

THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD

BYLAW NO. 07-17

A Bylaw to govern the proceedings
of the Board and its Committees.

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THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD

BYLAW NO. 07-17

A Bylaw to govern the proceedings
of the Board and its Committees.

Preamble:

WHEREAS Section 37 of the Police Services Act, R.S.O. 1990, c. P.15 provides that a Police Services Board shall establish its own rules and procedures in performing its duties under this Act:

THEREFORE, THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD HEREBY ENACTS AS FOLLOWS:

1. INTERPRETATION

Definitions

In this Bylaw,

- (a) “*Act*” means the Police Services Act, R.S.O. 1990, c. P.15 as amended or any successor legislation;
- (b) “*Acting Chair*” means the Vice Chair or member who shall act as the Chair if the Chair is absent or if the Chair’s position is vacant, pursuant to Section 28(2) of the Act or as prescribed by Section 9 of this Bylaw;
- (c) “*Agenda*” means the document prepared for distribution as prescribed by Section 6.1 of this Bylaw;
- (d) “*Board*” means The Regional Municipality of York Police Services Board;
- (e) “*Chair*” means the Member elected as Chair of the Board, pursuant to Section 28(1) of the Act;
- (f) “*Chief*” means the Chief of Police of the York Regional Police;
- (g) “*Committee*” means a Standing or Special Committee of the Board with a composition of three or fewer members;
- (h) “*Confirmatory Bylaw*” means a Bylaw passed for the purpose of giving general effect to a previous decision or proceedings of the Board;
- (i) “*Consent Procedure*” means a single motion to approve the recommendations arising out of a number of items of business on the agenda of a meeting considered to be routine;

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- (j) “*Council*” means York Region Council;
- (k) “*Deputation*” means an oral submission made by and at the request of a member of the public or an organization to the Board or its Committees;
- (l) “*Executive Director*” means the Executive Director to the Board;
- (m) “*Improper Conduct*” means behaviour which causes obstruction to the deliberation or proper conduct of a meeting;
- (n) “*Majority vote*” means an affirmative vote of more than one-half of the Members present and voting;
- (o) “*Meeting*” means a meeting of the Board or a Committee;
- (p) “*Member*” means a Member of the Board;
- (q) “*Motion*” means a proposed move by a Member and, if moved in a meeting, seconded by another Member, to adopt, amend or otherwise deal with a matter before the Board or a Committee;
- (r) “*Motion to defer*” means a motion to delay consideration of a matter until later in the same meeting or to a future meeting of the Board or a Committee;
- (s) “*Motion to receive*” means a motion to acknowledge an item, report or recommendation under consideration and to have it placed in the records of the Board with no additional action being taken;
- (t) “*Motion to refer*” means a motion to dispose of a matter under consideration, with or without any proposed amendment, in order to seek consideration by, the Chief of Police, Executive Director or other official or Committee;
- (u) “*Notice of Motion*” means a written notice of a motion received by the Executive Director, moved by a Member, and seconded by another Member, for inclusion on an agenda of a meeting of the Board or a Committee;
- (v) “*Point of order*” means a question by a Member with the view to calling attention to any issue relating to this Bylaw or the conduct of the Board’s business or in order to assist the Member in understanding the Board’s procedures, making an appropriate motion, or understanding the effect of a motion;
- (w) “*Point of privilege or personal privilege*” means a question by a Member who believes that another Member has spoken disrespectfully towards that Member or another Member or who considers that his or her integrity or that of a Member or Regional official has been impugned or questioned by a Member;
- (x) “*Presentation*” means an address by staff or a member of the public to the Board or Committee at the request of the Board or a Committee of the Board;
- (y) “*Private Session*” means a meeting that is closed to the public in accordance with section 41(4) of the Act;

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- (z) "*Quorum*" means a majority of the Members of the Board in accordance with section 35(2) of the Act.
- (aa) "*Report*" means a report of the Board Chair, Chief of Police, Regional Solicitor, Executive Director or other staff member or a Board Committee;
- (bb) "*Resolution*" means the decision of the Board on any motion;
- (cc) "*Recorded Vote*" means a written record of the name and vote of every Member voting on any matter or question;
- (dd) "*Special Meeting*" means a meeting other than a regularly scheduled meeting.
- (ee) "*Two-thirds majority vote*" means an affirmative vote of at least two-thirds of the Members present;
- (ff) "*Vice Chair*" means the Member elected as Vice Chair of the Board, pursuant to Section 28(2) of the Act.

