



## BY-LAW NO. 414-2024

### A BY-LAW RESPECTING FUNDRAISING FOR SERVICE-RELATED ORGANIZATIONS

#### **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 certain organizations are permitted by the Board to use the NRPS name and logo;
- 1.4 AND WHEREAS it is in the best interests of the public and the Service that fundraising initiatives of those organizations uphold the principles of integrity, objectivity and impartiality of the Service;
- 1.5 AND WHEREAS the Board considers it expedient to enact this by-law to provide guidelines to those organizations in respect of all issues relating to fundraising.

#### **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 "Article" means an Article or Subarticle of this By-law;
- 2.3 "Board" means the Regional Municipality of Niagara Police Service Board;
- 2.4 "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 a Service-Related Organization;
- 2.5 "Chief" means the Chief of Police of the Niagara Regional Police Service;
- 2.6 "Fundraising" means the solicitation of money for the benefit of a Service-Related Organization and not the Service, and the sale of goods, services or licences by the Service-Related Organization for the purpose of raising money for the benefit of that organization;
- 2.7 "Member" means a Member of the Niagara Regional Police Service as defined by the Act;
- 2.8 "Qualified Donor" means a Donor who meets the approval criteria set out in Article 5.3 of this By-law;

- 2.9 “*Section*” includes subsection, paragraph, subparagraph, clause and subclause and refers to sections of the Act;
- 2.10 “*Service*” means the Niagara Regional Police Service;
- 2.11 “*Service-Related Organization*” means any individual, group, club, team or organization which is comprised wholly or in part of Service Members, and which uses the name or logo of the Service as part of its name, or which holds itself out as related to the Service.

### **3 APPLICATION**

- 3.1 This By-law applies to:
- 3.1.1. Fundraising by Service-Related Organizations,
  - 3.1.2. Donors subject to the provisions of Article 5.4,
  - 3.1.3. the receipt and/or disbursement of any monies received on account of Fundraising by Service-Related Organizations.
- 3.2 Notwithstanding the above, Article 6 of this By-law does not apply to performances such as the Tattoo or the Highland Games, or other concerts which are staged by either the Niagara Regional Police Male Chorus or the Niagara Regional Police Pipes and Drums Band.

### **4 RESTRICTIONS**

- 4.1 No Fundraising shall be undertaken by any Service-Related Organization except in accordance with the provisions of this By-law.
- 4.2 No Service-Related Organization shall enter into any arrangement to endorse a product or service.
- 4.3 The Board shall not approve any Fundraising proposal which may in the opinion of the Board compromise the integrity, objectivity or impartiality of the Service.

### **5 FUNDRAISING**

- 5.1 This Article applies to any Fundraising initiative undertaken by a Service-Related Organization in which the total money proposed to be raised exceeds \$5,000.
- 5.2 No such Fundraising shall be undertaken without prior Board approval.
- 5.3 In deciding whether to approve such Fundraising proposal, the Board shall consider the following criteria:
- 5.3.1 the Fundraising must be in good taste in the opinion of the Board,
  - 5.3.2 there shall be no solicitation to the public at large without specific prior Board approval to be given in accordance with the provisions of Article 5.4 below,
  - 5.3.3 the solicitation and the purpose of the Fundraising must not compromise, or appear to compromise, the integrity or the impartiality of the Service,
  - 5.3.4 present and past activities of Donors must not be in conflict with those of the Service,
  - 5.3.5 Donors must be of good standing in the community,

- 5.3.6 Donors must have a reputation of integrity and ethical standing.
- 5.4 The Board may approve a Fundraising plan which provides for solicitation to the public at large if it is satisfied that the remaining criteria relating to Donors will be met, and in the event that such solicitation to the public at large is approved, money is not to be accepted from any Donor who is known by the Service not to meet the approval criteria for Donors under Article 5.3, but each Donor need not be individually checked and approved.
- 5.5 The Board shall not approve any Fundraising proposal unless:
- 5.5.1 it is satisfied that all monies to be raised are to be placed into a trust account of the Service-Related Organization opened for the purpose of holding monies received through Fundraising,
  - 5.5.2 the names and positions of the signing officers of the trust account are disclosed,
  - 5.5.3 the Service-Related Organization undertakes to account to the Board for all monies received and spent, and
  - 5.5.4 all necessary municipal, provincial and/or federal approvals have been obtained by the Service-Related Organization, or if not obtained, there is an undertaking not to proceed with any Fundraising until all such necessary approvals are so obtained.

