

Bylaw Enforcement Officer Code of Conduct

Policy No. **26-001**

has been renumbered

Bylaw Enforcement Officer Code of Conduct

Policy No. **P-32-2009**

*CA Reyes*

**Title: Bylaw Enforcement Officer Code of Conduct**

**Resolution: 45-09**

**Revised:**

**Special Notes/Cross Reference:**

**Next Review Date: 2011**

**Alberta Provincial Statutes: Peace Officer Act/ Regulation**

**POLICY STATEMENT :** Town of Westlock Bylaw Enforcement Officer(s) are held to common standards as it relates to a Code of Conduct.

**PURPOSE :** To provide a Code of Conduct for Bylaw Enforcement Officer(s).

### **DEFINITIONS**

**BYLAW ENFORCEMENT OFFICER** - a person appointed by the Town Manager as a Bylaw Enforcement Officer or a Community Peace Officer authorized under the Alberta Peace Officer Act/Regulation.

**NUMBER and GENDER REFERENCES** - All references in this Policy will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.

### **GUIDELINES / PROCEDURES / RESPONSIBILITIES:**

**1.0 DISCREDITABLE CONDUCT**, which includes but is not limited to:

**1.1** Contravenes:

- a)** An Act of Parliament of Canada;
- b)** An Act of the Legislature of Alberta;
- c)** Any regulation made under an Act of either the Parliament of Canada or the Legislature of Alberta;
- d)** Any provision of his appointment, if such appointment has been made, as a Community Peace Officer.

Where the contravention is of such a character that it would be prejudicial to discipline or likely to bring discredit on the reputation of law enforcement.

- 1.2** Acting in a disorderly or inappropriate manner, or in a manner prejudicial to discipline or likely to bring discredit upon the reputation of law enforcement.
- 1.3** Differentially applying the law or exercising his authority on the basis of face, colour, religion, sex, physical disability, marital status, age, ancestry or place of origin.
- 1.4** Using profane, abusive, or insulting language toward a person.
- 1.5** Willfully or negligently making any false complaint or statement against any peace officer
- 1.6** Being found guilty of an offence under an Act of Parliament or the Legislature

of Alberta, as where in minor violations at the discretion of the Town Manager can be exempt from this regulation.

- 1.7 Withholding or suppressing a complaint or report against a Bylaw Enforcement Officer.
- 1.8 Abetting, conniving, or knowingly begin an accessory to misconduct as described in these policies.
- 1.9 Using oppressive or tyrannical conduct towards a subordinate.
- 1.10 Contravening any provision of the Peace Officer Act or the regulation.

**2.0 INSUBORDINATION**, which includes but is not limited to:

- 2.1 Insubordination by work or action.
- 2.2 Without lawful excuse, disobeying, omitting, or neglecting to carry out any lawful order, directive, or policy.

**3.0 NEGLECT OF DUTY**, which includes but is not limited to:

- 3.1 Without lawful excuse, neglecting or omitting promptly and diligently to perform a duty as a peace officer.
- 3.2 Failing to work in accordance with orders, or leaving an area, detail or other place of duty without due permission or sufficient cause.
- 3.3 Failing to render assistance to any person requiring assistance, within the capabilities and authority of the Bylaw Enforcement Officer.
- 3.4 By carelessness or neglect permitting a prisoner to escape.
- 3.5 Failing, when known where an offender is to be found, to report him or take reasonable efforts to bring him to justice.
- 3.6 Failing to report a matter that is his duty to report.
- 3.7 Failing to report anything that he knows concerning a criminal or other charge of failing to disclose any evidence that he, or any other person to his knowledge, can give for or against any prisoner or defendant.

**4.0 DECEIT**, which includes but is not limited to:

- 4.1 Knowingly making or signing a false statement in an official document or book.
- 4.2 Willfully or negligently making a false, misleading or concealing an official document or record or altering or erasing an entry therein.
- 4.3 Destroying, mutilating, or concealing records or property, or altering or erasing an entry in a record.