2. APPLICATION

General

- 2.1 The rules of procedure set out in this Bylaw shall govern all proceedings of the Board and its Committees other than proceedings conducted under Part V of the Act.
- 2.2 Rules contained in this Bylaw may be suspended as such time as may be deemed appropriate by an affirmative vote of at least two-thirds of the members.

Statutory Requirements

- 2.3 Notwithstanding anything in this Bylaw, where the Board or a Committee convenes for the purpose of holding a hearing as required by any statute, the provisions of the statute and the *Statutory Powers Procedure Act* shall govern the proceedings.
- 2.4 Where rules have not been provided in this Bylaw, the Chair shall decide procedure in accordance with established rules of Council.

3. ELECTION OF CHAIR AND VICE CHAIR

- 3.1 Pursuant to Section 28(1) of the Act, the Board shall elect a Chair at its first meeting in each calendar year.

Election of Vice Chair

- 3.2 Pursuant to Section 28(2) of the Act, the Board shall elect a Vice Chair at its first Meeting in each calendar year.

Term

- 3.3 The election of the Chair and Vice Chair shall be conducted at the first public meeting of the Board in each calendar year.

Nominations

- 3.4 The Executive Director shall act as presiding officer at the first meeting of the Board in each calendar year until the Chair is elected and shall call for nominations.

Form of Nomination

- 3.5 Movers, seconders and nominees must be present at the Board meeting.
- 3.6 Each nomination shall be made openly and shall have the consent of the nominee and be seconded by a Member.
- 3.7 Each nominee shall have a mover and a seconder.

Nominations Closed

- 3.8 Where it appears to the Executive Director, by asking for further nominations and receiving no response, that there are no further nominations, the Executive Director shall call for a motion declaring nominations closed.

Idem

- 3.9 After nominations have been closed, no motion shall be in order except a motion to recess for a specified time period.

Speakers

- 3.10 After nominations have been closed, each mover and seconder of a nominee and each nominee shall, prior to the vote being taken, be permitted to speak to the nomination for not more than five (5) minutes.

Order of Speakers

- 3.11 The speakers shall be called upon to address the Board in alphabetical order of the nominees' surnames.

Idem

- 3.12 The speakers shall address the Board in the following order with respect to each nominee:

- (a) the mover
- (b) the seconder
- (c) the nominee

Withdrawal

- 3.13 A nominee may withdraw his or her name at any time prior to a vote being called.

Vote

- 3.14 A vote shall be taken regardless of the number of nominations. No vote shall be taken by ballot or any other form of secret voting. Where there is only one nominee, the vote may be to close nominations and to recognize the acclamation of the one nominee to the position of Chair or Vice Chair.

Method of Voting

- 3.15 If there are two or more nominees, each Member shall announce his or her vote and no Member shall abstain from voting.

Majority Vote

- 3.16 To be elected as Chair or Vice Chair, a nominee shall obtain the vote of a majority of the Members present.

No Majority Obtained

- 3.17 If there are more than two nominees who elect to stand and, if upon the first vote no nominee receives the majority required for election, the name of the nominee receiving the least number of votes shall be dropped and the Board shall proceed to vote again and continue until either:
- (a) a nominee receives the majority required for election at which time such nominee shall be declared elected; or
 - (b) it becomes apparent by reason of an equality of votes that no nominee can be elected. In this case, each nominee shall address the Board for a maximum of 5 minutes, followed by a 10 minute recess, and another vote. If no nominee is elected at this time, the Board shall rely on seniority as a Board Member (i.e. date of appointment) to elect the Chair.

Recorded Vote

3.18 The Executive Director shall record the votes of each Member on each vote.

Election of Vice Chair

3.19 The election of the Vice Chair shall follow the procedure set out for the election of the Chair.

4. MEETINGS OF THE BOARD

Regular Meetings of the Board

4.1 The Board shall hold at least four regular meetings each year in accordance with Section 35(1) of the Act.

4.2 The regular Meetings of the Board shall be held at 9:00 a.m. in Committee Room "A", of the York Region Administrative Centre, 17250 Yonge Street, Newmarket, Ontario, in accordance with the schedule adopted annually by the Board, or at such place or time as may be determined by the Board.

4.3 The Board may alter the meeting schedule as it considers necessary.

4.4 If the Chair is not present within 15 minutes of the time a quorum is present after the scheduled commencement time for a meeting of the Board, or after the resumption after an adjournment or recess, the Vice Chair shall serve as Acting Chair. In the absence of the Chair and the Vice Chair, the Executive Director shall call the Members to order and an Acting Chair shall be appointed from among the Members present and he or she shall preside until the arrival of the Chair or the Vice Chair.

