

THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NO. 74-2024

*Being a By-law to Authorize the Execution of an Agreement Between His Majesty the King in Right of Ontario as Represented by the Solicitor General ("Ontario") and the Corporation of the Municipality of Port Hope. ("The Municipality") for the Commissioner to assume policing responsibility for the rural area under Section 22(2)2 of the Community Safety and Policing Act, 2019 S.O.2019, c.1, Sched 1.*

WHEREAS the Municipality of PORT HOPE deems it necessary to comply with the Community Safety and Policing Act, 2019 S.O.2019 (the Act); and

WHEREAS under the Act, the Municipality is required to ensure that policing shall be provided to ensure the safety and security of all persons and property; and

WHEREAS under Section 22(2)2 of the Act the Municipality may, with the Minister's approval, allow policing to be provided for in more than one way in different areas of the Municipality by entering into an agreement with the Minister to have the Commissioner assume policing responsibility for the area; and

WHEREAS Council, at its Meeting on November 26, 2024 considered Staff Report CAO-04-24;

NOW THEREFORE the Council of the Municipality of Port Hope enacts as follows:

1. That the Mayor and Municipal Clerk are hereby authorized to execute on behalf of the Corporation, an Agreement with the Solicitor General for Police Services for the rural area of the Municipality of Port Hope with the terms and conditions as set out in Schedule "A".
2. That the Mayor and Municipal Clerk be and are hereby authorized and directed to sign the said Agreement and any related documentation to carry out the purpose of the By-law.
3. That this By-law shall come into force the day it is passed.

BYLAW READ AND PASSED in Open Council this 26<sup>th</sup> day of November 2024.

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Olena Hankivsky, Mayor

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Shrishma Davé, Clerk

The term of this Agreement (the "Agreement") is effective as of the 1<sup>st</sup> day of April, 2024

**AGREEMENT FOR THE COMMISSIONER TO ASSUME POLICING  
RESPONSIBILITY UNDER SECTION 22(2)2 OF THE COMMUNITY SAFETY  
AND POLICING ACT, 2019 S.O. 2019, c. 1, Sched. 1**

**BETWEEN:**

**HIS MAJESTY THE KING IN RIGHT OF ONTARIO AS REPRESENTED  
BY THE SOLICITOR GENERAL**

("Ontario")

**OF THE FIRST PART**

**AND:**

**THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE**

(the "Municipality")

**OF THE SECOND PART**

**RECITALS:**

- (a) Under s. 22(2)2 of the *Community Safety and Policing Act*, 2019, S.O. 2019, c. 1, Sched. 1 (the "CSPA"), the Municipality may, with the Minister's approval, allow policing to be provided in more than one way in different areas of the Municipality by entering into an agreement with the Minister to have the Commissioner assume policing responsibility for the area.
- (b) The Municipality has expressed its intent to have the Commissioner assume policing responsibility for the Municipality of Port Hope, Rural Area (the "Area") as evidenced in By-Law number 74-2024 dated 26th November, 2024 (attached as Schedule "A").
- (c) The Municipality acknowledges that once the Commissioner assumes policing responsibility for the "Area", the Municipality will pay for the policing in accordance with s. 64 of the CSPA.

**NOW THEREFORE**, in consideration of the promises and covenants herein, the parties agree as follows:

1. The parties warrant that the recitals are true.
2. In this Agreement:
  - (a) “Minister” means the Solicitor General.
  - (b) “Commissioner” means the Commissioner of the Ontario Provincial Police.
3. The parties hereby agree that pursuant to s. 22(2)2 of the CSPA, the Commissioner shall assume policing responsibility for the Area.
4. Any notice under this Agreement shall be delivered to both Ontario and the Commissioner using the delivery methods listed below. Any notice sent by mail shall be deemed to be received on the third day following the date of mailing unless shown to the contrary, and if sent by email, it shall be deemed to be received on the date it was sent. Contact information may be changed by giving notice as provided herein:
  - (a) By mail to Ontario addressed to: The Solicitor General, 25 Grosvenor Street, 11<sup>th</sup> Floor, Toronto, Ontario, M7A 1Y6
  - (b) By mail to the Commissioner addressed to: The Commissioner, Ontario Provincial Police, 777 Memorial Avenue, Orillia, Ontario L3V 7V3. To the attention of the Manager, Municipal Policing Bureau, or by email to [opp.municipalpolicing@opp.ca](mailto:opp.municipalpolicing@opp.ca)
  - (c) By mail to the Municipality addressed to: The Clerk, Municipality of Port Hope, 56 Queen Street, Port Hope, Ontario L1A 3Z9 or by email at [clerk@porthope.ca](mailto:clerk@porthope.ca).
5. Notwithstanding the date upon which this Agreement is signed, the term of this Agreement shall commence on the 1<sup>st</sup> day of April, 2024 and shall remain in effect unless terminated in accordance with section 6.
6. Either party to this Agreement may terminate this Agreement upon one-year written notice of termination to the other party, in which case this Agreement shall terminate one year following the delivery of such notice. Should a notice to terminate be given, the Municipality shall continue to be obligated to pay for the policing up to and including the date of such termination and the Commissioner shall continue to assume policing responsibility for such period.
7. This Agreement and the schedule attached constitute the entire Agreement between the parties, and there are no representations, warranties, collateral agreements or conditions affecting this Agreement or the relationship of the parties or supported hereby other than as

expressed herein in writing. Any amendment to this Agreement must be in writing, duly executed by the parties.

**IN WITNESS WHEREOF**, the Municipality has affixed its Corporate Seal attested by the signature of its duly authorized signing officers, and the Solicitor General, has personally signed this Agreement to be effective as of the date set out herein.

**FOR ONTARIO**

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Solicitor General

**FOR THE MUNICIPALITY OF PORT HOPE**

\_\_\_\_\_

Mayor

\_\_\_\_\_

Clerk

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Date signed by the Municipality.

**SCHEDULE “A”**

**BY-LAW OF THE MUNICIPAL COUNCIL**

**PLACE HOLDER for By-law**