**5.0 BREACH OF CONFIDENCE**, which includes but is not limited to:

- 5.1 Failing to account for or make a prompt true return of money or property received in an official capacity.
- 5.2 Directly or indirectly soliciting or receiving a gratuity, present, subscription, or testimonial without the consent of the employer or the Town Manager.
- 5.3 Placing himself under an obligation to a person, in respect of whose conduct or business operation or employment the Bylaw Enforcement Officer may likely have to report or give evidence.
- 5.4 Improperly using his position as a Bylaw Enforcement Officer for private advantage.
- 5.5 Failing to maintain confidentiality when it must be maintained.

**6.0 CONFLICT OF INTEREST**, which includes but is not limited to:

- 6.1 Offering himself for employment as a private investigator or security guard as defined in the Private Investigators and Security Guards Act.
- 6.2 Being an owner, manager or paid advisor to a private investigator or security guard agency defined in the Private Investigators and Security Guards Act.
- 6.3 Engage in activities that may, or will, result in a conflict of interest or an apprehension of or lack of integrity in the office of Bylaw Enforcement Officer.

**7.0 UNLAWFUL, UNNECESSARY EXERCISE OF AUTHORITY OR EXCEEDING AUTHORITY:**

- 7.1 Exercise his authority as a Bylaw Enforcement Officer when it is unlawful or unnecessary to do so.
- 7.2 Fails to comply with the terms and conditions of the Town of Westlock's Authorization to employ Community Peace Officers as issued by the Solicitor General's Department.
- 7.3 Fails to comply with the terms and conditions of the individual Community Peace Officer Appointment as issued by the Solicitor General's Department.
- 7.3 Fails to comply with terms and conditions of employment of the Town of Westlock for the individual Bylaw Enforcement Officer.
- 7.4 Fails to comply with the Town of Westlock's Code of Conduct for Bylaw Enforcement Officers.

**8.0 CONSUMING LIQUOR DRUGS IN A MANNER PREJUDICIAL TO DUTY**, which includes but is not limited to:

- 8.1 Reporting for or being on duty while being unfit for duty through consuming liquor, drugs, or any controlled substance as listed under the Criminal Code *Controlled Drugs and Substance Act* (Canada).

**8.2** Except with the consent of the Town Manager, or in the discharge of duty, consuming or receiving from any person liquor or drugs while on duty.

**8.3** Demanding, persuading, or attempting to persuade another person to give or purchase or obtain for a Bylaw Enforcement Officer while on duty, any liquor or drugs.

**9.0 INAPPROPRIATE USE OF FORCE**, which includes but is not limited to:

**9.1** Applying force beyond that necessary to achieve control of a situation.

**9.2** Using restraining devices where inappropriate.

**10.0 IMPROPER USE OF FIREARMS, OTHER WEAPONS OR RESTRAINING DEVICES**, which includes but is not limited to:

**10.1** Having, using or carrying any weapon other than authorized by the Department of Justice or Municipal Council

**10.2** Having discharged a firearm when on duty, other than when on a firearm training exercise, but including accidentally at any time, failing to report such incidents to his supervisor as soon as practical thereafter.

**10.3** Failing to exercise discretion and restraint in the use and care of firearms, other weapons or restraining devices.

**10.4** Applying restraining devices in a manner likely to cause injury.

**11.0 ATTIRE AND VEHICLE: APPEARANCE**


**Attire:**

**11.1** Bylaw Enforcement Officers must wear the appropriate uniform and follow generally expected grooming habits while acting as a Bylaw Enforcement Officer.

**11.2** Bylaw Enforcement Officers must not wear any part of their uniform while off duty.

**Vehicle:**

**11.3** Bylaw Enforcement Officer must keep vehicles and equipment clean and in good working order, in accordance with Town of Westlock Vehicle and Equipment Maintenance Policies.

  
Darrell Garceau, Town Manager

  
Bruce Lennon, Mayor