

Regional Municipality of York Police Services Board

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The Benchmark of Excellence in Policing

September 23, 2003

Regional Chair Fisch and Members of Council
The Regional Municipality of York
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

Dear Regional Chair Fisch and Members of Council:

At its meeting on September 17, 2003, the Regional Municipality of York Police Services Board adopted the following recommendations as outlined in a report by Chief Armand P. La Barge entitled **Amendments to Fees By-law**:

- (1) That the Board enact the attached By-law replacing By-law No. 8-96; and
- (2) That the Board recommend that Regional Council pass a resolution adopting the amended By-law.

Therefore, the Board requests that Regional Council pass a resolution adopting the amended Fees By-law referred to hereafter as By-law 10-03.

Yours truly,

Connie Mahaffy
Executive Director

Attachments

- c. Chair David Barrow
Chief Armand P. La Barge

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Chief of Police
Armand P. La Barge

York Regional Police

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THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

17 SEPTEMBER 2003

Re: Amendments to Fees By-law

RECOMMENDATION(S):

- (1) That the Board enact the attached By-law replacing By-law No. 8-96; and
- (2) That the Board recommend that Regional Council pass a resolution adopting the amended By-law.

BACKGROUND:

At its meeting on June 26, 1996, the Police Services Board enacted and passed By-law No. 8 – 96, being a By-law to impose fees and charges for services and activities provided by the York Regional Police pursuant to section 220.1 of the *Municipal Act*.

Since that time, a number of the fees and charges have been proved to be inadequate or inappropriate, particularly with respect to new technology.

It is therefore desirable that the fees and charges be amended, and that Regional Council be asked to approve the amended By-law, as required by the *Municipal Act*.

SUMMARY:

By-law 8 – 96 currently provides for York Regional Police to charge fees for the provision of a variety of services. Charges associated with the alarm program are dealt with in a separate By-law, and are therefore not addressed in this report.

8.14(1)

York Regional Police is seeking changes to the fees and charges By-law in the following areas:

Clearance Letters

In December, 2001, the provincial government enacted Ontario Regulation 521/01 – *Collection of Personal Information* made under the *Education Act*. This Regulation requires all school boards to collect a personal criminal history on all current employees and service providers. At its meeting on January 29, 2003, the Board approved a fee of \$10, inclusive of GST, for conducting these background checks. This fee should be included in the By-law.

Application for Employment

Historically, York Regional Police has charged fees to applicants for sworn positions. Since that time, the application process has been altered radically, and those fees are no longer required, as the associated expenses are no longer incurred by York Regional Police. It would be appropriate, therefore, to remove them from the By-law.

Traffic Investigation

The only changes recommended in this area are of a minor nature, to avoid duplication and inconsistency.

Disclosure of Videotapes, Audiotapes and Photographs

The provision of disclosure in a criminal matter to the defence is the responsibility of the Crown. Historically, York Regional Police has assumed some of that responsibility and charged the Crown for that service. The Crown has now taken responsibility directly in this area, and the fees and charges should be amended to reflect this change. This issue has been addressed with the Crown Attorney and an agreement reached which, if approved by the Board, will be formalized in a Protocol.

Videos

The charge of \$30 for a video reflects not only the cost of the tape but the making of the copy. York Regional Police no longer makes such copies for the Crown. Now, we provide two copies of the videotape, both made at the initial time, and the Crown is responsible for any further copying and disclosure. As we are not incurring copying costs, a reduced fee would be appropriate, and a charge of \$8 is being proposed. As the police have an obligation to provide a copy of the case to the Crown, it is suggested that the charge be entirely assigned to the second, or disclosure, copy provided. The charge for a videotape provided to any other person would remain unchanged, at \$30.

Audios

The same rationale as with videotapes would apply to audiotapes and the same proposal is made, except that, as the tapes have a lower cost, the charge proposed is \$4. The charge for an audiotape provided to any other person would remain at \$30.

Photographs

This is one area where technology has advanced significantly, and it is now the practice of York Regional Police to provide photographs to the Crown by way of CD rather than contact sheets or prints. With respect to CD's, the same rationale as above applies, and the proposed charge is \$8. The proposed charge to all others would be on a sliding scale, depending on the number of photographs. The Crown would not be charged for any contact sheets or prints, and would only receive one copy of those. Further, the Protocol would address the ordering of prints by the Crown in order to ensure that only those necessary are ordered. The charge for contact sheets and prints provided to others would remain unchanged at \$30.

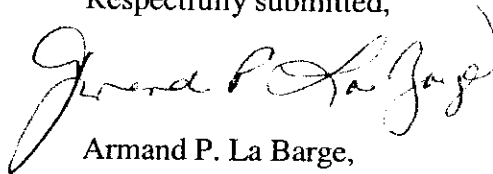
2002-2004 BUSINESS PLAN IMPACT:

Not applicable

FINANCIAL IMPLICATIONS:

Many of the changes to the fees by-law reflects changes that have taken place over the past few years. As a result, the operating budget has been set to reflect these changes. As the fees are basically established on a cost recovery basis, reductions in revenue are offset by reduced expenditures.

Respectfully submitted,



Armand P. La Barge,
Chief of Police.

