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CONSULTATION DRAFT

ONTARIO REGULATION

To be made under the

COMMUNITY SAFETY AND POLICING ACT, 2019

**AMOUNT PAYABLE BY MUNICIPALITIES FOR POLICING FROM ONTARIO
PROVINCIAL POLICE**

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Interpretation

1. (1) In this Regulation,

“base policing” means municipal policing provided by O.P.P. officers assigned to integrated detachments, other than responding to municipal calls for service, other than providing court security and other than transporting prisoners; (“services policiers de base”)

“call for service” means an occurrence that requires police response or that relates to by-law enforcement and is responded to by police, regardless of whether the occurrence is reported by a member of the public or observed by a police officer and whether the police respond in person or in some other way; (“demande de service”)

“class of municipal calls for service” means any one of the classes of municipal calls for service established by the Commissioner under section 3; (“catégorie de demandes de service municipales”)

“cost of accommodation”, in relation to an integrated detachment, includes, without limitation, the cost of rent, utilities and maintenance for the premises of the integrated detachment; (“coût d’hébergement”)

“employment cost”, in relation to any group of employees, means,

- (a) the salaries, wages, overtime payments, vacation pay, statutory holiday pay, shift premiums, allowances, termination pay and other compensation that the employer pays to those employees (whether under a collective agreement or otherwise),
- (b) the employer’s contributions to benefit plans for those employees,
- (c) the employer’s employment insurance premiums paid in respect of those employees,
- (d) the employer’s contributions to pension plans for those employees, including, without limitation, the Public Service Pension Plan and statutory federal or provincial pension plans such as the Canada Pension Plan, and
- (e) the tax paid by the employer under the *Employer Health Tax Act* in respect of those employees; (“coût d’emploi”)

“full time equivalent” means, in relation to either O.P.P. officers or civilian members of the O.P.P., the amount of work provided by any combination of officers or civilians, as

applicable, that is equal to the amount of work that one full time officer or civilian member of the O.P.P. would work in a year; (“à temps plein ou l’équivalent”)

“integrated detachment” means an O.P.P. detachment that provides municipal policing or any other applicable policing provided by the Commissioner pursuant to section 57 of the Act and, for greater certainty, does not include,

- (a) O.P.P. regional, divisional or general headquarters, or
- (b) an office which a municipality provides for the use of the O.P.P. but which is not the location where O.P.P. officers report for duty; (“détachement intégré”)

“municipal call for service” means a call for service that occurs in a municipality; (“demande de service municipale”)

“municipal policing” means proactive and reactive general policing functions provided by the Commissioner to a municipality where the Commissioner has policing responsibility for the municipality and includes, without limitation,

- (a) community policing,
- (b) crime prevention,
- (c) general patrol,
- (d) directed patrol,
- (e) criminal intelligence,
- (f) investigating offences, laying charges and participating in the prosecution of offences, including provincial offences and offences under the *Criminal Code* (Canada) and the *Controlled Drugs and Substances Act* (Canada),

- (g) traffic policing, including traffic management, collision investigation, and conducting Reduce Impaired Driving Everywhere (RIDE) programs and other road safety programs,
- (h) responding to disturbances, including dealing with matters relating to the *Mental Health Act*,
- (i) working on missing persons cases,
- (j) assisting in search and rescue,
- (k) assisting victims of crime,
- (l) providing court security,
- (m) transporting prisoners,
- (n) detachment level supervision of O.P.P. officers and civilians assigned to the detachment,
- (o) administrative activities of O.P.P. officers in relation to the provision of municipal policing, and
- (p) training of O.P.P. officers in relation to the provision of municipal policing,

but does not include the policing provided by the Commissioner pursuant to clauses 57 (c) to (f) of the Act and does not include specialized functions provided by O.P.P. officers dedicated to or specially trained for the provision of those functions including, without limitation, functions provided by,

- (q) major crime investigators,
- (r) accident reconstruction specialists,

- (s) tactical response units, or
- (t) aircraft units; (“services policiers municipaux”)

“number of properties”, in relation to a municipality, means the sum of the following, calculated on the basis of data compiled by the Municipal Property Assessment Corporation:

- (a) the number of units in the municipality that are self-contained residential units intended for seasonal or year round use and are not on a Canadian Forces base, and
- (b) subject to subsection (8), the number of properties in the municipality that are not on a Canadian Forces base and that have at least one portion which,
 - (i) is included in the commercial classes or the industrial classes, as defined in subsection 308 (1) of the *Municipal Act, 2001*, and
 - (ii) is not included in a subclass prescribed under the *Assessment Act*; (“nombre de biens”)

“O.P.P.” means Ontario Provincial Police; (“Police provinciale”)

“O.P.P. civilian” means a member of the O.P.P. who is not a police officer; (“civil de la Police provinciale”)

“O.P.P. officer” means a member of the O.P.P. who is a police officer, not including a police officer who is appointed under the *Interprovincial Policing Act, 2009*; (“agent de la Police provinciale”)

“other direct operating expenditures”, in relation to integrated detachments, includes, without limitation,

- (a) the cost associated with integrated detachment vehicles,

- (b) the cost of uniforms and equipment for O.P.P. officers and civilians assigned to integrated detachments,
- (c) the cost associated with office automation for integrated detachments, including computer hardware and software, servers, network infrastructure and other information technology equipment and services,
- (d) the cost associated with telephones for integrated detachments,
- (e) the cost associated with mobile radios for integrated detachments,

but does not include,

- (f) the cost of accommodation for integrated detachments, or
- (g) the cost of cleaning services for integrated detachments; (“autres dépenses directes de fonctionnement”)