4.5 The Chair may designate the Vice Chair, or in the absence of the Vice Chair, another Member as Acting Chair during any part of a Board meeting when he or she leaves the Chair for any reason.

Notice to Members

4.6 Notice to Members of all meetings, agendas, agenda items, cancellations and postponements shall be provided to a member by the Executive Director not less than 48 hours prior to the time set for the meeting.

Notice to the Public and Media

4.7 Notice of all Meetings, Agendas, Cancellations and Postponements shall be posted on the Board's web page, in the main lobby of the York Regional Police Headquarters, and in the main lobby of the York Region Administrative Centre five business days before the meeting date. The Executive Director shall ensure that the Notice is in an accessible format.

Special Meetings of the Board

- 4.8 The Chair may at any time, or upon a written request by the majority of the Members, call a Special Meeting of the Board by providing written direction to the Executive Director to issue a Notice of Special Meeting.

Notice of Special Meetings

- 4.9 Written notice of all Special Meetings of the Board or its Committees, detailing the business to be considered at the meeting, may be delivered to all Members by electronic means no less than 48 hours before the meeting.
- 4.10 Special meetings will take place in a location or in a manner such as audio or video conference or as deemed most appropriate by the Chair.

Matters Decided at Special Meeting

- 4.11 At Special Meetings of the Board, the Board shall not decide upon any matter unless the matter has been specified in the Notice of the Special Meeting. This provision may be waived only where all Members are present to vote upon a motion to waive it and only with a two-thirds majority vote.

Cancellation/Postponement

- 4.12 The Chair may cancel or postpone a meeting to a day, time and place set out in a written notice from the Executive Director, sent to each Member at least 48 hours before the scheduled date of the meeting.

Audio and Video Recording

- 4.13 Public Board meetings may be video and audiotaped, televised or otherwise electronically or mechanically recorded as long as the recording does not interfere with the proceedings at the meeting.

Audio/Video Conferencing

- 4.14 A Member may make a request of the Chair, at least 24 hours before the scheduled commencement of a meeting that the Member be permitted to participate in the meeting by means of audio conferencing or video conferencing. The Chair may grant permission if the Member can be connected to the Meeting by such means. If the Member participates in the Meeting by such means, the Member shall be deemed to have been present at the Meeting for the purposes of the Act.

Failure to Meet Notice Provisions

- 4.15 Notice which is substantively given but which is irregular or not otherwise in strict compliance with this bylaw shall not invalidate the holding of a meeting or any proceeding taken at a meeting.

5. MEETINGS OF THE BOARD

- 5.1 Meetings of the Board shall be open to the public except where a matter is to be discussed in the private session as authorized in subsection 35(4) of the Act or as may be legally required.
- 5.2 Board members and other persons permitted by the Board may attend the private session and all others shall vacate the meetings when asked by the Chair.
- 5.3 The Board shall pass a motion to convene into private session to deliberate matters on the private agenda. On conclusion of such deliberations, the Board shall pass a motion to reconvene into the public meeting.
- 5.4 During a private session, the Board may move any item from the private agenda to the public agenda.
- 5.5 Reports and documents on the private agenda will be marked "private" or "confidential".
- 5.6 Private reports, presentations or documents for the private meeting will include written justifications or in the case of a presentation verbal justification for its inclusion on the private agenda.
- 5.7 The Executive Director shall prepare a record of each private session held by the Board or a Committee, indicating:
 - a) the matter discussed;
 - b) the provision under the Act which permits meeting in a private session;
 - c) Members in attendance;
 - d) the disposition of the matter; and
 - e) the start and end times for the private session.

6. AGENDAS

- 6.1 The Executive Director shall prepare, under the direction of the Chair, for distribution an Agenda with the routine order of business for regular meetings of the Board as follows:
 - (a) Disclosures of Interest
 - (b) Minutes of Previous Meetings of the Board
 - (c) Presentations
 - (d) Deputations
 - (e) Communications
 - (f) Items for Consideration
 - (g) Unfinished Business
 - (h) Other Business
 - (i) Private Session
 - (j) Reconvene in Public Meeting
 - (k) Confirmatory Bylaw
 - (l) Adjournment

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- 6.2 The business of the Board shall, in all cases, be taken up in the order in which it appears on the Agenda, unless otherwise decided by the Chair. Any matter on the Agenda not decided by the Board shall be placed on the Agenda of the next regular meeting of the Board.
- 6.3 The Agenda for each regular meeting of the Board shall be available to the Members at least five business days prior to the Board meeting.
- 6.4 The Agenda for regular board meetings shall be posted on the Board's website no later than five business days prior to the Board meeting, except for information relating to matters to be considered in Private Session.

