



## BY-LAW NO. 431-2024

### A BY-LAW RESPECTING ACCESSIBILITY STANDARDS

#### 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 the Accessibility for Ontarians with Disabilities Act (AODA) was enacted into law by the Provincial Government in 2005 to ensure the development, implementation, and enforcement of accessibility standards in order to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises on or before January 1, 2025;
- 1.4 AND WHEREAS the Accessibility Standards for Customer Service Regulation 429/07 (ASCS) is the first of five sets of standards to be issued by the Provincial Government in support of the AODA;
- 1.5 AND WHEREAS the O. Reg. 429/07 (ASCS) establishes accessibility standards for customer service and applies to every designated public sector organization, and to every other person or organization that has at least one employee in Ontario and that provides goods or services to members of the public or other third parties;
- 1.6 AND WHEREAS the Integrated Accessibility Standards Regulation 191/11 (IASR) was enacted in 2011 and is a consolidation of accessibility standards in the following five areas: General; Information and Communications; Employment; Transportation; Design of Public Spaces (Accessibility for the Built Environment);
- 1.7 AND WHEREAS Section 1 of the Ontario Human Rights Code, c. H. 19 states that, "Every person has a right to equal treatment with respect to services, goods and facilities, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability."

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

## 2. DEFINITIONS

- 2.1 "Accessibility Plan" means a document approved by the Regional Municipality of Niagara and made available to the public that includes:
- a) the strategy to identify, remove and prevent barriers to people with disabilities and meet its requirements under the enacted regulations of the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*; and
  - b) all other information and actions required under the *Ontarians with Disabilities Act, 2001 (ODA) and AODA*.
- 2.2 "Accessibility Standard" means a rule that persons and organizations must follow to identify, remove and prevent barriers to accessibility;
- 2.3 "Accessible Formats" include, but are not limited to, large print, recorded audio and electronic formats, Braille and other formats usable by people with disabilities;
- 2.4 "Act" or "CSPA" means the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*, and amendments thereto;
- 2.5 "Agent" means a third-party individual or organization who deals directly with members of the public to provide a program, service or facility on behalf of the Board;
- 2.6 "Barrier" means anything that prevents a person with a disability from fully participating in all aspects of society because of their disability, including physical, architectural, information and communications, attitudinal, technological, policy or practice barriers;
- 2.7 "Board" means the Regional Municipality of Niagara Police Service Board;
- 2.8 "Chief" means the Chief of the Niagara Regional Police Service;
- 2.9 "Communication Supports" includes, but are not limited to, captioning, alternative and augmentative sound devices, plain language, sign language and other supports that facilitate effective communications;
- 2.10 "Disability" is defined as prescribed in the *Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11* and the *Human Rights Code, R.S.O. 1990, c. H. 19*, as follows:
- a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or in a wheelchair or other remedial appliance or device,
  - b) a condition or mental impairment or a development disability;
  - c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
  - d) a mental disorder, or
  - e) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*;
- 2.11 "Kiosk" means an interactive electronic terminal, including a point of sale device, intended for public use that allows users to access one or more services or products, or both; and

2.12 "NRPS" means the Niagara Regional Police Service.

### **3 BOARD POLICY**

3.1 The Board is committed to providing equal treatment to people with disabilities with respect to the use and benefit of services, programs, facilities and goods provided by the Niagara Regional Police Service, in a manner that respects their dignity and that is equitable in relation to the broader public. This commitment extends to residents, visitors and employees with visible and non-visible disabilities.

3.2 It is therefore the policy of the Board that the Chief of Police develop procedures and practices which address integration, independence, dignity and equal opportunity, in compliance with the requirements of the Accessibility Standards for Customer Service (ASCS), O. Reg. 429/07 and Integrated Accessibility Standards Regulation (IASR), O. Reg. 191/11 made under the Accessibility for Ontarians with Disabilities Act, 2005.

### **4 APPLICATION AND SCOPE**

4.1 This By-law applies with the necessary modifications to Police Service Board members and staff, and to all employees of the Niagara Regional Police Service, auxiliary members, volunteers, and third-party contractors and agents.

### **5 DIRECTION TO THE CHIEF**

#### **5.1 PROCEDURES**

5.1.1 The Chief shall establish written procedures and processes that incorporate the following principles and provisions listed in Section 5.2.

#### **5.2 PRINCIPLES**

5.2.1 The Chief shall ensure that the NRPS meets:

- (a) all requirements of the ASCS, O. Reg. 429/07 under the AODA are met on an ongoing basis;
- (b) all requirements of the IASR, O. Reg. 191/11 under the AODA are met on an ongoing basis in accordance with the timelines set out in the regulation;
- (c) all policies, practices and procedures are aligned with all requirements of the IASR, O. Reg. 191/11 under the AODA;
- (d) accessibility requirements related to the implementation of this By-law are part of the annual budget and planning processes.

#### **5.3 DESCRIPTION**

5.3.1 This Accessibility By-law functions as an overarching policy for the requirements of the Accessibility Standards developed under the AODA;

- (a) Customer Service Standards (ASCR, O. Reg. 429/07);
- (b) Transportation Standard (IASR, O. Reg. 191/11);
- (c) Information and Communications Standards (IASR, O. Reg. 191/11);
- (d) Employment Standards (IASR, O. Reg. 191/11);
- (e) Design of Public Spaces Standards (currently under development).