“policing resource plan” means a determination made in writing by the Commissioner prior to a municipality beginning a transitional period of,

- (a) subject to subsection (9), the number of O.P.P. officer and civilian full time equivalents required to provide municipal policing during the transitional period,
- (b) the cost of accommodation for any integrated detachments applicable to the transitional period,
- (c) the cost of cleaning services, if any, applicable to the transitional period, and
- (d) the cost of other direct operating expenditures that must be incurred in order for the Commissioner to begin providing policing to the municipality, including the cost of renovations to an integrated detachment; (“plan des ressources policières”)

“support costs”, in relation to integrated detachments, means,

- (a) the employment cost in respect of persons who guard prisoners for integrated detachments, and
- (b) the employment cost in respect of persons who are not assigned to integrated detachments and who, in various capacities, support the work done by O.P.P. officers and civilians assigned to integrated detachments, including, without limitation,
 - (i) persons who operate communication centres,
 - (ii) persons who recruit O.P.P. officers for integrated detachments,
 - (iii) persons who conduct quality assurance activities for integrated detachments,
 - (iv) persons who carry out forensic identification functions for integrated detachments,
 - (v) persons who provide support regarding the information technology used by integrated detachments, and
 - (vi) persons who provide support regarding the telephones used by integrated detachments; (“coûts des activités de soutien”)

“target year” means the year for which the amount owing by a municipality under the Act is being determined; (“année cible”)

“transitional period” means the period following the day on which the Commissioner becomes responsible for providing policing for a municipality described in subsection 5 (1), and includes,

- (a) the remainder of the year in which the Commissioner becomes responsible for providing policing for the municipality, and

- (b) the three years following the end of the year described in clause (a); (“période de transition”)

“year” means a calendar year. (“année”, “an”)

(2) A reference in this Regulation to a preceding number of years is a reference to the years preceding the target year. For example, if the target year is 2024, the four preceding years are 2020, 2021, 2022 and 2023.

(3) Subsection (2) does not apply if the reference is to a period of years that precedes the year preceding the target year. For example, if the target year is 2024, the four-year period that precedes the year preceding the target year is 2020, 2021, 2022 and 2023.

(4) A reference in this Regulation to the year that is two years before the target year is a reference to the year that precedes the year preceding the target year. For example, if the target year is 2024, the year that is two years before the target year is 2022.

(5) A reference in this Regulation to civilians assigned to an integrated detachment does not include civilians whose job is to guard prisoners.

(6) If a calculation under section 4 requires the determination of a value over the four-year period preceding the target year and data for the entire period is not available, the calculation shall be completed by extrapolating from the available data in relation to the municipality.

(7) For the purpose of calculating the number of properties in a municipality in respect of a specific year, the data to be used is the data compiled by the Municipal Property Assessment Corporation for the year that is two years before the specific year.

(8) A property shall not be counted for the purpose of clause (b) of the definition of “number of properties” in subsection (1) if,

- (a) it is vacant land; or

- (b) it is included in the commercial classes or industrial classes, as defined in subsection 308 (1) of the *Municipal Act, 2001*, only because it has one or more of the following characteristics:

- (i) there is a communications tower on the property,
- (ii) there is a billboard on the property,
- (iii) there is a wind turbine on the property,
- (iv) there is a solar panel on the property,
- (v) there is an oil or gas well on the property,
- (vi) the property is an international bridge or international tunnel,
- (vii) a characteristic that the Commissioner determines would not normally contribute to the need for base policing.

(9) The Commissioner shall base the determination described in clause (a) of the definition of “policing resource plan” on an analysis of the current number of O.P.P. officers and civilians serving the municipality, the policing demands of the municipality and the ability to integrate policing of the municipality into the existing O.P.P. policing delivery model.

(10) If the Commissioner provides policing to a municipality for only a portion of a target year, the amount owed by the municipality pursuant to this Regulation shall be pro-rated for the target year.

Average annual number of officers required for municipal policing

2. (1) For the purposes of the calculations required to be carried out under section 4, the Average Annual Number of O.P.P. Officers Required for Municipal Policing by an integrated detachment in respect of a specific year is the average annual number of O.P.P. officers that the detachment would have needed during the four-year period that precedes the year preceding the specific year in order to provide municipal policing to municipalities to which section 4 applies that are in the detachment’s jurisdiction, or the portion of such a municipality that is in the detachment’s jurisdiction, if the only policing those officers provided was municipal policing.

(2) The Commissioner shall determine the Average Annual Number of O.P.P. Officers Required for Municipal Policing by an integrated detachment in respect of a specific year, whenever that number is required for purposes of a calculation under section 4.

(3) The Commissioner shall base their determination on an analysis of the workload of the O.P.P. officers in the integrated detachment during the four-year period and, in analyzing the workload, the Commissioner shall consider the types of roads patrolled by O.P.P. officers assigned to the detachment, the availability of O.P.P. officers assigned to the detachment to respond to calls for service in light of the level of demand for the officers to provide other policing functions, the types of calls for service received by the detachment and the need for multiple O.P.P. officers to respond to certain types of calls for service for safety reasons.

Classes of municipal calls for service

3. (1) For the purpose of calculating the Municipal Calls for Service Charges for municipalities under section 4, the Commissioner shall establish two or more classes of municipal calls for service, based on the types of occurrences that constitute municipal calls for service and the O.P.P. resources required to respond to each type of occurrence.