APL/EC/st

8.14(3)

THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD

BY-LAW NO. 10-03

A By-law to Repeal and Replace By-law No. 8-96 as amended
being a By-law to Impose Fees and Charges for Services and
Activities Provided by the York Regional Police

WHEREAS pursuant to section 391(1) of the *Municipal Act 2001*, S.O. 2001, c. 25 (the "Act") the Board, being a local board as defined in section 1 of the Act, is authorized to pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it, for costs payable by it for services or activities provided or done by or on behalf of any other local board and for the use of its property, including property under its control;

AND WHEREAS the Board at its meeting on June 26, 1996 enacted and passed By-law No. 8-96, being a by-law to impose fees and charges for services and activities provided by the York Regional Police pursuant to section 220.1 of the *Municipal Act*, R.S.O. 1990, c. M.45;

AND WHEREAS Schedule "A" to By-law No. 8-96 was subsequently repealed and replaced by Schedule "A" to By-law No. 16-97 and further amended by By-laws No. 03-00, 09-00, and 11-00;

AND WHEREAS at its meeting on September 17, 2003 the Board adopted the recommendations of the Chief of York Regional Police to repeal and replace By-law No. 8-96, as amended.

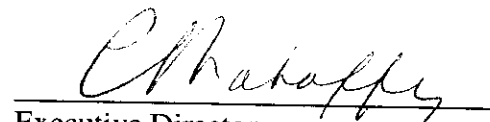
NOW THEREFORE the Board hereby enacts as follows:

1. Every person making a request for a service or activity described in Column 1 of Schedules "A" and "B" hereto annexed shall pay to the York Regional Police the fee plus

applicable taxes set out in Column 2 of Schedules "A" and "B" opposite such service or activity.

2. The fees referred to in section 1 shall be payable at the time of making the request for such service or activity.
3. Schedules "A" and "B" hereto annexed shall form part of this by-law.
4. This by-law shall come into force on the day Regional Council passes a resolution approving this by-law pursuant to section 397(1) of the Act.

ENACTED AND PASSED this 17th day of September, 2003.


Chair
Executive Director

SCHEDULE "A" TO BY-LAW NO.

	Column 1 - Description of Service or Activity	Column 2 - Fee
1.	Incident Reports	\$30.00 per incident
2.	Officer Notes and Statements	\$60.00 per incident
3.	Audio Tapes - Communications Branch	To Crown - 1 st copy – N/C - 2 nd copy (disclosure) - \$4.00 To all others - \$30.00
4.	Video Tapes (statements, security, scene, etc.)	To Crown - 1 st copy – N/C - 2 nd copy (disclosure) - \$8.00 To all others - \$30.00
5.	Clearance Letter - Request by Volunteer Organization - Request by Single Individual - Request by a Family - Request by School Board pursuant to O.Reg. 521/01 for current employees	\$14.00 per letter \$30.00 per letter \$45.00 per letter \$10.00 per employee, inclusive of GST
6.	Fingerprints - Request by Single Individual - Request by a Family	\$30.00 per request \$45.00 per request
7.	CD of Photographs	To Crown - 1 st copy – N/C - 2 nd copy (disclosure) - \$8.00 To all others - up to 10 images - \$30.00 - 11 to 40 images - \$2.00 each - each image beyond 40 - \$1.50
8.	Photographs	To Crown - contact sheet (1 st copy) – N/C - prints (1 st copy any size) – N/C To all others - contact sheet - \$30.00 per sheet - 5 x 7 print - \$30.00 per print

9.	Paid Duty - Administrative Fee - Use of Vehicle	15% of value of Paid Duty \$37.80 (minimum 4 hours)
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SCHEDULE "B" TO BY-LAW NO.

Traffic Unit
Fatal and Serious Personal Injury
Accident Investigation Reports

	Column 1 - Description of Service or Activity	Column 2 - Fee
1.	Level IV Traffic Investigation Includes: scene measurements, field sketch and field notes vehicle crush measurements and examination notes C.V.S.A. report and report of mechanical fitness all scale diagrams (8.5" x 11") all statements (in accordance with MFIPPA all speed calculations, time/distance calculations, opinions and conclusions arrived at by the traffic reconstructionist and/or collision analyst a complete copy of the fatality report as completed by the investigating officer (subject to review under the terms of MFIPPA curriculum vitae of the traffic reconstructionist and/or collision analyst	\$1,200.00
2.	Items may be purchased individually: scene measurements and field sketch vehicle crush measurements and examination notes C.V.S.A. or vehicle fitness report scale diagrams 8.5" x 11" or 8.5" x 14" - first - subsequent plotted scale diagrams 24" x 26" - first - subsequent all scale diagrams on 3.5" computer disk (.dkf or .skd format) speed calculations, time/distance calculations, opinions and conclusions of the reconstructionist and/or traffic analyst collision scene video	 \$200.00 \$100.00/vehicle \$200.00/vehicle \$250.00 \$ 50.00 each \$300.00 \$ 50.00 each \$500.00 \$600.00 \$ 30.00

	photographs	\$ 30.00 each
	interview with traffic reconstructionist - first hour	\$150.00
	- subsequent hours	\$ 75.00/hour
	interview with other involved officers	\$ 75.00
	Witness and officer statements (per statement)	\$ 30.00