Revised Agenda

- 6.5 After delivery of the Board agenda, the Executive Director may amend the Agenda by way of a Revised Agenda by adding or deleting matters from the prepared Agenda in consultation with the Board Chair. In this case, the Executive Director shall endeavour to forward additional Agenda material to the Members prior to the meeting. The Revised Agenda may be presented at the Board meeting, and is not subject to the Notice requirements set out in Part 4 of this Bylaw.

Consent Procedure

- 6.6 All or several items on the Agenda for a Meeting containing recommendations may be adopted in a single motion. Any specific items of business shall be provided individual deliberation and debate upon the request of any Member.

7. MINUTES

- 7.1 The Executive Director shall cause minutes to be taken of each meeting of the Board which shall include:
 - a) the place, date and time of the meeting;
 - b) the attendance of the Members, the Executive Director, the Executive Command Team and Senior Members of YRP and the Regional Solicitor or their designate.
 - c) the confirmation of the minutes of the previous meeting
 - d) declaration of interest; and
 - e) all other Board proceedings
- 7.2 The minutes of each meeting shall be submitted for confirmation to the Board at its next regular meeting.
- 7.3 The draft public minutes of the Board shall be posted on the Board's website.

8. QUORUM

- 8.1 If a quorum is not present at a scheduled meeting of the Board 30 minutes after the scheduled commencement time, the Meeting shall stand adjourned until the date of the next regular meeting and the Executive Director shall record the names of the Members

present. If the Members who are present at the time remain until a quorum is present, then the meeting shall proceed.

- 8.2 If a quorum is lost during a meeting of the Board then the Chair shall, upon determining that a quorum is not present, request the Executive Director to call for a quorum for a period of 15 minutes, or until a quorum is present, whichever is sooner.
- 8.3 If there is still no quorum of the Board after 15 minutes, the Meeting shall stand adjourned and the Executive Director shall record the names of the Members present. In this case, all unfinished business shall be carried forward to the next Meeting of the Board.

9. DUTIES OF CHAIR

Call Meeting to Order

- 9.1 As soon as there is a quorum after the time set for the Meeting, the Chair shall take the Chair and call the Members to order.

Chair's Duties

- 9.2 The Chair shall preside over all Meetings of the Board, and shall:
- (a) maintain order and preserve the decorum of the meeting;
 - (b) rule on all procedural matters, without debate or comment;
 - (c) receive and submit to a vote all motions presented by the Members which do not contravene this Bylaw;
 - (d) decline to put to a vote motions which do not comply with this Bylaw, or which are not within the jurisdiction of the Board;
 - (e) announce the results of the vote on any motions presented for a vote;
 - (f) expel or exclude from any meeting any person whom the Chair determines, in his or her sole discretion, has exhibited improper conduct at the meeting;
 - (g) adjourn or suspend the meeting if he or she determines, in his or her sole discretion, it necessary because of grave disorder; and
 - (h) adjourn the meeting when business is concluded or recess the meeting as required for a time specified by him or her.

Order to Vacate

- 9.3 The Chair, after three warnings, shall call by name any Member persisting in breach of this Bylaw and, subject to a majority vote of Members present, order him or her to vacate his or her seat and leave the meeting.

Matters not Covered in this Bylaw

- 9.4 All procedural matters not covered by this Bylaw shall be decided by the Chair. The Chair may call upon the Executive Director to provide advice regarding procedure. The Executive Director shall provide this advice following which the Chair shall announce his or her ruling.

Appeal of Chair's Ruling

- 9.5 If a Member disagrees with the ruling of the Chair, he or she may (with a seconder) appeal the ruling of the Chair. The Chair, in response, shall call a vote on the question of sustaining the ruling of the Chair. The Chair may wish to provide further explanation of the ruling prior to calling the vote.

10. DUTIES OF VICE CHAIR

- 10.1 When the Chair is absent, the Vice Chair shall act in his or her place and while acting shall have the power, authority, rights and duties of the Chair.
- 10.2 If the position of Chair becomes vacant, the Vice Chair shall act in his or her place until the election of a new Chair in accordance with the procedures set out in this Bylaw.
- 10.3 If the position of Vice Chair becomes vacant, an election of a new Vice Chair shall take place.
- 10.4 The Acting Chair shall have and may exercise all the rights, power and authority of the Chair under this Bylaw.