(2) The Commissioner shall first establish the classes no later than the day on which this Regulation comes into force, and may subsequently from time to time change the classes by adding a class, removing a class or changing the content of a class.

(3) The Commissioner shall ensure that the classes first established under this section are and remain readily available to the public on the O.P.P. website or from the O.P.P. on and after the day on which this Regulation comes into force, and that any changes made to the classes under this section are and remain readily available to the public on the O.P.P. website or from the O.P.P. on and after the date on which they begin to apply.

Amount payable by municipality under s. 64 (1) of the Act

4. Subject to sections 5 and 6, the amount that each municipality must pay the Minister of Finance pursuant to subsection 64 (1) of the Act for policing provided by the Commissioner under the Act during a target year is the amount determined in accordance with the following steps:

1. For each integrated detachment, determine the Detachment Municipal Percentage for the target year by dividing the Average Annual Number of O.P.P. Officers Required for Municipal Policing by the detachment in respect of the target year, as determined by the Commissioner under section 2, by the average annual number of O.P.P.

officers assigned to the detachment during the four-year period that precedes the year preceding the target year, excluding O.P.P. officers who,

- i. were provided as an enhancement under an agreement made under section 10 of the *Police Services Act*, as it read at the time,
- ii. are providing additional services pursuant to an agreement under subsection 17 (2) of the Act, or
- iii. are providing municipal policing to a municipality to which section 5 or 6 applies.

2. Determine the Ontario Municipal Percentage for the target year as follows:

- i. Calculate the sum of all the Average Annual Number of O.P.P. Officers Required for Municipal Policing in respect of the target year for all integrated detachments, as determined by the Commissioner under section 2.
- ii. Determine the average annual number of O.P.P. officers assigned to integrated detachments during the four-year period that precedes the year preceding the target year, excluding O.P.P. officers described in subparagraph 1 i, ii or iii.
- iii. Divide the result obtained under subparagraph i by the result obtained under subparagraph ii.

3. For each integrated detachment, determine the Detachment Officer Employment Cost for Municipal Policing for the target year as follows:

- i. Determine the average annual number of O.P.P. officers in each pay classification level in the detachment during the four-year period that precedes the year preceding the target year.
- ii. For each O.P.P. officer pay classification level in the detachment, multiply the result obtained under subparagraph i by the Detachment Municipal Percentage for the detachment for the target year, as determined under paragraph 1.

- iii. For each O.P.P. officer pay classification level in the detachment, multiply the result obtained under subparagraph ii by the annual employment cost in respect of the target year for an O.P.P. officer in that pay classification level, excluding overtime payments and excluding increases in any other elements of the employment cost that result from overtime payments.
 - iv. Calculate the sum of the results obtained under subparagraph iii for all O.P.P. officer pay classification levels in the detachment.
 4. Determine the Officer Employment Cost for Municipal Policing in Ontario for the target year by calculating the sum of the results obtained under paragraph 3 for all integrated detachments.
 5. For each integrated detachment, determine the Detachment Civilian Employment Cost for Municipal Policing for the target year as follows:
 - i. Determine the average annual number of civilians in each pay classification level in the detachment during the four-year period that precedes the year preceding the target year.
 - ii. For each civilian pay classification level in the detachment, multiply the result obtained under subparagraph i by the Detachment Municipal Percentage for the detachment for the target year, as determined under paragraph 1.
 - iii. For each civilian pay classification level in the detachment, multiply the result obtained under subparagraph ii by the annual employment cost in respect of the target year for a civilian in that pay classification level, excluding overtime payments and excluding increases in any other elements of the employment cost that result from overtime payments.
 - iv. Calculate the sum of the results obtained under subparagraph iii for all civilian pay classification levels in the detachment.
 6. Determine the Civilian Employment Cost for Municipal Policing in Ontario for the target year by calculating the sum of the results obtained under paragraph 5 for all integrated detachments.

7. Determine the Support Costs Amount for Municipal Policing in Ontario for the target year as follows:
 - i. For each of the different types of services covered by clause (b) of the definition of “support costs” in subsection 1 (1) that were provided to integrated detachments during the year that is two years before the target year, determine the number of persons that would have been needed in order to provide each such service during that year, had those persons been providing only such service.
 - ii. For each of the different types of services covered by clause (b) of the definition of “support costs” in subsection 1 (1) that were provided to integrated detachments during the year that is two years before the target year, multiply the result obtained under subparagraph i by the annual employment cost, in respect of the year preceding the target year, for a person providing that service, excluding overtime payments and excluding increases in any other elements of the employment cost that result from overtime payments.
 - iii. Calculate the sum of the results obtained under subparagraph ii for all the services covered by clause (b) of the definition of “support costs” in subsection 1 (1) that were provided to integrated detachments during the year that is two years before the target year.
 - iv. Calculate the sum of the result obtained under subparagraph iii and the employment cost incurred in respect of the year that is two years before the target year for persons who guard prisoners for integrated detachments.
 - v. Multiply the result obtained under subparagraph iv by the Ontario Municipal Percentage for the target year, as determined under paragraph 2.
8. Determine the Other Direct Operating Expenditures Amount for Municipal Policing in Ontario for the target year by multiplying the Ontario Municipal Percentage for the target year, as determined under paragraph 2, by the other direct operating expenditures incurred for all integrated detachments in respect of the year that is two years before the target year.