5.3.2 Compliance with the AODA is achieved through the following directives.

## **6 CUSTOMER SERVICE STANDARDS**

### **6.1 CUSTOMER SERVICE**

6.1.1 The Board is committed to providing excellent customer service to everyone, including people with disabilities. When serving customers with disabilities, reasonable efforts shall be made to provide the same level of service given to other customers and service shall be provided in the same manner that respects their dignity and independence. The Accessible Customer Service Policy governs how the Board offers goods and services to people with disabilities. See Reference: Accessibility Standards for Customer Service By-law 432-2024.

## **7 INTEGRATED ACCESSIBILITY STANDARDS**

### **7.1 ACCESSIBILITY PLANNING**

7.1.1 Accessibility planning for the operations of the Board and NRPS will be reflected in the multi-year accessibility plan adopted by the Regional Municipality of Niagara, which will be posted on the Region's website.

7.1.2 The multi-year plan will outline the ways NRPS will prevent and remove barriers and meet the requirements of the standards developed under the AODA as they apply to the operation of the NRPS, and will form part of the Region's multi-year accessibility plan.

7.1.3 The Region's multi-year accessibility plan is reviewed and updated at least every five (5) years and is done so in consultation with persons with disabilities and Police representatives on the Niagara Region Accessibility Advisory Committee.

7.1.4 The Board will be included in the Region's annual status report on the progress of measures taken to implement the above, which report will be posted on the Region's website.

### **7.2 PROCUREMENT OF GOODS, SERVICES, FACILITIES AND KIOSKS**

7.2.1 When procuring goods, services, self-service kiosks or facilities, the Board and NRPS shall incorporate accessibility design, criteria and features, unless it is not feasible or practicable. If not feasible or practicable, the Board or NRPS, as the case may be, shall provide an explanation upon request.

### **7.3 INFORMATION AND COMMUNICATIONS**

7.3.1 The Board is committed to meeting the communication needs of people with disabilities upon request. When communicating with a person with a disability, employees, volunteers and third-party contractors shall do so in a manner that takes into account the person's disability.

## 7.4 FEEDBACK

7.4.1 The Chief shall ensure that a process is established in accordance with the Accessibility Standards for receiving and responding to feedback about the manner in which the NRPS provides goods or services to persons with disabilities, and that information shall be made readily available to the public.

## 7.5 ACCESSIBLE FORMATS AND COMMUNICATIONS SUPPORTS

7.5.1 Except as otherwise provided by the AODA, the Board and NRPS shall, upon request, and in consultation with the person making the request, provide or make arrangements to provide accessible formats and communications supports for persons with disabilities. Accessible formats and communication supports shall be provided in a timely manner, taking into account the person's accessibility needs and at a cost charged to other persons.

## 7.6 EMERGENCY PROCEDURES, PLANS AND INFORMATION

7.6.1 The NRPS shall provide all existing public emergency procedures, plans and public safety information upon request in an accessible format or with appropriate communication supports in a timely manner.

## 7.7 ACCESSIBLE WEBSITES AND WEB CONTENT

7.7.1 Internet websites and web content controlled directly by the Board, NRPS or through a contractual relationship that allows for modification of the product will conform to the World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0, at Level A and AA in accordance with the schedule set out in the AODA Integrated Accessibility Standards.

## 7.8 EMPLOYMENT

7.8.1 The Board and Chief of Police will create an accessible work environment for all employees across the employment life cycle, in accordance with the requirements and timelines set out in the *Employment Standards Act*, existing requirements under the *Ontario Human Rights Code* to accommodate people with disabilities, and the provisions of Part III of O. Reg.191/11.

## 7.9 TRAINING

7.9.1 All Police Service Board members and staff, NRPS employees, auxiliary members, volunteers and contractors who deal with the public on behalf of the NRPS shall receive accessibility training, including ongoing training to address changes to accessibility requirements. Training shall include information about the purposes of the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c.11 and the requirements of the Accessibility Standards as they pertain to the NRPS.

7.9.2 Training records shall be maintained, including dates when training is provided and the number of employees who received training.

7.9.3 A document describing the training policy shall be prepared that includes a summary of the contents of the training and details of when the training is to be provided.

7.9.4 Third party contractors shall be required to demonstrate to the NRPS that they are in compliance with the AODA.

7.10 BUILT ENVIRONMENT STANDARDS

7.10.1 The Board and NRPS shall comply with the AODA Design of Public Spaces Standards (Accessibility Standards for the Built Environment) and the Niagara Region's Accessibility Design Standards when undertaking new construction and redevelopment of public spaces in the following areas:

- (a) Exterior paths of travel;
- (b) Accessible parking;
- (c) Obtaining services; and
- (d) Maintenance of accessible elements.

7.11 NON-COMPLIANCE WITH POLICY/MONITORING REQUIREMENTS

7.11.1 Failure to comply with the AODA regulations can result in administrative penalties as defined in Part V: Compliance of *Integrated Accessibility Standards Regulation, Ontario Regulation 191/11*. Employees who fail to comply with this policy may be subject to disciplinary action.

7.11.2 The Chief shall ensure supervisors and managers monitor current practices to ensure compliance.

7.11.3 On an annual basis, the Chief shall review and assess the effectiveness of the Police Service's policies and procedures related to the IASR.

**8 REPORT TO THE BOARD**

8.1 The Chief shall make a written report to the Board each year in respect of Accessibility Standards for Customer Service. The report shall include:

- (a) a summary of the written procedures concerning Accessibility Standards for Customer Service; and
- (b) confirmation of NRPS compliance with said procedures.

**9. IMPLEMENTATION**

9.1 By-law No. 366-2017 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.

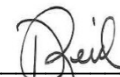
9.2 This By-law shall come into force on April 1, 2024.

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

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD



Jen Lawson, Chair



Deb Reid, Executive Director