11. CONDUCT OF MEMBERS AT A MEETING

- 11.1 No Member will:
- (a) use offensive words or unparliamentary language;
 - (b) leave his or her seat or make any noise or disturbance while a vote is being taken and until the result of the vote is announced;
 - (c) speak on any subject other than the subject under debate;
 - (d) disclose the content of matters or the substance of deliberations of a matter discussed during the private session if the content of a matter and the deliberations remain confidential after consideration in the private session.
 - (e) criticize any decision of the Board except for the purpose of moving that the question be reconsidered; or
 - (f) If a member continues to be in breach of this section after having been called to order by the Chair the Chair shall not recognize that Member, except for the purpose of receiving an apology from the Member tendered at that Meeting or any subsequent Meeting.

12. DISCLOSURES OF CONFLICT OF INTEREST/PECUNIARY INTEREST

- 12.1 Where a Member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest or any conflict of interest, direct or indirect, in any matter and is present at a Meeting at which the matter is the subject of consideration, the Member shall, in accordance with the *Municipal Conflict of Interest Act*,
- (a) prior to any consideration of the matter at the Meeting, disclose the his or her interest and the general nature thereof; and

- (b) not take part in the discussion of, or vote on any question in respect of the matter; and
 - (c) not attempt in any way whether before, during or after the Meeting to influence the voting on the matter.
- 12.2 In a private meeting of the Board, in addition to complying with the requirements of the *Municipal Conflict of Interest Act*, the Member shall forthwith leave the Private Session or the part of the Private Session during which the matter is under consideration.
- 12.3 Where the interest of a Member has not been disclosed because the Member was absent from a particular Meeting, the Member shall disclose the Member's interest and otherwise comply at the first Meeting of the Board or Committee, as the case may be, attended by the Member after the particular Meeting.
- 12.4 The Executive Director shall record in reasonable detail the particulars of any disclosure of interest made by a Member, and this record shall appear in the Minutes or Report of that Meeting.

Open Vote

- 12.5 A Meeting shall not be closed to the public during the taking of a vote in a public Meeting.

13. PUBLIC DEPUTATIONS

- 13.1 All persons wishing to make a deputation to the Board shall advise the Board in writing or by email by providing an outline of the nature of the deputation, a list of person(s) who shall be appearing before the Board and a copy of any presentation materials at least five (5) days prior to the commencement of the meeting. All prospective deputants at the meeting shall only be heard upon the consent of the Board.

Upon receipt of the written notice, the request shall be placed on the next appropriate regular meeting agenda, provided the Board has jurisdiction over the subject matter as determined by the Chair.

- 13.2 A deputation shall be limited to five (5) minutes, unless approval to extend the speaking time is obtained from the Chair. If there is a group of people wishing to address the Board with respect to a particular position on a particular issue, then the Chair may determine that the group shall be represented by one person or that the time limit shall be other than as stated above.
- 13.3 If a prospective deputant addresses the Board during the Q&A session of the Presentation portion of the meeting, the Board reserves the right to refuse granting deputant status, at the discretion of the Chair and not allow any further deputation or presentation to be made before the Board.
- (a) A person making a deputation shall not speak on any subject other than the subject for which he or she has received approval to address the Board;

- 13.4 The Chair may curtail any deputation, or debate during a deputation for disorder or any other breach of this Bylaw, and, if the Chair rules that the deputation is concluded, the person(s) appearing shall withdraw.
- 13.5 Members of the public who constitute the audience at a meeting shall not:
- (a) address the Board without permission from the Chair;
 - (b) bring signage, placards or banners into such meetings and shall refrain from any activity or behaviour that would interfere with Board proceedings.
- 13.6 The Chair may expel and exclude any member of the public who creates any disturbance or acts improperly, during a meeting of the Board.

14. RULES OF DEBATE

Recognition of Member

- 14.1 To address the Board, a Member shall request to speak by raising his or her hand and be recognized by the Chair and direct all comments through the Chair.

Microphone

- 14.2 Prior to speaking to any question or motion, each Member shall use his or her microphone.

Order of Speakers

- 14.3 When two or more Members wish to speak at the same time, the Chair shall designate the order of speakers.

Interruptions

- 14.4 When a Member is speaking, no other Member shall interrupt the Member speaking except to raise a point of order, privilege or personal privilege.

Read Motion

- 14.5 Any Member may require a motion or question under discussion to be read at any time during the debate but not so as to interrupt the Member speaking.

Speaking Time

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

Questions

- 14.7 A Member may ask a question only for the purpose of obtaining information relating to the matter under discussion, and the question shall be stated succinctly, and asked only of the Chair, the previous speaker, the Chief of Police and his or her designates, the Executive Director or the Regional Solicitor and his or her designates.