9. In carrying out the calculations required under paragraphs 3 to 8, exclude employment costs, support costs and other direct operating expenditures, as the case may be, that relate to,
 - i. prisoner transportation,
 - ii. the provision of court security,
 - iii. the provision of services that were identified as enhancements in agreements made under section 10 of the *Police Services Act*, as it read at the time, or are identified as additional policing or other services pursuant to an agreement under subsection 17 (2) of the Act,
 - iv. accommodation for integrated detachments, or
 - v. the cleaning of integrated detachments.
10. Determine the General Cost of Providing O.P.P. Municipal Policing in Ontario for the target year by calculating the sum of the following amounts:
 - i. The Officer Employment Cost for Municipal Policing in Ontario for the target year, as determined under paragraph 4.
 - ii. The Civilian Employment Cost for Municipal Policing in Ontario for the target year, as determined under paragraph 6.
 - iii. The Support Costs Amount for Municipal Policing in Ontario for the target year, as determined under paragraph 7.
 - iv. The Other Direct Operating Expenditures Amount for Municipal Policing in Ontario for the target year, as determined under paragraph 8.
11. Determine the Ontario Base Policing Percentage for the target year by dividing the total time all O.P.P. constables assigned to integrated detachments spent providing base policing during the four-year period that precedes the year preceding the target

year by the total time all O.P.P. constables assigned to integrated detachments spent providing all municipal policing during that four-year period.

12. For each integrated detachment, determine the Detachment Inspector and Staff Sergeant Employment Cost for Municipal Policing for the target year as follows:
 - i. Determine the average annual number of inspectors and staff sergeants in each pay classification level in the detachment during the four-year period that precedes the year preceding the target year.
 - ii. For each pay classification level, multiply the result obtained under subparagraph i by the Detachment Municipal Percentage for the detachment for the target year, as determined under paragraph 1.
 - iii. For each pay classification level, multiply the result obtained under subparagraph ii by the annual employment cost in respect of the target year for an inspector or staff sergeant in that pay classification level, excluding overtime payments and excluding increases in any other elements of the employment cost that result from overtime payments.
 - iv. Calculate the sum of the results obtained under subparagraph iii for all pay classification levels in the detachment.
13. Determine the Inspector and Staff Sergeant Employment Cost for Municipal Policing in Ontario for the target year by calculating the sum of the results obtained under paragraph 12 for all integrated detachments.
14. Determine the Inspector and Staff Sergeant Cost for Municipal Policing in Ontario for the target year as follows:
 - i. For each integrated detachment, determine the average annual number of inspectors and staff sergeants assigned to the detachment during the four-year period that precedes the year preceding the target year.
 - ii. Multiply the result obtained under subparagraph i by the Detachment Municipal Percentage for the detachment for the target year, as determined under paragraph 1.

- iii. Calculate the sum of the results obtained under subparagraph ii for all integrated detachments.
 - iv. For each integrated detachment, determine the average annual number of O.P.P. officers assigned to the detachment during the four-year period that precedes the year preceding the target year.
 - v. Multiply the result obtained under subparagraph iv by the Detachment Municipal Percentage for the detachment for the target year, as determined under paragraph 1.
 - vi. Calculate the sum of the results obtained under subparagraph v for all integrated detachments.
 - vii. Divide the result obtained under subparagraph iii by the result obtained under subparagraph vi.
 - viii. Calculate the sum of the Support Costs Amount for Municipal Policing in Ontario for the target year, as determined under paragraph 7, and the Other Direct Operating Expenditures Amount for Municipal Policing in Ontario for the target year, as determined under paragraph 8.
 - ix. Multiply the result obtained under subparagraph vii by the result obtained under subparagraph viii.
 - x. Calculate the sum of the Inspector and Staff Sergeant Employment Cost for Municipal Policing in Ontario for the target year, as determined under paragraph 13, and the result obtained under subparagraph ix.
15. Determine the Ontario Base Policing Amount for the target year as follows:
- i. Subtract the Inspector and Staff Sergeant Cost for Municipal Policing in Ontario for the target year, as determined under paragraph 14, from the General Cost of Providing O.P.P. Municipal Policing in Ontario for the target year, as determined under paragraph 10.

- ii. Multiply the result obtained under subparagraph i by the Ontario Base Policing Percentage for the target year, as determined under paragraph 11.
 - iii. Calculate the sum of the result obtained under subparagraph ii and the Inspector and Staff Sergeant Cost for Municipal Policing in Ontario for the target year, as determined under paragraph 14.
- 16. Determine the Base Cost per Property for the target year by dividing the Ontario Base Policing Amount for the target year, as determined under paragraph 15, by the total number of properties in respect of the target year in all municipalities to which this section applies.
- 17. Determine the Base Policing Charge for each municipality for the target year by multiplying the Base Cost per Property for the target year, as determined under paragraph 16, by the number of properties in that municipality in respect of the target year.
- 18. Determine the Ontario Calls for Service Amount for the target year by subtracting the Ontario Base Policing Amount for the target year, as determined under paragraph 15, from the General Cost of Providing O.P.P. Municipal Policing in Ontario for the target year, as determined under paragraph 10.
- 19. Determine the Time Standard for each class of municipal calls for service for the target year by calculating the average amount of time that O.P.P. constables assigned to integrated detachments spent responding to each municipal call for service of that class during the four-year period that precedes the year preceding the target year.
- 20. Determine the Weighted Calls for Service Hours for each municipality to which this section applies during the target year from O.P.P. officers assigned to integrated detachments, as follows:
 - i. For each class of municipal calls for service, multiply the average annual number of municipal calls for service of that class in that municipality during the four-year period that precedes the year preceding the target year by the Time Standard for that class of municipal calls for service for the target year, as determined under paragraph 19.

- ii. For each municipality, calculate the sum of the results obtained under subparagraph i for all the classes of municipal calls for service.
- 21. Determine the Total Weighted Calls for Service Hours for the target year by calculating the sum of the results obtained under paragraph 20 for all municipalities to which this section applies during the target year from O.P.P. officers assigned to integrated detachments.
- 22. Subject to paragraph 25, determine the Municipal Calls for Service Charge for each municipality to which this section applies for the target year as follows:
 - i. Divide the Weighted Calls for Service Hours for that municipality, as determined under paragraph 20, by the Total Weighted Calls for Service Hours, as determined under paragraph 21.
 - ii. Multiply the Ontario Calls for Service Amount for the target year, as determined under paragraph 18, by the result obtained under subparagraph i.
- 23. For each municipality to which this section applies, determine the ratio of the municipality's Weighted Calls for Service Hours, as determined under paragraph 20, to the number of properties in that municipality in respect of the target year.
- 24. Determine the average of all the ratios determined under paragraph 23.
- 25. If the ratio of a municipality, as determined under paragraph 23, exceeds the average ratio, as determined under paragraph 24, by five or more standard deviations, determine the Municipal Calls for Service Charge for that municipality for the target year as follows:
 - i. Multiply the Municipal Calls for Service Charge for that municipality for the target year, as determined under paragraph 22, by the percentage set out in Column 2 of Table 1 opposite the number of standard deviations set out in Column 1 by which that municipality's ratio exceeds the average ratio.
 - ii. Subtract the result obtained under subparagraph i from the Municipal Calls for Service Charge for that municipality for the target year, as determined under paragraph 22.

26. Determine the Accommodation Cost per Property for the target year as follows:
- i. For every integrated detachment that did not receive any accommodation from the municipality or municipalities that, during the year that is two years before the target year, received municipal policing from the O.P.P. officers assigned to the detachment, multiply the Detachment Municipal Percentage for the detachment for the target year, as determined under paragraph 1, by the cost of accommodation for the detachment in respect of the year that is two years before the target year, as determined by Infrastructure Ontario.
 - ii. Calculate the sum of the results obtained under subparagraph i for all of the integrated detachments described in that subparagraph.
 - iii. For every integrated detachment that received accommodation from one or more, but not all, of the municipalities that, during the year that is two years before the target year, received municipal policing from the O.P.P. officers assigned to the detachment, Infrastructure Ontario shall determine the pro-rated cost of accommodation that would have been payable in respect of the municipal policing provided to the municipality or municipalities to which this section applies and that did not provide accommodation for the detachment during the year that is two years before the target year.
 - iv. Calculate the sum of the results obtained under subparagraph iii for all of the integrated detachments described in that subparagraph.
 - v. Calculate the sum of the results obtained under subparagraphs ii and iv.
 - vi. Divide the result obtained under subparagraph v by the total number of properties in respect of the target year in all municipalities to which this section applies that do not provide any accommodation for an integrated detachment during the target year.
27. For each municipality that does not provide any accommodation during the target year for an integrated detachment whose O.P.P. officers provide municipal policing to the municipality, determine the Detachment Accommodation Charge for the municipality for the target year by multiplying the Accommodation Cost per Property for the target

year, as determined under paragraph 26, by the number of properties in the municipality in respect of the target year.

28. Determine the Cleaning Services Cost per Property for the target year as follows:
 - i. For every integrated detachment that did not receive any cleaning services from the municipality or municipalities that, during the year that is two years before the target year, received municipal policing from the O.P.P. officers assigned to the detachment, multiply the Detachment Municipal Percentage for the detachment for the target year, as determined under paragraph 1, by the cost of cleaning services for the detachment in respect of the year that is two years before the target year.
 - ii. Calculate the sum of the results obtained under subparagraph i for all of the integrated detachments described in that subparagraph.
 - iii. For every integrated detachment that received cleaning services from one or more, but not all, of the municipalities that, during the year that is two years before the target year, received municipal policing from the O.P.P. officers assigned to the detachment, determine the pro-rated cost of cleaning services that would have been payable in respect of the municipal policing provided to the municipality or municipalities to which this section applies that did not provide cleaning services for the detachment during the year that is two years before the target year.
 - iv. Calculate the sum of the results obtained under subparagraph iii for all of the integrated detachments described in that subparagraph.
 - v. Calculate the sum of the results obtained under subparagraphs ii and iv.
 - vi. Divide the result obtained under subparagraph v by the total number of properties in respect of the target year in all municipalities to which this section applies that do not provide any cleaning services for an integrated detachment during the target year.
29. For each municipality that does not provide any cleaning services during the target year for an integrated detachment whose O.P.P. officers provide municipal policing to the municipality, determine the Detachment Cleaning Charge for the municipality for

the target year by multiplying the Cleaning Services Cost per Property for the target year, as determined under paragraph 28, by the number of properties in the municipality in respect of the target year.