## **6 INITIAL REPORTING REQUIREMENTS**

- 6.1 Prior to undertaking any Fundraising in accordance with Article 5 above, an authorized representative of the Service-Related Organization involved shall make a written report to the Board, with a copy to the Chief, containing the following information:
- 6.1.1 a brief description of the program for which the Fundraising approval is being sought,
  - 6.1.2 an explanation of the Fundraising proposal,
  - 6.1.3 a description of the methods proposed to be used,
  - 6.1.4 information on the professional fundraiser, if any, being used, including the fee or commission being charged, and a statement as to whether or not the fundraiser would meet the approval criteria for Donors as set out in this Article,
  - 6.1.5 the amount of money proposed to be raised.

## **7 ANNUAL REPORTING REQUIREMENTS**

- 7.1 On or before November 30 of each year, the authorized representative of the Service-Related Organization involved in Fundraising throughout the year, shall make a written report to the Board, with a copy to the Chief, in respect of Fundraising initiatives exceeding \$5,000 and under \$5,000 containing the following information:
- 7.1.1 the number of Fundraising initiatives undertaken in the preceding year,
  - 7.1.2 the date of Board approval in respect of initiatives exceeding \$5,000,

- 7.1.3 an accounting of all money received and spent in respect of each Fundraising initiative,
- 7.1.4 a brief explanation as to the success of the Fundraising initiative, and,
- 7.1.5 a brief explanation of the reason for the Fundraising initiative and the use to which the money was put, and
- 7.1.6 a brief summary of any Fundraising initiatives proposed to be undertaken during the ensuing year.

**8 REPORTING FORMS**

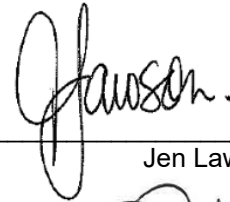
- 8.1 The authorized representative of the Service-Related Organization may make their initial and annual reports using the forms attached as Appendix A and B to this By-law.

**9 IMPLEMENTATION**

- 9.1 By-law No. 186-1999, 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.
- 9.2 This By-law shall come into force on April 1, 2024.
- 9.3 The Chief shall implement this By-law, where applicable, through general order.

ENACTED AND PASSED this 28<sup>th</sup> day of February, 2024.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD



Jen Lawson, Chair



Deb Reid, Executive Director

**Attachments (2)**

## APPENDIX A

### INITIAL FUNDRAISING REPORT OF SERVICE-RELATED ORGANIZATIONS

**Reporting Organization:**

Contact Person:

Name:

Address:

Organization Position:

Business Phone:

Residence:

Phone:

**Nature of Fundraising to be Undertaken:**

(explain how the money is to be raised, example dance, raffle, silent auction, door-to-door solicitation)

**Donors:**

(confirm that potential Donors meet Article 5.3 criteria, or if a solicitation to the public at large is proposed, that the Organization will decline donations from potential donors who are known not to meet the criteria)

**Money to be Raised:**

Explain target amount to be raised or value of goods or services proposed to be donated.

**Purpose of Funding:**

include a brief description of the program for which the funding is to be used.

**Trust Accounts:**

Include the names, address, phone numbers and Service-related position of the signing officers.

Name:

Address:

Organization Position:

Business Phone:

Residence Phone:

Institution:

Account Numbers:

**Government Approvals:**

List required government approvals and confirm that each has been obtained.

We undertake that any monies received pursuant to the Fundraising initiative shall be used for the purposes set out above.

We hereby request Board approval for the above-noted Fundraising initiative.

**Report prepared by:**

Signature:

Date:

**APPENDIX B**

**ANNUAL FUNDRAISING REPORT OF SERVICE-RELATED ORGANIZATION**

**Reporting Organization:**

Contact Person:

Name:

Address:

Organization

Position

Business Phone

Residence Phone

**Nature of Fundraising to be Undertaken:**

(explain how the money is to be raised, example dance, raffle, silent auction, door-to-door solicitation)

**Donors:**

(confirm that potential Donors meet Article 6. criteria, and explain whether or not the Organization declined donations from potential donors not meeting criteria).

**Money to be Raised:**

Include the amount of money raised in each of the Fundraising initiatives, or the value of the goods or services donated.

**Programs:**

Briefly describe the programs to which the funds raised were applied:

**Trust Accounts:**

Include the names, address, phone numbers and Service-related position of the signing officers of the trust accounts for each committee involved.

Name:

Address:

Organization Position:

Business Phone Residence Phone:

Institution:

Account Numbers:

**Government Approvals:**

List required government approvals and confirm that each has been obtained.

**Board Approval:**

Confirm Board approval obtained as required by by-law (i.e. for initiatives exceeding \$5,000.)

**Report prepared by:**

Signature:

Date: