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Peterborough OPP Detachment Board

By-law No. 2024-001

A by-law to govern the calling, place and proceedings of meetings, otherwise known as the “Procedure By-law”

Whereas Section 67 (6) of the *Community Safety and Policing Act, 2019*, S.O. 2019, C.1, Sched. 1 (*Community Safety and Policing Act, 2019*) states that the following provisions apply to OPP detachment boards, with necessary modifications, as if they were police service boards and include Section 46 (Rules and procedures);

And Whereas Section 46 (1) of the *Community Safety and Policing Act, 2019*, provides that a police service board shall establish its own rules and procedures in performing its duties under the Act and the regulations;

And Whereas the Peterborough County OPP Detachment Board deems it advisable to enact a by-law to govern the calling, place and proceedings of meetings of the Board and statutory requirements in accordance with the Act;

Now Therefore the Peterborough County OPP Detachment Board enacts as follows:
Definitions

1. Definitions

- 1.1 **Act** means the *Community Safety and Policing Act, 2019*, S.O. 2019, C.1, Sched. 1, as amended or replaced from time to time.
- 1.2 **Board** means the Peterborough County OPP Detachment Board.
- 1.3 **Board Administrator** means the Board Administrator or designate appointed by the Board.
- 1.4 **Chair** means the member who presides at the Board or Committee meeting.
- 1.5 **Closed Meeting** means any Meeting, or part of a meeting, of Board or a Committee which is closed to the public and held in accordance with the Section 44 of the Act.
- 1.6 **Committee** means any special purpose advisory Committee created by the Board with approved Terms of Reference to provide recommendations to the Board.
- 1.7 **Conflict of Interest** means a pecuniary interest as defined in Ontario Regulation 409/23 Code of Conduct for OPP Detachment Board Members.
- 1.8 **Delegate** means any person, group of persons, firm or organization who is neither a Member of the Board, a Committee, or an appointed official of the Board and who is addressing the Board on a specific matter upon request to the Board Administrator, either in person or electronically.
- 1.9 **Electronic Participation** means a member of the Board who participates remotely in any open or closed Board or Committee meeting via electronic means whereby the Member is able to fully participate in the meeting despite not being physically present. The Member(s) participating electronically shall have the same rights and responsibilities as if they were in physical attendance, including the right to vote, and shall be included as being present in determining Quorum.
- 1.10 **Majority** means more than half.
- 1.11 **Meeting** means any regular, special, or other meeting of the Board or a Committee, where a quorum is present and members discuss or otherwise deal with any matter in a way that materially advances the business or decision making of the Board or

Committee.

- 1.12 **Member** means a member of the Peterborough County OPP Detachment Board or any member of a Committee, including the Chair, to which this by-law applies.
- 1.13 **Motion** means a proposal brought forward by a member for consideration by the Board or Committee that is moved and seconded by another member.
- 1.14 **Open Meeting** means a meeting which is open to the public.
- 1.15 **Point of Order** means a member believes that the rules of the assembly are being violated thereby calling upon the Chair for a ruling and an enforcement of the rules.
- 1.16 **Point of Privilege** means a concern about the honour, dignity, character or rights of professionalism of the Mayor, member of Board or member of staff.
- 1.17 **Presenter** means any person, group of persons, firm or organization, which may include a consultant or other individual invited by the Board, wishing to address the Board or Committee on a specific matter at the request of the Board/Committee or Board Administrator.
- 1.18 **Quorum** means a majority of members of the Board or Committee.
- 1.19 **Recorded Vote** means the recording of the name and vote of every Member on any matter of question, subject to Ontario Regulation 409/23 Code of Conduct for OPP Detachment Board Members.
- 1.20 **Vice-Chair** means the Member of the Board who is responsible for chairing a meeting if the regular Chair is absent or otherwise unavailable.

General Provisions

2. General

- 2.1 The Rules of Procedure contained in this by-law shall be observed in all proceedings of the Board and Committees and shall be the rules and regulations for the order and dispatch of business in the Board and Committees.
- 2.2 In any case for which provision is not made in these rules and regulations, the procedure to be followed, as far as reasonably practicable, is Parliamentary Law as contained in the most recent edition of Robert's Rules of Order.
- 2.3 In all matters and under all circumstances, the Members shall be guided by and shall have regard for their responsibilities under Ontario Regulation 409/23 Code of Conduct for OPP Detachment Board Members.
- 2.4 If it appears that inclement weather or a like occurrence which may be reasonably expected to prevent Members that would constitute a Quorum from attending a meeting, the Board Administrator, in consultation with the Chair, may postpone that Meeting by advising as many Members as they are able to reach. Postponement shall not be for any longer than the next regularly scheduled Meeting.
- 2.5 The Board Administrator, with the approval of the Chair, may cancel a Meeting when, in their opinion, there is sufficient cause to do so.

3. Proxy Voting

- 3.1 The use of a proxy shall not be permitted.

4. Notice of Meetings

- 4.1 Notice shall not be required to be given of regular Meetings, unless the day of the

meeting is other than provided by subsection 8.2 or 10.2 of this By-law. The Board Administrator shall ensure that the agenda for regular Meetings is sent electronically to each Member, so as to be received no later than 4:30 p.m. seven (7) calendar days prior to the Meeting, in accordance with Section 43 (6) of the Act. Agenda packages shall also be posted on the internet no later than 4:30 p.m. seven (7) calendar days prior to the Meeting.