30. Determine the Prisoner Transportation Cost for the target year as follows:

- i. For each integrated detachment, multiply the Detachment Municipal Percentage for the detachment for the target year, as determined under paragraph 1, by the employment cost incurred in respect of the target year for O.P.P. officers and civilians assigned to the detachment, in connection with prisoner transportation.
- ii. Calculate the sum of the results obtained under subparagraph i for all integrated detachments.
- iii. For each integrated detachment, multiply the Detachment Municipal Percentage for the detachment for the target year, as determined under paragraph 1, by the sum of the support costs and other direct operating expenditures incurred for all integrated detachments, in respect of the year that is two years before the target year, in connection with prisoner transportation.
- iv. Calculate the sum of the results obtained under subparagraph iii for all integrated detachments.
- v. Calculate the sum of the result obtained under subparagraph ii and the result obtained under subparagraph iv.

31. Determine the Prisoner Transportation Charge for each municipality for the target year as follows:

- i. Divide the number of properties in the municipality in respect of the target year by the total number of properties in respect of the target year in all municipalities to which this section applies.
- ii. Multiply the result obtained under subparagraph i by the Prisoner Transportation Cost for the target year, as determined under paragraph 30.

32. For each municipality in which court proceedings are conducted, determine the Court Security Charge for the municipality for the target year by calculating the sum of the following amounts:
- i. The employment cost incurred in respect of the target year for O.P.P. officers and civilians assigned to integrated detachments, in connection with providing security for the courts conducting proceedings in the municipality.
 - ii. The support costs and other direct operating expenditures incurred for integrated detachments, in respect of the year that is two years before the target year, in connection with providing security for the courts conducting proceedings in the municipality.
33. Subject to paragraph 34, determine the Overtime Charge for each municipality for the target year by calculating the sum of the following amounts:
- i. The overtime payments made in respect of the target year to O.P.P. officers and civilians assigned to integrated detachments, in connection with municipal policing provided to the municipality, excluding overtime payments relating to transporting prisoners or providing court security.
 - ii. The increases in any other elements of the employment cost that result from the overtime payments described in subparagraph i.
34. If the ratio of a municipality, as determined under paragraph 23, exceeds the average ratio, as determined under paragraph 24, by five or more standard deviations, determine the Overtime Charge for that municipality for the target year as follows:
- i. Multiply the Overtime Charge for that municipality for the target year, as determined under paragraph 33, by the percentage set out in Column 2 of Table 1 opposite the number of standard deviations set out in Column 1 by which that municipality's ratio exceeds the average ratio.
 - ii. Subtract the result obtained under subparagraph i from the Overtime Charge for that municipality for the target year, as determined under paragraph 33.

35. The amount that each municipality must pay the Minister of Finance pursuant to subsection 64 (1) of the Act for the policing the Commissioner provides during a target year is the sum of the following amounts:
- i. The Base Policing Charge for that municipality for the target year, as determined under paragraph 17.
 - ii. The Municipal Calls for Service Charge for that municipality for the target year, as determined under paragraph 22 or 25, as applicable.
 - iii. The Detachment Accommodation Charge for that municipality for the target year, as determined under paragraph 27, if applicable.
 - iv. The Detachment Cleaning Charge for that municipality for the target year, as determined under paragraph 29, if applicable.
 - v. The Prisoner Transportation Charge for that municipality for the target year, as determined under paragraph 31.
 - vi. The Court Security Charge for that municipality for the target year, as determined under paragraph 32, if applicable.
 - vii. The Overtime Charge for that municipality for the target year, as determined under paragraph 33 or 34, as applicable.

Amount payable during transitional period by municipality

5. (1) This section applies to a municipality if,

- (a) on or after the day this section comes into force, the Commissioner becomes responsible for providing policing for the municipality; and
- (b) the municipality was not already receiving policing from the O.P.P. immediately before the Commissioner became responsible for providing policing for the municipality.

(2) During the transitional period of a municipality described in subsection (1), section 4 does not apply to the municipality and instead the amount that the municipality must pay the Minister of Finance pursuant to subsection 64 (1) of the Act for policing provided by the Commissioner during a target year is the amount determined in accordance with the following steps:

1. Determine the Transitional Officer Employment Cost for the municipality for the target year as follows:
 - i. Identify the lesser of,
 - A. the number of O.P.P. officer full time equivalents in each rank specified in the policing resource plan provided by the Commissioner, and
 - B. the number of O.P.P. officer full time equivalents that actually provide municipal policing to the municipality during the target year.
 - ii. For each O.P.P. officer rank,
 - A. calculate the sum of the results obtained under subparagraph 3 iii of section 4 in relation to each pay classification level that is associated with the rank,
 - B. calculate the sum of the results obtained under sub-subparagraph A for all integrated detachments,
 - C. calculate the sum of the results obtained under subparagraph 3 ii of section 4 in relation to each pay classification level that is associated with the rank,
 - D. calculate the sum of the results obtained under sub-subparagraph C for all integrated detachments,

- E. determine the weighted average employment cost for the rank by dividing the results obtained under sub-subparagraph B by the results obtained under sub-subparagraph D, and
 - F. multiply the amount identified under subparagraph i by the weighted average employment cost for the rank as determined under sub-subparagraph E.
 - iii. Calculate the sum of the results obtained under sub-subparagraph ii F for all O.P.P. officer ranks identified in the policing resource plan.
- 2. Determine the Transitional Civilian Employment Cost for the municipality for the target year as follows:
 - i. Identify the lesser of,
 - A. the number of civilian full time equivalents in each civilian job classification specified in the policing resource plan provided by the Commissioner, and
 - B. the number of civilian full time equivalents that actually provide support for the delivery of municipal policing to the municipality during the target year.
 - ii. For each civilian job classification,
 - A. calculate the sum of the results obtained under subparagraph 5 iii of section 4 in relation to each pay classification level that is associated with the classification,
 - B. calculate the sum of the results obtained under sub-subparagraph A for all integrated detachments,
 - C. calculate the sum of the results obtained under subparagraph 5 ii of section 4 in relation to each pay classification level that is associated with the classification,

