



BY-LAW NO. 482-2024

**A BY-LAW TO ESTABLISH POLICY
RESPECTING MAJOR INCIDENT COMMAND**

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 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 Service Board may establish policies respecting matters related to the Police Service or the provision of policing;
- 1.3 AND WHEREAS O. Reg. 392/23: Adequate and Effective Policing (General) ("the Adequacy Regulation") prescribes standards for adequacy and effectiveness of police services;
- 1.4 AND WHEREAS subsections 9 (1) and 11 (1) of the Adequacy Regulation and subsection 5 (2) of Schedule 1 to the Adequacy Regulation prescribes standards for adequacy and effectiveness of police services, including the functions of Incident Commanders;
- 1.5 AND WHEREAS the Board has deemed it appropriate that it establish a policy with respect to access to the deployment and functions of Major Incident Commanders;
- 1.6 AND WHEREAS subsection 10 (1) of the Adequacy Regulation requires the Chief of Police to establish procedures that set out circumstances in which Major Incident Commanders will be deployed;
- 1.7 AND WHEREAS Part ER-004 of the Policing Standards Manual (2000), a copy of which is attached hereto as Appendix A, contains guidelines directing the police service and the Chief relative to Major Incident Command.

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

2. DEFINITIONS

- 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 “*Chief*” means the Chief of the Niagara Regional Police Service;
- 2.4 “*Manual*” means the Policing Standards Manual published by the Ministry of the Solicitor General;
- 2.5 “*Member*” means a member of the Niagara Regional Police Service;
- 2.6 “*Ministry*” means the Ministry of the Solicitor General; and
- 2.7 “*Service*” means the Niagara Regional Police Service.

3 BOARD POLICY

- 3.1 The Board recognizes that Major Incident Command is an important part of policing, and it is therefore the policy of this Board that the deployment of Major Incident Commanders be conducted professionally and thoroughly, and in accordance with procedures established by the Chief as directed in this By-law, the Adequacy Regulation and Appendix A.

4 PROVISION OF MAJOR INCIDENT COMMAND

- 4.1 The Service will provide, within a reasonable response time, access to the services of Major Incident Commanders.
- 4.2 The services of Major Incident Commanders will be available 24 hours a day.

5 DIRECTION TO THE CHIEF

5.1 PROCEDURES

- 5.1.1 The Chief will develop written procedures in accordance with the Adequacy Regulation and Appendix “A” that set out the circumstances in which a Major Incident Commander is to be deployed.

5.2 MANUAL

- 5.2.1 The Chief shall develop and maintain a Manual, in accordance with the Adequacy Regulation and Appendix A, on Major Incident Command that is available to each Member providing the service.
- 5.2.2 The Chief shall ensure that the Manual referred to in section 5.2.1 above is reviewed on an annual basis and amended as required.

5.3 MEMBERSHIP AND TRAINING

- 5.3.1 The Chief shall establish a selection process for Major Incident Commanders, ensuring that Major Incident Commanders who provide the service meet the requirements of the Adequacy Regulation.
- 5.3.2 The Chief shall ensure that Members who provide services of Major Incident Command have the requisite knowledge, skills and abilities and receive training on an ongoing basis.

5.4 EQUIPMENT

5.4.1 The Chief shall ensure that appropriate equipment and resources, in accordance with subsection 5(2) of Schedule 1 to the Adequacy Regulation and the Ministry's designated equipment and facilities list, are used/available to Members providing Major Incident Command.

6 REPORT TO THE BOARD

6.1 The Chief shall make a written report to the Board on or before August 30 of each year in respect of major incident command. The report shall include:

- (a) a summary of the procedures as required by this By-law;
- (b) the status of Service compliance with the said procedures;
- (c) confirmation of the development and maintenance of the Manual on Major Incident Command; and
- (d) a summary of the circumstances in which Major Incident Commanders have been deployed.

7 IMPLEMENTATION

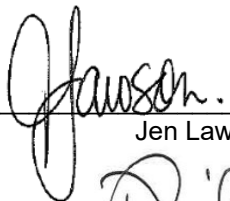
7.1 By-law No. 244-2000 and all other By-laws, sections of By-laws and procedural policies of the Board inconsistent with the provisions of this By-law are hereby repealed effective March 31, 2024.

7.2 This By-law shall come into force on April 1, 2024.


7.3 The Chief shall implement this By-law, where applicable, through General Order.

ENACTED AND PASSED this 25th day of April, 2024.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD



Jen Lawson, Chair



Deb Reid, Executive Director

Attachment (1)

Legislative/Regulatory Requirements

Section 21 of the Adequacy Standards Regulation requires a police service to provide within a reasonable response time access to the services of one or more major incident commanders.

Additionally, Section 21 of the regulation permits a police service to deliver the services of major incident command by contracting with another police service, or entering into arrangements to provide this service on a combined, regional or cooperative basis.

Section 24(2) requires the Chief of Police to ensure that no person is to be a major incident commander unless that person has successfully completed the required Ministry accredited training or acquired the Ministry approved equivalent competencies. Section 29 requires a police services board to have a policy in respect of required accredited training and equivalent competencies for major incident commanders.