Points of Order, Privilege

- 14.8 When a Member rises on a Point of order, Point of privilege or Point of personal privilege, the Member shall ask leave of the Chair to raise the point. After leave is granted, the Member shall state the point to the Chair and then remain silent until the Chair has ruled upon the point.

Chair to Rule on Point

- 14.9 Subject to being overruled by the Board on a vote which shall be taken immediately and without debate, the Chair shall rule on the point.

Challenge

- 14.10 Any Member may challenge the ruling of the Chair immediately following the ruling.

Decision Final

- 14.11 The Chair's ruling is final unless it is challenged.

Idem

- 14.12 The Board's decision is final if the Chair is challenged.

15. MOTIONS AND NOTICES OF MOTION

Jurisdiction

- 15.1 A motion or Notice of Motion in respect of a matter which is not within the jurisdiction of the Board, shall not be in order and shall not be considered by the Board.

Introduction of Additional Items

- 15.2 No Member shall introduce any item to the Board for its consideration unless:

- (a) the item relates to a matter on the Agenda for that Meeting; or
- (b) the matter is of an urgent nature; or
- (c) leave is granted on a two-thirds majority vote.

Oral Motions

- 15.3 The following may be introduced orally without written notice and without leave of the Board:

- (a) a point of order or privilege;
- (b) presentation of petitions;
- (c) a motion to waive or suspend the rules of procedure;
- (d) a motion to recess;
- (e) a motion to adjourn;
- (f) a motion to call the question;

- (g) a motion to retire into an Private Session;
- (h) a motion to receive an item;
- (i) a motion to table an item;
- (j) a motion to refer;
- (k) a motion to defer;
- (l) a simple amendment; and
- (m) a motion to adopt a recommendation.

Written Motions

15.4 Except as provided in Section 15.3 of this Bylaw, all motions and Notices of Motion shall be in writing. The Chair may require that any amendment be in writing signed by the mover and the seconder.

Must be Seconded

15.5 A motion shall be moved and seconded before the Chair shall put the question and the motion is recorded in the minutes of the Meeting.

Mover May Vote in Opposition

15.6 A Member may move a motion in order to initiate discussion and debate and that Member may vote in opposition to the motion. A seconder of a motion may vote against the motion.

Withdrawal

15.7 After a motion is moved at the Board Meeting or placed on the Agenda as a Notice of Motion, it shall be deemed to be in the possession of the Board and may not be withdrawn without the consent of the mover and seconder and a majority vote.

16. SPECIFIC MOTIONS

Recess

16.1 A motion to recess is not debatable, shall specify the length of the recess, and is only amendable with respect to the length of the recess.

Adjourn

16.2

- (1) A motion to adjourn the Board Meeting is not debatable and shall always be in order except:
 - (a) when another Member is in possession of the floor;
 - (b) when a vote has been called;
 - (c) when the Members are voting; or
 - (d) when a Member has indicated to the Chair his or her desire to speak on the matter before the Board.

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- (2) A motion to adjourn and amendments thereto shall take precedence over any other motion and shall be put immediately without debate.

Call the Question

16.3

- (1) A motion to call the question is not debatable and shall be put immediately
- (2) A Member who moved a motion to call the question shall not be allowed to speak to the question again if the motion is decided in the negative.

Motion to Table

16.4

- (1) A Motion to table is not amendable or debatable and shall apply to the motion and any amendments under debate when the Motion to table is made.
- (2) If the Motion to table carries, in the absence of any direction from the Board, the matter may not be discussed until a Member through a Notice of Motion, brings it forward to a subsequent Meeting.

Refer

16.5 A Motion to refer and any amendment to it is debatable and shall include:

- (1) the name of the official or committee to whom the motion or amendment is to be referred;
- (2) the terms upon which it is to be referred and the time or period, if any, on or within which the matter is to be returned.

Defer

16.6 A Motion to defer and any amendment to it is debatable and shall include:

- (1) the time to, or period within which, consideration of the matter is to be deferred; and
- (2) whatever explanation is necessary to demonstrate the purpose of the motion to defer.

Amendment

16.7

- (1) A motion to amend is debatable.
- (2) Only one motion to amend a motion shall be on the floor at any one time.

Receive

- 16.8 A Motion to receive, moved after the main motion, is debatable and shall be treated as an amendment to the main motion.

Substantive Motion

- 16.9 An amendment shall be out of order if it is ruled by the Chair to be a substantive motion and not an amendment.

Cannot be Contrary

- 16.10 An amendment which, in effect, is nothing more than a rejection of the main motion is not in order.

Consider Matter Previously Deferred

- 16.11 A motion that the Board consider a matter previously deferred either to a time or milestone which has not yet been reached or occurred, is debatable and shall be presented only if the Board so decides, by a simple majority vote.

Reconsideration

- 16.12 Subject to sections 16.13 and 16.14 of this Bylaw, no question, after it has been decided, shall be reconsidered within 12 months following the decision of the Board unless the Board decides to do so by a two-thirds majority vote. Any reconsideration that occurs after this 12-month period requires a majority vote.

Must Have Voted with the Majority

- 16.13 After any question has been decided, any Member who voted thereon with the majority or, where a two-thirds majority vote is required, voted with the two-thirds majority, may make a motion to reconsider the question.

Requires Two-Thirds

- 16.14 A motion to reconsider may not be introduced without notice, unless the Board, without debate, dispenses with notice on a two-thirds majority vote.

Reconsiderations-Idem

- 16.15 A motion to reconsider is debatable.

- 16.16 No discussion of the main question shall be allowed until the motion for reconsideration is carried.

- 16.17 Once the question is reopened, it is reopened in its entirety unless the reopening motion specifies otherwise.

- 16.18 If the question is reopened, all previous decisions of the Board remain in force unless the Board decides otherwise.

16.19 No motion to reconsider may, itself, be the subject of a motion to reconsider.

17. NOTICES OF MOTION

Timing of Notice

17.1 A Notice of Motion shall be in writing and shall include the name of the mover and seconder. It shall be received by the Executive Director prior to 12:00 p.m. on the fifth business day prior to a regular meeting for inclusion in the Agenda, subject to section 17.3 of this Bylaw, for each succeeding meeting until the Motion is considered or otherwise disposed of.

Agenda Materials

17.2 The Executive Director shall include in the Agenda materials any reports from staff relating to a Notice of Motion submitted in accordance with section 17.1 of this Bylaw.

Future Agendas

17.3 All Notices of Motions on the Agenda and not disposed of shall be placed on the Agenda for the next regular meeting of the Board.

Not Proceeded With

17.4 When a Notice of Motion has been on the Agenda for two consecutive meetings after notice has been given, and not proceeded with, it shall be dropped from the Agenda and deemed withdrawn unless the Board decides otherwise.

18. VOTING

Order of Votes

18.1 Motions relating to an item under consideration shall be voted on in the following order:

- (a) a motion to waive or suspend the rules of procedure;
- (b) a motion to adjourn;
- (c) a motion to recess;
- (d) a motion to call the question;
- (e) a Motion to receive an item;
- (f) a Motion to defer;
- (g) a Motion to refer;
- (h) a Motion to amend;
- (i) a motion to table an item; and
- (j) the main motion.

Members Must Vote

18.2 Every Member present at a meeting of the Board where a question is put shall vote on the question, unless prohibited by statute, in which case the Executive Director shall so record.

Method of Voting

18.3 A Member shall vote by raising a hand, except where a recorded vote is requested. In the case of a recorded vote, the Executive Director shall call and Members shall announce their vote in order of their surnames, beginning with the Member who requested the recorded vote. The Chair shall announce the result of all votes taken.

Actions During Vote

18.4 When the Chair calls for the vote on a question, a) each Member shall occupy his or her seat and shall remain in place until the result of the vote has been declared by the Chair, and b) during this time no Member shall walk across the room or make any other motion or speak to the question or any other Member or make any noise or disturbance.

Split Votes

18.5

- (1) Upon the request of any Member, and when the Chair is satisfied that a matter under consideration contains distinct proposals, the vote upon each proposal shall be taken separately.
- (2) A vote on the main motion, as amended, may be split only for the purpose of complying with the Municipal Conflict of Interest Act.

No Vote Deemed Negative

18.6 If any Member present does not vote at a meeting of the Board where a question is put and a recorded vote taken, he or she shall be deemed to vote in the negative except where the Member is prohibited from voting by statute.

Chair

18.7 The Chair may vote on any matter before the Board.

Majority Vote

18.8 All decisions of the Board shall require a majority vote except as otherwise set out in this Bylaw.

Equality of Votes

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

Two-Thirds

18.10 The following decisions of the Board require a two-thirds majority vote:

- (a) a motion to consider a report or Bylaw that does not relate to a matter on the Agenda under section 15.2 of this Bylaw;
- (b) a motion to consider a matter previously deferred indefinitely or to a time or eventuality that has not been reached or occurred under section 16.11 of this Bylaw;
- (c) a motion to reconsider a question decided within the previous twelve months under section 16.12 of this Bylaw;
- (d) a motion to suspend the provisions of this Bylaw under section 22.1 of this Bylaw.