- D. calculate the sum of the results obtained under sub-subparagraph C for all integrated detachments,
 - E. determine the weighted average employment cost for the classification by dividing the results obtained under sub-subparagraph B by the results obtained under sub-subparagraph D, and
 - F. multiply the amount identified under subparagraph i by the weighted average employment cost for the classification as determined under sub-subparagraph E.
 - iii. Calculate the sum of the results obtained under sub-subparagraph ii F for all civilian job classifications.
- 3. Determine the Transitional Support Costs Amount for the municipality for the target year as follows:
 - i. Divide the Support Costs Amount for Municipal Policing in Ontario as determined under paragraph 7 of section 4 by the Average Annual Number of O.P.P. Officers Required for Municipal Policing as determined under subparagraph 2 i of section 4.
 - ii. Multiply the amount determined under paragraph i by the number of O.P.P. officer full time equivalents determined in accordance with subparagraph 1 i.
- 4. Determine the Transitional Other Direct Operating Expenditures Amount for the municipality for the target year as follows:
 - i. Divide the Other Direct Operating Expenditures Amount determined under paragraph 8 of section 4 by the Average Annual Number of O.P.P. Officers Required for Municipal Policing as determined under subparagraph 2 i of section 4.

- ii. Multiply the amount determined under paragraph i by the number of O.P.P. officer full time equivalents determined in accordance with subparagraph 1 i.
- 5. For each municipality that does not provide any accommodation during the target year for an integrated detachment whose O.P.P. officers provide municipal policing to the municipality, the Transitional Detachment Accommodation Charge is the cost of accommodation identified in the policing resource plan.
- 6. For each municipality that does not provide any cleaning services during the target year, the Transitional Detachment Cleaning Charge for the target year is the cost of cleaning services identified in the policing resource plan.
- 7. Determine the Transitional Overtime Charge for the municipality for the target year by calculating the sum of the following amounts:
 - i. The overtime payments made in respect of the target year to O.P.P. officers and civilians providing municipal policing to the municipality.
 - ii. The increases in any other elements of the employment cost that result from the overtime payments described in subparagraph i.
- 8. The amount that a municipality must pay the Minister of Finance for policing provided by the Commissioner during a target year is the sum of the following amounts:
 - i. The Transitional Officer Employment Cost for that municipality for the target year, as determined under paragraph 1.
 - ii. The Transitional Civilian Employment Cost for that municipality for the target year, as determined under paragraph 2.
 - iii. The Transitional Support Costs Amount for that municipality for the target year, as determined under paragraph 3.
 - iv. The Transitional Other Direct Operating Expenditures Amount for that municipality for the target year, as determined under paragraph 4.

- v. The Transitional Detachment Accommodation Charge for that municipality for the target year, as determined under paragraph 5, if applicable.
 - vi. The Transitional Detachment Cleaning Charge for that municipality for the target year, as determined under paragraph 6, if applicable.
 - vii. The Transitional Overtime Charge for that municipality for the target year, as determined under paragraph 7.
9. In addition to the amount described in paragraph 8, a municipality must pay the Minister of Finance the other direct operating expenditures identified in the policing resource plan as soon as the Commissioner begins providing policing for the municipality or as those costs are incurred where they are not incurred immediately.

(3) After the end of a municipality's transitional period, the amount that the municipality must pay the Minister of Finance is to be determined under section 4.

Municipalities that entered into an agreement under s. 10 of the *Police Services Act* after 2019

6. (1) This section applies to a municipality if, on the day before this Regulation came into force,

- (a) the municipality was receiving municipal policing from the O.P.P. pursuant to an agreement under section 10 of the *Police Services Act*, as it read at the time;
- (b) that agreement was first entered into on or after January 1, 2020; and
- (c) the municipality had not been receiving policing from the O.P.P. pursuant to section 5.1 of the *Police Services Act* immediately before that agreement was entered into.

(2) Section 4 does not apply to a municipality described in subsection (1) and instead the amount that the municipality must pay the Minister of Finance pursuant to subsection 64 (1) of the Act for policing provided by the Commissioner during a target year is the amount determined in accordance with that agreement.

(3) Subsection (2) ceases to apply once the municipality has received policing from the O.P.P. for three complete years.

(4) After subsection (2) ceases to apply, the amount the municipality must pay the Minister of Finance is to be determined under section 4.

Exemption

7. Despite anything in this Regulation,

- (a) the amount that the Town of Moosonee must pay the Minister of Finance pursuant to subsection 64 (1) of the Act for policing provided by the Commissioner is zero;
- (b) none of the provisions of this Regulation, other than this section, apply to the Town of Moosonee; and
- (c) for greater certainty, data respecting the Town of Moosonee shall not be included in any calculations or determinations carried out under this Regulation.

Commissioner to estimate amount owing

8. (1) Before the beginning of each year, the Commissioner shall give each municipality for which the Commissioner will be providing policing pursuant to clause 57 (a) of the Act during that year an estimate of the amount that the municipality will owe for that policing.

(2) If the Commissioner begins to provide policing to a municipality pursuant to clause 57 (a) of the Act during a year, the Commissioner shall give the municipality, as soon as possible, an estimate of the amount that the municipality will owe for that policing for the remainder of that year.

(3) During the year in which the Commissioner provides policing pursuant to clause 57 (a) of the Act to a municipality, the Commissioner may give the municipality from time to time an updated estimate of the amount that the municipality will owe for that policing .

(4) For the first year in which this section comes into force, the most recent estimate provided to the municipality by the Commissioner pursuant to section 7 of Ontario Regulation 267/14 (Amount Payable by Municipalities Under Section 5.1 of the Act for Ontario Provincial Police Services) made under the *Police Services Act*, as it read at the time, shall be deemed to have been given by the Commissioner under this section.

Monthly account

9. (1) The Minister of Finance shall send a monthly account to each municipality based on the initial estimate and any updated estimates given by the Commissioner under section 8.

(2) If a municipality owes an amount pursuant to paragraph 9 of subsection 5 (2), the Minister of Finance shall include that amount in the applicable monthly account.

(3) The municipality shall pay the Minister of Finance the amount set out in each monthly account within the time and in the manner provided in the account.

(4) If the municipality does not pay the Minister of Finance the amount set out in a monthly account within the time provided in the account, and if the Minister of Finance requires the municipality to pay interest on the unpaid amounts in accordance with section 10 of the *Financial Administration Act*, the Minister of Finance may add the interest payable on the unpaid amounts to subsequent monthly accounts sent to the municipality under this section.

Reconciliation

10. (1) During the year following the year for which an estimate is given by the Commissioner to a municipality pursuant to section 8 of this Regulation, or pursuant to section 7 of Ontario Regulation 267/14 (Amount Payable by Municipalities Under Section 5.1 of the Act for Ontario Provincial Police Services) made under the *Police Services Act*, as it read at the time, the Commissioner shall determine the actual amount owed by the municipality for the year for which the estimate was given.

(2) If the actual amount owed by the municipality for a year is less than the estimated amount,

- (a) the Minister of Finance shall subtract the difference from one or more of the monthly accounts sent to the municipality under section 9 during the year following the year in which the actual amount owed by the municipality is determined under subsection (1); or
- (b) if the Commissioner does not provide policing to the municipality pursuant to clause 57 (a) of the Act during the year following the year in which the actual amount owed by the municipality is determined, the Minister of Finance shall pay the difference to the municipality.

(3) If the actual amount owed by the municipality for a year is greater than the estimated amount,

- (a) the Minister of Finance shall add the difference to one or more of the monthly accounts sent to the municipality under section 9 during the year following the year in which the actual amount owed by the municipality is determined under subsection (1); or
- (b) if the Commissioner does not provide policing to the municipality pursuant to clause 57 (a) of the Act during the year following the year in which the actual amount owed by the municipality is determined, the municipality shall pay the difference to the Minister of Finance within the time and in the manner specified by the Minister of Finance.

Reconciliation — transition

11. (1) If a municipality had an agreement for the provision of police services under section 10 of the *Police Services Act*, as it read at the time, during the year that this Regulation comes into force or the immediately preceding year, the Commissioner shall determine the actual amount owed by the municipality pursuant to the agreement.

(2) If the actual amount owed by the municipality under the agreement for the year is less than the amount that was paid,

- (a) the Minister of Finance shall subtract the difference from one or more of the monthly accounts sent to the municipality under section 9 during the year following the year in which this Regulation comes into force; or
- (b) if the Commissioner does not provide policing to the municipality pursuant to clause 57 (a) of the Act during the year following the year in which this Regulation comes into force, the Minister of Finance shall pay the difference to the municipality.

(3) If the actual amount owed by the municipality under the agreement for the year is greater than the amount that was paid,

- (a) the Minister of Finance shall add the difference to one or more of the monthly accounts sent to the municipality under section 9 during the year following the year in which this Regulation comes into force; or

- (b) if the Commissioner does not provide policing to the municipality pursuant to clause 57 (a) of the Act during the year following the year in which this Regulation comes into force, the municipality shall pay the difference to the Minister of Finance within the time and in the manner specified by the Minister of Finance.

Commencement

12. [Commencement]

TABLE 1

Column 1 Standard deviations by which municipality's ratio exceeds average ratio	Column 2 Percentage (%)
Less than 5.0	0
5.0 or more but less than 5.2	5
5.2 or more but less than 5.4	7.5
5.4 or more but less than 5.6	10
5.6 or more but less than 5.8	12.5
5.8 or more but less than 6.0	15
6.0 or more but less than 6.2	17.5
6.2 or more but less than 6.4	20
6.4 or more but less than 6.6	22.5
6.6 or more but less than 6.8	25
6.8 or more but less than 7.0	27.5
7.0 or more but less than 7.2	30
7.2 or more but less than 7.4	35
7.4 or more but less than 7.6	40
7.6 or more but less than 7.8	45
7.8 or more but less than 8.0	50
8.0 or more but less than 8.2	55
8.2 or more but less than 8.4	60
8.4 or more but less than 8.6	65
8.6 or more but less than 8.8	70
8.8 or more but less than 9.0	75
9.0 or more but less than 9.2	80
9.2 or more but less than 9.4	85
9.4 or more but less than 9.6	90
9.6 or more	95