Furthermore, section 29 requires a board to have a policy concerning the deployment of major incident commanders. Also, section 25(2)(a) requires the Chief of Police to establish procedures that set out the circumstances in which major incident commanders will be deployed.

Finally, section 29 requires a board to have a policy requiring that all major incident commanders have access to a procedure manual. Section 25(3) requires the Chief of Police to ensure that the police service's procedures for major incident command are contained in a manual that is available to each member providing that service.

Sample Board Policy

Board Policy # _____

Contracted Delivery It is the policy of the _____ Police Services Board with respect to major incident command services that:

- a) this Board will contract with _____ Police Services Board/OPP to provide the services of a major incident commander, available 24 hours a day and within a reasonable response time; and
- b) the Chief of Police will, in consultation with the police service providing the service, establish procedures that set out the circumstances, in which the service will be deployed, including the steps for obtaining the service and the reporting relationships.

*Direct, or
Combined,
Regional or
Cooperative
Delivery*

It is the policy of the _____ Police Services Board with respect to major incident command services that:

- a) the police service will provide the services of a major incident commander by (identify service delivery method - using its own members, or by entering into an agreement for a combined, regional or cooperative delivery);
- b) the services will be available 24 hours a day and within a reasonable response time; and
- c) the Chief of Police will:
 - i) develop procedures that address the circumstances in which a major incident commander is to be deployed;
 - ii) develop and maintain a manual on major incident command that is available to each member providing this service;
 - iii) establish a selection process for members who provide this service, including ensuring that members who provide this service meet the requirements of the Adequacy Standards Regulation;
 - iv) ensure the ongoing training of members who provide this service; and
 - v) ensure that appropriate equipment, in accordance with the Ministry's designated equipment and facilities list, is used/available to members who provide this service.

Police Service Guidelines

- Procedures* 1. Every police service's procedures on major incident command should address:
- a) the circumstances in which a major incident commander should be deployed; and
 - b) the operational responsibility within the police service for requesting the services of a major incident commander.

- Manual* 2. Where a police service provides major incident command services using its own members, a manual shall be developed, maintained and made available to the members providing that service, that addresses:
- a) general procedures for major incident command, including:
 - i) mandate, functions and reporting relationships;
 - ii) call-out procedures;
 - iii) processes for establishing a major incident command;
 - iv) communications with the major incident commanders;
 - v) taking precautionary measures that are adequate and effective, to secure communication between officers for tactical decisions and intelligence;
 - vi) communication protocols by police services to ensure that the police chief/commissioner or his/her designate including incident commanders are

- alert to the perception of political interference during incidents and take steps to avoid such interference;
 - vii) operational procedures;
 - viii) organizational charts for the emergency response function;
 - ix) the operational linkages between major incident commanders and other emergency response and public order unit services;
 - x) a selection process for major incident commanders, including that members must meet the requirements of the Adequacy Standards Regulation; and
 - xi) the recording and reporting of incidents involving major incident command; and
- b) procedures specific to members of major incident command, including:
- i) members' responsibilities;
 - ii) command and control;
 - iii) operational training;
 - iv) situation specific checklists;
 - v) disaster response;
 - vi) acquiring medical support;
 - vii) incident assessment;
 - viii) provision and use of equipment;
 - ix) hand-off/relief of major incident commanders;
 - x) use of training, operational and equipment logs; and
 - xi) debriefing process.

*Equipment
and
Supports*

3. Where a police service provides major incident command services using its own members, the Chief of Police should ensure that members are provided, at minimum, with the equipment and facilities set out in the Ministry's designated equipment and facilities list.
4. Where a police service provides major incident command services using its own members, the Chief of Police should ensure that the following support resources, at minimum, are made available to a major incident commander:
- a) command post facilities and equipment;
 - b) media liaison;
 - c) police liaison officer(s);
 - d) communications advisor; and
 - e) scribe.

Training

5. Where a police service provides major incident command using its own members, the Chief of Police should develop a skills development and learning plan that, at minimum, addresses annual participation, wherever possible, in a joint training exercise involving major incident commanders, crisis negotiators, public order units, tactical units,

hostage rescue teams, other police personnel, or outside emergency services deemed appropriate or subject of service delivery agreements.

6. The Chief of Police should review, as part of the skills development and learning plan, the extent to which the police service's major incident commanders are making sufficient use of their skills.

MINISTRY'S DESIGNATED EQUIPMENT LIST

Incident Command – Equipment and Facilities List

The following minimum equipment shall be made available, as soon as practicable, to an incident commander. If a command centre is established at the discretion of an incident commander, it shall include the equipment and facilities outlined below:

COMMAND CENTRES

- access to Mobile Command Post (CP)
- self-sufficient
- capable of prolonged housing of minimum of six persons
- pre-configured or multi-channel communications (including mobile terminal)
- radio and video media monitoring capability
- dedicated phone line
- separate and secure area for negotiation team
- writing and recording facilities, wherever possible
- individually numbered authorization tags for entry into frozen zone
- data lines and facsimile system
- current training manual (CPC/OPP) for incident commanders