Recorded Vote

18.11 A request by a Member for a recorded vote shall be made prior to the commencement of the vote being taken or immediately thereafter.

18.12 When a recorded vote is requested by a Member, the Executive Director shall record the name and vote of every Member on any question.

Chair to Announce Results of Vote

18.13 The Chair shall announce the result of the vote.

Request for Further Vote

18.14 If a Member doubts the results of a vote by a show of hands as announced by the Chair, the Member may call for the vote to be taken again and the Chair may request that the Members shall vote again.

19. BYLAWS

One Motion

19.1 The adoption of every Bylaw presented to the Board, with the exception of the Confirmatory Bylaw, may be the subject of one motion.

Separate Vote

19.2 By request of any Member, any Bylaw(s) may be discussed or voted on individually.

Form

19.3 Every Bylaw, when introduced shall be in typewritten form and shall comply with the provisions of any relevant legislation.

Previous Board Approval

19.4 No Bylaw, except a Bylaw to confirm the proceedings of the Board, shall be presented to the Board unless its subject matter has been approved by the Board.

Confirmatory

- 19.5 The proceedings at every meeting of the Board shall be confirmed by Bylaw so that every decision of the Board at that meeting of the Board and every resolution thereof shall have the same force and effect as if each and every one of them had been the subject matter of a separate Bylaw duly enacted.

Amendments

- 19.6 All amendments to any Bylaws approved by the Board shall be deemed to be incorporated into the Bylaw and if the Bylaw is enacted by the Board, the amendments shall be inserted by the Executive Director.

Authentication

- 19.7 Every Bylaw enacted by the Board shall be signed by the Chair or the Acting Chair in the Chair's absence, and by the Executive Director. Each Bylaw shall be numbered, dated and deposited in the Office of the Board.

20. MINUTES OF THE BOARD

Content

- 20.1 The Minutes of the Board Meetings shall record:
- (1) the place, date and time of Meeting;
 - (2) the name of the Chair and the attendance of the Members, the Executive Director, senior staff of the York Regional Police, senior staff of the Region and the recording Secretary; and
 - (3) each item considered by the Board and the decisions of the Meeting without note or comment.

Approval

- 20.2 The Minutes of each Board Meeting shall be presented to the Board for approval at the next regular Meeting.

Signature

- 20.3 After the Board Minutes have been approved by the Board, they shall be signed by the Chair and the Executive Director.

21. BOARD COMMITTEES

Board's Role

- 21.1 The Board shall determine the appropriate number of Committees, their membership, mandates, and reporting practices.

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21.2 The Board may at any time appoint two or more Members to a Committee to exercise any authority conferred on the Board in order to address any matter within the jurisdiction of the Board.

21.3 The Board shall appoint a Chair of each Committee.

21.4 The Committee will report on its work to the Board as directed by the Board.

Committee Procedures

21.5 The rules governing the procedure of the Board and the conduct of Members shall be observed in all Committees so far as they are applicable.

Committee Membership

21.6 Members shall be appointed to Committees by the Board for a specific period of time.

Members/Rights

21.7 Members who are not Members of a specific committee may attend meetings of that Committee and may, with consent of the Chair of that Committee, take part in the discussion, but shall not be counted in the quorum or entitled to make motions or to vote at these meetings.

Sub-Groups

21.8 No sub-groups of Committees shall be established without approval by the Board.

22. SUSPENSION OF BYLAW PROVISIONS

Two-Thirds

22.1 A motion to suspend, waive or not to follow a rule of procedure established by this Bylaw shall not be passed without a two-thirds majority vote.

23. AMENDMENTS TO BYLAW

Majority Vote

23.1 This Bylaw shall not be amended or repealed except by a majority vote of the Board.

Notice

23.2 No amendment or repeal of this Bylaw shall be considered at any meeting of the Board unless notice of the proposed amendment or repeal was given at a previous meeting of the Board. The Board may not waive this notice requirement.

24. CONFLICT

Conflict with Statute

- 24.1 If there is any conflict between this Bylaw and any statute, the provisions of the statute prevail.

25. ENACTMENT

Repeal

- 25.1 Bylaw No. 1-96, and its amendments are hereby repealed.

Effective Date

- 25.2 This Bylaw shall come into force on the date immediately following the Board meeting at which it is enacted.

ENACTED AND PASSED this 24th day of May 2017.

Chair Frank Scarpitti

Executive Director
Mafalda Avellino