%
Inspector				
Hourly	125.34	Min. 4 hrs	370-2017	Includes Admin. Fee of 20%
Holiday	167.12	Min. 4 hrs	370-2017	Includes Admin. Fee of 20%
<u>2018 Special Duty</u>				
Constable				
Hourly	92.81	Min. 4 hrs	370-2017	Includes Admin. Fee of 20%
Holiday	123.75	Min. 4 hrs	370-2017	Includes Admin. Fee of 20%
Sergeant				
Hourly	104.73	Min. 4 hrs	370-2017	Includes Admin. Fee of 20%
Holiday	139.64	Min. 4 hrs	370-2017	Includes Admin. Fee of 20%
Inspector				
Hourly	127.72	Min. 4 hrs	370-2017	Includes Admin. Fee of 20%
Holiday	170.29	Min. 4 hrs	370-2017	Includes Admin. Fee of 20%
<u>2019 Special Duty</u>				
Constable				
Hourly	94.62	Min. 4 hrs	370-2017	Includes Admin. Fee of 20%
Holiday	126.16	Min. 4 hrs	370-2017	Includes Admin. Fee of 20%
Sergeant				
Hourly	106.77	Min. 4 hrs	370-2017	Includes Admin. Fee of 20%
Holiday	142.36	Min. 4 hrs	370-2017	Includes Admin. Fee of 20%
Inspector				
Hourly	130.21	Min. 4 hrs	370-2017	Includes Admin. Fee of 20%
Holiday	173.61	Min. 4 hrs	370-2017	Includes Admin. Fee of 20%