- 4.2 Should the agenda for a regular Meeting require an amendment, the amendment will be posted no later than 4:30 p.m. two (2) business days prior to the Meeting. Any additional changes or additions will be through subsection 19.4 or 19.5.
- 4.3 The Board Administrator shall deliver notice of each special meeting, called in accordance with subsection 9.1 of this By-law, electronically to each Member to be received at least 24 hours before the hour appointed for the Special Meeting. The agenda shall also be posted on the internet at least 24 hours prior to the Meeting, wherever possible. The agenda shall be considered notice.
- 4.4 It shall be the responsibility of the Board Administrator to circulate and post all notices and agendas for Meetings.
- 4.5 Lack of receipt of the notice shall not affect the validity of holding the Meeting nor any action taken at the meeting.

5. Audio and Video Recording

- 5.1 Audio and video recording of proceedings by the public at Meetings of the Board and Committees shall not be permitted unless approved by the Board or Committee.
- 5.2 Regular Meetings of the Board will be audio and video recorded by the Board Administrator, whenever possible. The inability to video or audio record a Meeting, due to equipment failure or for any other reason, shall not cause a Meeting to be cancelled or adjourned. The Chair may recess the Meeting for not more than twenty (20) minutes to provide staff an opportunity to try and correct equipment issues but may continue with the Meeting in the absence of recordings should staff not be able to correct the issues.
- 5.3 Committee Meetings will not generally be audio and video recorded. Committee meetings may be audio or video recorded by staff with the consent of the Chair.
- 5.4 Special Meetings of the Board or Board Meetings held outside the Peterborough County Committee Room, with the exception of Meetings held electronically, will not generally be audio and video recorded.
- 5.5 The approved minutes that are authored by the Board Administrator shall be the official record of all Meetings.
- 5.6 The audio/video files on the internet are part of the public realm and may be subject to alteration by a member or members of the public with no board control over such alterations. The Board and staff assume no liability associated with any alterations that are made by a member or members of the public on the internet.
- 5.7 The Chair shall make a statement at the commencement of applicable Meetings that the Meeting is being audio and video recorded and the recording will be made available on the internet.
- 5.8 Proceedings of Closed Meetings shall not be recorded.

6. Order and Quorum

- 6.1 The Chair will preside over all Meetings.

- 6.2 The Chair shall call the Meeting to order at the time appointed for the Meeting or as soon after when a Quorum is present.
- 6.3 In case the Chair does not attend within twenty (20) minutes after the time appointed, the Vice-Chair shall call the Members to order and, if a Quorum is present, shall preside during the Meeting or until the arrival of the Chair. While presiding, the Vice-Chair shall have all the powers of the Chair and shall be entitled to vote as a Member. In the absence of the Chair and Vice-Chair, the Board Administrator shall call the meeting to order and, if a Quorum is present, the Board shall elect an Acting Chair from the Members present who are able to participate to preside as Chair during the Meeting or until the arrival of the Chair or Vice-Chair.
- 6.4 If there is no Quorum within twenty (20) minutes after the time appointed for the Meeting, the Board Administrator shall call the roll and record the names of the Members present and the Meeting shall stand adjourned until the next regular Meeting or until a special Meeting is called.
- 6.5 Where the number of Members who are unable to participate in a Meeting by reason of the provisions of Ontario Regulation 409/23 Code of Conduct for OPP Detachment Board Members is such that, at that Meeting the remaining Members are insufficient to constitute a Quorum then, despite any other general or special act, the remaining number of Members shall be deemed to constitute Quorum provided such number is not less than two (2). When the remaining number of Members is two (2), the concurrent votes of both are necessary to carry any Resolution, by-law or other measure.
- 6.6 The Chair (except when disqualified from voting by reason of interest or otherwise) shall vote with the Members on all questions and all Members shall indicate their vote.
- 6.7 The Chair may take part in any debate without leaving the Chair. If the Chair desires to introduce a Motion, they shall leave the Chair for that purpose and shall call on the Vice-Chair to fill their place until they resume the Chair.
- 6.8 The Chair shall preserve order and decorum and decide questions of order or privilege, subject to an appeal by any Member.
- 6.9 If, during the course of a Meeting, the Quorum is lost, the Meeting shall stand recessed and shall reconvene when a Quorum is regained as determined by the Chair. In the event that the Quorum is not regained within twenty (20) minutes, then the Board Administrator shall record in the minutes the names of those present and the Meeting shall be ended without a formal adjournment.
- 6.10 The minutes of the Meeting which ended because a Quorum was lost, shall note that the Quorum was lost and shall include the names of the Members present at the time Quorum was lost.

Meetings

7. Inaugural Board Meeting

- 7.1 The Inaugural Meeting of the Board shall be held on the fourth Monday of January of the new term following the Regular Municipal Election.
- 7.2 The Inaugural Meeting shall be ceremonial in nature for the purposes of the Members of the Board taking their Oath or Affirmation of Office.
- 7.3 No business shall be conducted at the Inaugural Meeting until the Oaths or Affirmations of Office have been taken.

8. Regular Board Meeting

- 8.1 All Meetings of the Board shall be open to the public save and except those Meetings or parts thereof that are dealing with a subject matter listed in section 44 of the Act that are permitted to be discussed in a Closed Meeting. Before holding a Meeting or part of a Meeting that is to be closed to the public, the Board shall, by resolution, state the fact that the Meeting is closed and the general nature of the matter to be considered at the Closed Meeting.
- 8.2 Regular Board Meetings will be generally held in the Peterborough County Committee Room located at 470 Water Street, Peterborough ON, K9H 3M3 on the fourth Monday of each month commencing at 1:00 p.m. Where a Meeting is to be held at an alternate location or electronically, the agenda shall specify the Meeting location. The Board Administrator shall prepare a report for the Board in the fourth quarter of each calendar year identifying the following year's Meeting dates. These Meeting dates shall be adopted by a Board Resolution and posted on the internet.
- 8.3 Regular Board Meetings shall be limited to a maximum of three (3) hours. Unfinished business of a Regular Board Meeting shall be adjourned to the next Regular Board Meeting.

9. Special Board Meeting

- 9.1 The Chair may, at any time, summon a special Meeting of the Board, or upon receipt of a petition of the Majority of the Members of the Board, the Board Administrator shall call a special Meeting for the purpose and at the time and place set out in the petition.
- 9.2 The only business to be transacted at a Special Board Meeting is that which is listed in the notice of Meeting or agenda, except with Majority consent of all Members present at such Meeting.
- 9.3 All Special Board Meetings shall be held in the Peterborough County Committee Room, unless an alternate location is specified in the notice of Meeting or agenda.
- 9.4 Special Board Meetings shall be limited to a maximum of three (3) hours.

10. Committee Meetings

- 10.1 The Board shall determine if it requires Committees in order to conduct its business. All Committee Meetings shall be open to the public save and except those Meetings or parts thereof that are dealing with a subject matter listed in Section 44 of the Act that are permitted to be discussed in a Closed Meeting. Before holding a Meeting or part of a Meeting that is to be closed to the public, Committee shall, by resolution, state the fact that the Meeting is closed and the general nature of the matter to be considered at the Closed Meeting.
- 10.2 **Regular Committee Meetings** - Regular Committee Meetings will be held in the Peterborough County Committee Room located at 470 Water Street, Peterborough ON, K9H 3M3. Where a Meeting is to be held at an alternate location or electronically, the agenda shall specify the Meeting location. The Board Administrator shall prepare a report for Committee in the fourth quarter of each calendar year identifying the following year's Meeting dates for each Committee. These Meeting dates shall be adopted by a resolution of Committee and posted on the internet.
- 10.3 Regular Committee Meetings shall be limited to a maximum of two (2) hours. Unfinished business of a Regular Committee Meeting shall be adjourned to the next Regular Committee Meeting.
- 10.4 **Special Committee Meetings** – The Chair may, at any time, summon a Special Meeting of Committee, or upon receipt of a petition of the majority of the Members,

the Board Administrator shall call a Special Meeting for the purpose and at the time and place set out in the petition.

10.5 The only business to be transacted at a Special Committee Meeting is that which is listed in the notice of Meeting or agenda, except with majority consent of all Members present at such Meeting.

10.6 All Special Committee Meetings shall be held in the Board Chambers, unless an alternate location is specified in the notice of Meeting or agenda.

11. Closed Meeting

11.1 All or parts of Meetings may be closed to the public in accordance with the Act.

11.2 A Meeting or part of a meeting may be closed to the public if the subject matter being considered is in accordance with section 44 of the Act, attached hereto as Schedule A.

11.3 The Board Administrator shall record the general nature for going into a Closed Meeting and shall note the time. When in a Closed Meeting, minutes shall be kept in accordance with the Act.

11.4 Members are to keep confidential discussions and information received in Closed Meetings confidential, with the exception of the provisions outlined in Section 44 (4) of the Act. Any documents provided in Closed Meetings are to be returned to the Board Administrator at the adjournment of the Closed Meeting to be destroyed.

Term of Office and Nominations for Chair and Vice Chair

12. Term of Office for Chair/Vice Chair

12.1 The Board shall elect a Chair and Vice Chair at the Board's first meeting in each year. Upon the resignation of the Chair, the Vice Chair shall assume the role of Chair until the next election of the Chair.

12.2 The term of the Chair shall begin at the first Meeting in each calendar year and continue until the election of the Chair at the first Meeting in the subsequent calendar year.

12.3 In a municipal election year, the term of the Chair shall begin at the first meeting in the calendar year and continue until the end of the term of the Board. In a municipal election year, the Board shall appoint a Chair at the Inaugural Meeting and continue until the election of the Chair at the first Meeting in the subsequent calendar year.

13. Nomination Process for Chair/Vice Chair

13.1 At the first Meeting in each calendar year or, in a municipal election year, the Inaugural Meeting, the Board Administrator shall ask for a mover and seconder for nominations for the position of Chair/Vice Chair. The Board Administrator shall call three times for nominations.

13.2 The Board Administrator will ask each candidate for the position of Chair/Vice Chair to confirm they wish to accept the nomination.

14. Election of Chair/Vice Chair

14.1 If only one Member is nominated for the position of Chair/Vice Chair, that Member will be declared Chair/Vice Chair by acclamation.

14.2 If more than one Member is nominated for the position of Chair/Vice Chair, the Board Administrator shall distribute ballots to all Members, present and voting, and request that they write the name of the person they wish to vote for as Chair/Vice Chair.

- 14.3 Each Member shall have one (1) vote only.
- 14.4 To be elected as Chair/Vice Chair, a candidate must receive a number of votes greater than 50% of the total votes of the Members present and voting.
- 14.5 If one candidate receives more than 50% of the votes, the Board Administrator shall declare the candidate Chair/Vice Chair.
- 14.6 Should there be no candidate receiving the required number of votes to be declared elected, the Board Administrator shall advise the Board of such and shall further advise that the candidate who has received the fewest votes shall be removed as a candidate and the vote shall be retaken with the remaining candidates.
- 14.7 If there is a tie among candidates receiving the fewest number of votes, those candidates shall be removed as candidates.
- 14.8 Should the removal of tied names result in only one candidate remaining, the Board Administrator shall conduct a lottery by placing the names of the candidates so tied on paper of equal size and place them in a box. The Board Administrator shall then draw a name from the box. The name of the person drawn from the box shall be removed as a candidate.
- 14.9 The Board Administrator shall proceed to conduct elections using the procedure set out above until such time as one candidate receives more than 50% of the votes of the entire Board.
- 14.10 Should there be only two candidates remaining and each has received the same number of votes, the Board Administrator shall conduct a lottery by placing the names of the two candidates on paper of equal size and place them in a box. The Board Administrator shall then draw a name from the box. The name of the person drawn from the box shall be declared Chair/Vice Chair.

Duties, Roles and Conduct

15. Duties of the Chair

15.1 It shall be the duty of the Chair:

- a. To review, confirm and understand the Agenda in consultation with the Board Administrator;
- b. To represent Board initiatives and decisions to the public, where appropriate;
- c. To preside at all Meetings;
- d. To open Meetings by taking the Chair and calling the Members to order;
- e. To ensure that quorum is established and maintained throughout the meeting;
- f. To announce the business before the Board or Committee in the order in which it is to be acted upon;
- g. To designate the person who has the floor when two or more persons wish to speak;
- h. To receive and submit to a vote, in the proper manner, all Motions which do not contravene the rules of procedure and to announce the result;
- i. To decline to put to a vote Motions which infringe upon the rules of procedure;
- j. To restrain the Members, within the rules of procedure, when engaged in a

- debate;
- k. To enforce on all occasions the observance of order and decorum among the Members;
 - l. To expel any person from improper conduct at a Meeting, it being understood that such action shall be at the sole discretion of the Chair;
 - m. To authenticate, by signature when necessary, all by-laws, resolutions and minutes;
 - n. To inform the Members on any Point of Order or Privilege; and
 - o. To adjourn or postpone the Meeting without the question being put for a time to be named if considered necessary because of grave disorder arising.

16. Conduct of Members

16.1 No Member shall:

- a. Speak disrespectfully of any person;
- b. Speak disrespectfully of the Reigning Sovereign or of any of the Royal Family, or of the Governor General, the Lieutenant-Governor of any Province, or any person administering the Government of Canada, or the Province of Ontario;
- c. Use offensive words, language or gestures;
- d. Come unprepared to any Meeting. Members shall have read all the material supplied, including the agenda and staff reports, to facilitate discussion and the determination of action at the Meeting. Members are encouraged to make inquiries of staff regarding the materials supplied with the agenda in advance of the Meeting;
- e. Speak on any subject other than the subject under debate;
- f. Interrupt a person speaking, except a Member raising a Point of Order or Privilege;
- g. Criticize any decision except for the purpose of moving a Motion to rescind or reconsider;
- h. Disobey the rules of procedure or decisions on questions of order or privilege. Where a Member persists in any such disobedience after having been called to order, the Chair may order that such Member leave the Meeting. If the Member apologizes, the Member may be permitted to remain at the Meeting;
- i. Individually direct staff members to carry out specific tasks or functions;
- j. Insult or call into question the integrity of a Member, staff person, or Board/Committee as a whole; and
- k. Violate the confidentiality of any matter considered in Closed Meeting, except for the provisions outlined in the Act.

17. Conduct for Public Attendees

17.1 No persons attending a Meeting, whether or not they are Delegations or Presenters, shall:

- a. Approach the floor unless invited by the Chair.
- b. Shout, cheer, boo, foot-stomp or any other unprofessional or un-businesslike

conduct intended to disrupt the debate, discussion and/or general proceedings.

- c. Display signs, banners, emblems or flags, carried or otherwise.
- d. Use offensive words, language or gestures.

18. Conduct during Electronic Meetings

- 18.1 Electronic participation shall be allowed at any regular Meetings and may be allowed at special or Closed Meetings, however, Members shall participate in-person whenever possible.
- 18.2 Electronic participation shall mean participation by teleconference or video conference.
- 18.3 Any Meetings that occur when it is not in the best interest of the health and safety of the public to hold the Meetings in the Peterborough County Committee Room located at 470 Water Street, Peterborough, may be conducted fully electronically by allowing the public access to the teleconference or video conference.
- 18.4 A Member who is participating electronically may be counted in determining whether or not a Quorum is present.
- 18.5 A Member participating electronically shall notify the Board Administrator as soon as possible after receiving notice of the Meeting to provide staff an opportunity to make necessary arrangements for the technological needs of electronic participation. Notification of a Member participating electronically shall not be received later than one (1) business day prior to the Meeting.
- 18.6 In order to Chair a Board Meeting, a Member shall be present in person at the Meeting whenever possible. Notwithstanding subsection 6.3, when the Chair is participating in a Meeting electronically, the Vice-Chair may Chair the Board Meeting. If the Chair is participating electronically in a Committee Meeting, the Board Administrator may instruct that a Member participating in person preside over the Committee Meeting.
- 18.7 The Chair shall ensure that Members participating electronically are given the same opportunity to speak to each question as they would have been given if participating in person.
- 18.8 Members shall be permitted to vote when participating electronically and votes cast by Members electronically shall be counted towards the overall decision of Board or Committee.
- 18.9 Members participating electronically may be required to state verbally whether they are for or against a motion, rather than by a show of hands, as required by subsection 34.1 at the request of the Chair.
- 18.10 In the event of a technical failure during the Meeting, Board or Committee may take a recess of not more than twenty (20) minutes to allow staff to reinstate the electronic participation. If a Member can no longer participate by electronic means, provided a Quorum still exists, it will not affect the validity of the Meeting or decisions made.

Order of Procedure

19. Agenda and Order of Business

- 19.1 Agendas for regular Board Meetings shall be generally formatted by the Board Administrator under the following headings but modifications to the order of business may be affected without requiring an amendment to this by-law:

1. Opening Ceremonies
2. Disclosure of a Conflict of Interest
3. Approval of Agenda
4. Adoption of Minutes
5. Presentations/Delegations
6. Business Arising out of a Previous Meeting
7. Reports/Correspondence
8. By-laws
9. Notice of Motion
10. Information Items
11. Closed Meeting
12. Business Arising from Closed Meeting
13. Adjournment

19.2 Agendas for Regular Committee Meetings shall be generally formatted by the Board Administrator under the following headings but modifications to the order of business may be affected without requiring an amendment to this by-law:

1. Opening Ceremonies
2. Disclosure of a Conflict of Interest
3. Approval of Agenda
4. Adoption of Minutes
5. Presentations/Delegations
6. Business Arising from a Previous Meeting
7. Reports/Correspondence
8. Information Items
9. Adjournment

19.3 All material to be included in the agenda shall be delivered to the Board Administrator no later than 4:30 p.m. eleven (11) calendar days prior to the Meeting date.

19.4 The business of each Meeting shall be taken up in the order in which it stands in the agenda unless otherwise decided by a Majority vote under section 19.1.3.

19.5 Any additions to the agenda at the Meeting shall be by a majority vote through the adoption of the agenda under section 19.1.3 and shall be time sensitive and/or urgent matters.

20. Opening Ceremonies

20.1 Upon confirming that a Quorum of Members are present and after the hour fixed for the holding of the Meeting, the Chair shall call the Meeting to order.

20.2 The Meeting may commence with a land acknowledgement, moment of silent reflection, and a roll call.

21. Disclosure of a Conflict of Interest

21.1 Members shall disclose any conflict of interest as defined in Ontario Regulation 409/23: Code of Conduct for OPP Detachment Board Members to the Chair of the Board or, if the conflict of interest involves the Chair, to the Inspector General.

21.2 After the conflict of interest has been disclosed in accordance with Ontario Regulation 409/23: Code of Conduct for OPP Detachment Board Members, the Member shall disclose the conflict of interest at the next meeting of the Detachment Board.

21.3 Every disclosure of a conflict of interest made by a Member shall be recorded in the minutes of the Meeting by the Board Administrator.

22. Approval of Agenda

22.1 Any additions to the agenda at the Meeting shall be by a majority vote through the adoption of the agenda under section 19.1.3 and shall be time sensitive and/or urgent matters.

23. Adoption of Minutes

23.1 The Board Administrator shall record in the minutes:

- a. The date, time and location of a Meeting;
- b. The Members attending the Meeting;
- c. The adoption and correction (if any) of minutes of prior Meetings; and
- d. All other proceedings of the Meeting without note or comment.

23.2 The Board Administrator shall ensure that the minutes of the last regular Meeting and all special Meetings held prior to a regular Meeting are included in the next regularly scheduled agenda, where practicable.

23.3 The minutes are a legal record of what action was taken and are open for errors and omissions.

23.4 The minutes may be adopted without being read by the Board Administrator.

23.5 After the minutes of each Meeting of the Board have been approved by the Board, the minutes shall be signed by the Chair and Board Administrator.

24. Presentations/Delegations

24.1 Any Presenter or Delegation wishing or requesting to speak at a Meeting shall submit any written material for inclusion on the agenda to the Board Administrator by 4:30 pm eleven (11) calendar days preceding the Meeting.

24.2 Notwithstanding Section 24.1, a person(s) may request to be a Delegate regarding a specific item on a posted agenda, except for an item listed under section 19.1.9, by submitting their request in writing to the Board Administrator by 12:00 noon three (3) business days prior to the Meeting.

24.3 Submission requests shall follow the same timelines as detailed in subsection 24.1.

24.4 Delegation(s) must identify the reason for their request and are encouraged to provide some background detail to be included on the agenda. This matter will be the only matter permitted to be addressed by the Delegation.

- 24.5 Presenters will be asked to keep their presentation to a maximum of twenty (20) minutes but, due to the nature of the information they are presenting, may request additional time from the Board Administrator. The length of the agenda shall be considered by the Board Administrator when approving requests for additional time. The presentation time may be extended at the discretion of Board/Committee.
- 24.6 Delegations shall not exceed ten (10) minutes except when answering questions posed by Members for clarification and shall confine their remarks to the stated business. The delegation time may be extended at the discretion of Board/Committee.
- 24.7 Presentations and Delegations shall be listed on the agenda in the order set by the Board Administrator and the length of the agenda shall be considered by the Board Administrator when approving the number of presentations at each meeting.
- 24.8 Electronic presentations and delegations will be permitted, wherever possible. Presenters and delegations who wish to participate electronically will be required to provide notice of such to the Board Administrator to provide staff an opportunity to make necessary arrangements for the technological needs of electronic participation.
- 24.9 All delegations shall have not more than two (2) persons to speak on behalf of the Delegation.
- 24.10 Once a Delegation has addressed Board/Committee on a matter, they shall not address Board/Committee on the same matter within a six (6) month period, unless in the opinion of the Board Administrator there is new information that is pertinent to the matter.
- 24.11 The Board Administrator, in consultation with the Chair, may refuse to hear Delegations or Presentations, or to receive communications when, in their opinion, the subject of the material is beyond the jurisdiction of the Board, is providing unsolicited promotion of products and services or where it contains obscene or defamatory content.
- 24.12 Presenters and delegations shall obey Section 17.

25. Business Arising out of a Previous Meeting

- 25.1 Any unfinished business of a previous Meeting that was adjourned to the next Meeting shall be listed under Business Arising out of a Previous Meeting. Additional items may be added under this section at the discretion of the Board Administrator.

26. Reports/Correspondence

- 26.1 Any staff report presented to Board for its consideration shall be listed on the agenda.
- 26.2 For Committee Meetings, reports may also include items for discussion without an associated report.
- 26.3 Correspondence to be presented to Board/Committee shall be legible and shall not contain any improper matter or language and shall be submitted to the Board Administrator prior to 4:30 p.m. eleven (11) calendar days preceding the Board meeting. No anonymous correspondence will be accepted or provided to Board.

27. By-laws

- 27.1 Every by-law shall be given three readings and passed at the same Meeting, unless otherwise directed by Board or legislation. All three readings may occur through a single Resolution.

27.2 Every by-law passed by Board shall be numbered, dated, and signed by the Chair and the Board Administrator and shall be deposited by the Board Administrator in the place appointed for safekeeping.

28. Notice of Motion

28.1 Notices of Motion shall not be permitted at Committee Meetings.

28.2 A Board Member who wishes to place a Motion on a Regular Meeting shall deliver a written copy of the Motion to the Board Administrator by 4:30 p.m. eleven (11) calendar days preceding a regular Meeting. The Board Administrator, upon receipt of the notice of Motion, shall print the Motion in full on the agenda.

28.3 A notice of Motion shall be considered or otherwise disposed of at the regular Meeting which it is included in the agenda as set out in subsection 28.2.

28.4 A Member who wishes to introduce a new Motion at a regular Meeting regarding a matter that would not otherwise be considered at such Meeting, shall provide the Motion in writing to the Board Administrator under the notice of Motion section on the agenda. The notice of Motion shall be read aloud and not be considered or debated until the next regular Meeting which the Member who moved the Motion is in attendance.

29. Information Items

29.1 Members may make a public announcement on matters of public or community interest once recognized by the Chair. The information items shall not require future action by staff and no Motions are permitted.

30. Closed Meeting

30.1 Board may hold a Closed Meeting pursuant to Section 11 of this By-law.

30.2 The Board Administrator shall ensure that the minutes of all Closed Meetings held prior to the regular Meeting are included in the next regularly scheduled Closed Meeting agenda, where practicable.

30.3 The minutes are a legal record of what action was taken and are open for errors and omissions.

31. Business Arising from Closed Meeting

31.1 At the conclusion of the Closed Meeting, any Closed Meeting minutes will be adopted as presented or amended.

31.2 The minutes shall be adopted without being read by the Board Administrator.

31.3 After the minutes of each Meeting of the Board have been approved by the Board, the minutes shall be signed by the Chair and Board Administrator.

32. Adjournment

32.1 All Meetings shall be adjourned within the maximum time permitted for the Meeting.

Debate and Voting Procedures

33. Rules of Debate

33.1 Every Member, prior to speaking, must be recognized first by the Chair by raising their hand or identifying themselves if participating electronically.

33.2 When two or more Members request to speak, the Chair shall designate the Member who has the floor first.

33.3 All Motions shall be seconded before being debated or put to a vote. When a Motion has been seconded, it may, upon request, be read or stated by the Chair or Board

Administrator at any time during the debate, but not so as to interrupt a speaker.

33.4 A Member may second a Motion in order to initiate discussion and debate and that Member may vote in opposition to the Motion.

33.5 When a Member is speaking, no other Member shall interrupt them except to raise a Point of Order or Privilege.

33.6 No Member shall speak for longer than five (5) minutes on a question without the Chair's permission.

33.7 A Board Member shall not speak more than twice to the same question without the Chair's permission, except the Board Member who made the Motion shall be allowed to reply for a maximum of five (5) minutes. The number of time a Committee Member may speak on a Motion shall not be limited.

33.8 A Member may ask a question only for obtaining facts relevant to the matter under discussion and necessary for a clear understanding. All questions should be stated succinctly and should not be used as a means of making statements or assertions.

33.9 Every Motion or amendment stated by the Chair shall be deemed to be in the possession of the Board/Committee and can only be withdrawn pursuant to Section 44.

33.10 When the Chair calls a Member to order, that Member shall cease speaking until the Point of Order is dealt with and that Member shall not speak again to the matter under discussion without the permission of the Chair unless to appeal the ruling of the Chair.

33.11 A Member may request that the Chair provide information regarding the rules of procedure. The Chair shall provide the information requested.

34. Voting

34.1 Unless disqualified by statute, every Member present at a Meeting shall indicate their support by raising their hands when the Chair calls for the vote on a question or Motion. Until the result of the vote has been declared by the Chair, no Member shall speak to any other Member or make any noise or disturbance.

34.2 When a Member present requests a Recorded Vote, all Members present at the meeting must vote unless disqualified by statute. A request for a Recorded Vote can be made before or immediately after the taking of a vote on any Motion. When such a request has been made, the Board Administrator shall ask each Member to indicate verbally their vote in the affirmative or negative to the Motion. The Board Administrator shall record the name and vote of every Member and shall report the result of the vote to the Chair. The calling of the votes will commence with the Member who requested the Recorded Vote and continue alphabetically by surname from the mover of the motion.

34.3 Every Member present who is required to vote on a question, but in fact does not vote therein, shall be deemed to be voting in the negative.

34.4 Any Motion that receives a tie vote shall be deemed to have been decided in the negative.

34.5 The order of voting on Motions relating to an item under consideration shall be voted on in the following order:

- a. Motion to suspend the rules of procedure.
- b. Motion to adjourn.

- c. Motion to recess.
- d. Motion to call the question.
- e. Motion to defer.
- f. Motion to refer.
- g. Motion to amend.
- h. Main motion.

Motions

35. Motion to Suspend the Rules of Procedure

- 35.1 A Motion to suspend the rules of procedure allows Members to temporarily set aside the rules of procedure contained in this By-law or in Robert's Rules of Order, to take some action contrary to the rules.
- 35.2 A Motion to suspend the rules of procedure cannot be used to suspend rules in higher documents of authority, including the law, unless the rule in the higher document of authority permits it to be suspended.
- 35.3 When stating a Motion to suspend the rules of procedure, the Member need not specify the rule being suspended, only the action they wish to be taken. When the actions have been taken, Board/Committee will return to its regular rules of order.
- 35.4 Only rules of order may be suspended. Matters such as voting requirements, Quorum rules, rules specifying notice requirements and fundamental rights of a Member cannot be set aside or suspended.
- 35.5 A Motion to suspend the rules of procedure cannot interrupt a speaker, requires a second, is not debatable, is not amendable and requires a two-thirds (2/3) vote of the Members present and voting.

36. Motion to Adjourn

- 36.1 A Motion to adjourn allows the conclusion of the Meeting.
- 36.2 A Motion to adjourn requires a second, is debatable only when moved with no business pending, may only be amended with respect to setting the time for a continued meeting, and requires a Majority vote of the Members present and voting.
- 36.3 Notwithstanding the above, a Motion to adjourn should not be allowed if a Member has already indicated the wish to speak on the pending matter, or if a Member is currently speaking or if a vote has begun, or the Motion to call the question has been adopted.
- 36.4 Upon the vote being taken on the Motion to adjourn, the Meeting is not concluded until the Chair announces the adjournment. The Chair shall ensure no important business has been overlooked that should be taken care of before adjournment.

37. Motion to Recess

- 37.1 A Motion to recess allows an interruption in the Meeting's proceedings which does not close a Meeting and after which the business will be resumed at exactly the point where it was stopped.
- 37.2 A Motion to recess requires a second, is not debatable, shall specify the length of the recess, may only be amended with respect to the length of the recess and requires a Majority vote of the Members present and voting.
- 37.3 Notwithstanding the above, the Chair may also call a recess for no more than twenty

(20) minutes without requiring a Motion.

38. Motion to Call the Question

38.1 A Motion to call the question allows debate to close on an immediately pending Motion or on a series of consecutive pending Motions.

38.2 A Motion to call the question requires a second, is not debatable, is not amendable, and requires a two-thirds (2/3) vote of the Members present and voting.

38.3 When a Motion to call the question has been adopted, the Chair should immediately take the vote on the affected Motion or Motions.

38.4 When a Motion to call the question has been adopted, amendments on the affected Motions are not permitted.

39. Motion to Defer

39.1 A Motion to defer delays the consideration of a main motion to a certain time or date.

39.2 A Motion to defer requires a second, may only be debated with respect to the time or date, is amendable and requires a Majority vote of the Members present and voting.

40. Motion to Refer

40.1 A Motion to refer allows an item of business to be sent to a Committee or person, where the item will receive additional, in-depth consideration. A Motion to refer shall include the Committee or person to whom it is being referred, the reason for the referral and the time at which it is to be returned.

40.2 A Motion to refer requires a second, is debatable, is amendable and requires a Majority vote of the Members present and voting.

41. Motion to Amend

41.1 A Motion to amend allows the wording of the main Motion to be changed. A Motion to amend may be used to insert new wording; strike out wording; or strike out and insert other wording.

41.2 A Motion to amend must be germane (relevant) to the subject matter under discussion.

41.3 Only one amendment at a time can be presented to the main Motion and, when an amendment has been decided, another may be introduced. The amendment shall be voted on and, once carried, the main Motion as amended shall be put to a vote.

41.4 A Motion to amend cannot interrupt a speaker, requires a second, is debatable, is not amendable and requires a Majority vote of the Members present and voting.

41.5 Friendly amendments may be permitted by the Chair for an uncontroversial amendment put forward by a Member that is accepted by the mover and seconder of the Motion as a change that can be incorporated in the Motion as if that wording was part of the Motion that was initially put on the floor for consideration. If the friendly amendment is not accepted, it must follow the Motion to amend provisions.

42. Motion to Reconsider

42.1 A Motion to reconsider allows a main Motion to be brought back for additional discussion and a new vote.

42.2 A Motion to reconsider shall only be moved by a Member who voted in the Majority on the original Motion. A Member who was absent at the time a vote was taken on a Motion shall be deemed, for the purpose of reconsideration, to have voted with the Majority. A Motion to reconsider may be seconded by any Member who voted on the original Motion.

- 42.3 A Motion to reconsider cannot interrupt a speaker, requires a second, may only be debated with respect to the reasons for or against reconsideration, is not amendable and requires a Majority vote of the Members present and voting.
- 42.4 A Motion to reconsider shall not be permitted for Motions passed by previous Boards/Committees.
- 42.5 No Motion shall be reconsidered more than once in any Board/Committee term, nor shall a vote to reconsider be reconsidered within the same Board/Committee term.
- 42.6 When a Motion for reconsideration is made at a Meeting subsequent to that at which the question to be reconsidered was dealt with, the Motion for reconsideration shall be initiated by a notice of Motion and shall follow that procedure, as outlined in Section 28.
- 42.7 A Motion to reconsider suspends action on the Motion to which it applies until it has been decided.
- 42.8 A Motion to reconsider is not in order when the original Motion has been implemented resulting in a legally binding commitment that is in place on the date that a Motion to reconsider is to be debated.

43. Motion to Rescind

- 43.1 A Motion to rescind allows a main Motion adopted at a previous meeting to be cancelled, nullified or voided.
- 43.2 A Motion to rescind only affects the present and future and shall not be retroactive.
- 43.3 A Motion to rescind a defeated main Motion is not in order.
- 43.4 Notice is required to rescind if notice was required for the adoption of the main Motion.
- 43.5 A Motion to rescind is only in order when no business is pending, requires a second, is debatable, is not amendable and requires the same vote as was required to adopt the original main Motion.

44. Motion to Withdraw

- 44.1 After a motion is read or stated by the Chair, it shall be deemed to be in possession of Board/Committee. The mover of the motion may request to withdraw it and, on hearing no objections, the motion shall be considered withdrawn without the necessity of consent from the seconder of the Motion. However, if a member objects to the motion being withdrawn, the Motion shall be voted on accordingly.
- 44.2 A Motion to withdraw does not require a second, is not debatable, is not amendable and requires a Majority vote of the Members present and voting.

45. Point of Order or Point of Privilege

- 45.1 The Chair shall preserve order and decide questions of order and privilege.
- 45.2 When a member raises a Point of Order or Privilege, they shall state the Point of Order or Privilege to the Chair who shall then decide upon the Point of Order or Privilege and advise the Members of the decision.
- 45.3 Unless a Member immediately appeals the Chair's decision to the Board/Committee, the decision of the Chair shall be final.
- 45.4 If a Member appeals to the Board/Committee on a Point of Order or Privilege, the question to sustain the ruling of the Chair shall be put immediately, without debate, and its result shall be final.

Administration and Approval

46. Administrative Authority of the Board Administrator

46.1 The Board Administrator shall be authorized to make minor corrections to any by-law, minutes or other Board/Committee document to eliminate technical or typographical errors.

46.2 The Board Administrator shall be authorized to make any changes to the schedules of this by-law to align with legislative amendments.

47. Severability

47.1 Each and every one of the provisions of this by-law is severable and if any provision of this by-law should, for any reason, be declared invalid by any Court, it is the intention and desire of Board that each and every one of the remaining provisions hereof shall remain in full force and effect.

48. Short Title

48.1 This by-law may be referred to as the "Procedure By-law".

49. Approval and Effective Date

49.1 This by-law shall come into force on the date it is finally passed.

Read a first, second and third time and passed this 21st day of October, 2024.

John Braybrook, Chair

Bianca Dragicevic, Interim Board Administrator

Schedule A – Closed Meetings

Community Safety and Policing Act, 2019 S. 44

When meetings may be closed to public Consideration

- 44 (1) Before holding a meeting, a police service board, or a committee of the board, shall,
- (a) consider whether to close the meeting or part of the meeting to the public, having regard to the matters listed in subsections (2) and (3); and
 - (b) if the board or committee decides to close the meeting or part of the meeting, state by resolution,
 - (i) the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting, or
 - (ii) in the case of a meeting under subsection (6), the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under that subsection.

Subject matter

(2) The meeting or part of the meeting may be closed to the public if the subject matter being considered is,

- (a) the security of the property of the board;
- (b) personal matters about an identifiable individual, including members of the police service or any other employees of the board;
- (c) a proposed or pending acquisition or disposition of land by the board;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation affecting the board, including matters before administrative tribunals;
- (f) advice that would be inadmissible in a court by reason of any privilege under the law of evidence, including communications necessary for that purpose;
- (g) information explicitly supplied in confidence to the board by Canada, a province or territory or a Crown agency of any of them, a municipality or a First Nation;
- (h) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- (i) a trade secret or scientific, technical, commercial or financial information that belongs to the board and has monetary value or potential monetary value;
- (j) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the board;
- (k) information that section 8 of the *Municipal Freedom of Information and Protection of Privacy Act* would authorize a refusal to disclose if it were contained in a record; or
- (l) an ongoing investigation respecting the police service board.

When meetings must be closed to the public

(3) A meeting or part of a meeting of a police service board, or of a committee of the board, shall be closed to the public if the subject matter being considered is a request under the *Municipal Freedom of Information and Protection of Privacy Act*.

Duty of confidentiality

(4) The members of the board or committee shall keep any matter considered in a meeting closed under subsection (2) or (3) confidential, including by keeping

confidential any information obtained for the purpose of considering the confidential matter, except,

- (a) for the purpose of complying with an inspector exercising their powers or duties under this Act;
- (b) as may otherwise be required in connection with the administration of this Act, the *Special Investigations Unit Act, 2019* or the regulations made under either of them;
- (c) as may be required for a law enforcement purpose; or
- (d) where disclosure is otherwise required by law.

Disclosure by resolution

(5) Despite subsection (4), a police service board may, by resolution, disclose or authorize a board member to disclose any matter considered in a meeting closed under subsection (2) or (3), which may include disclosing information obtained for the purpose of considering the confidential matter.

Educational or training sessions

(6) A meeting of a police service board, or of a committee of the board, may be closed to the public if the following conditions are both satisfied:

1. The meeting is held for the purpose of educating or training the members of the board or of the committee.
2. At the meeting, no member of the board or committee considers or otherwise deals with any matter in a way that materially advances the business or decision-making of the board.