

**THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICE BOARD**

**BYLAW NO. 05-26**

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

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THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICE BOARD

BYLAW NO. 07-17

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

**Preamble:**

**WHEREAS** subsection 22(1) of the *Community Safety and Policing Act* (the “Act”) provides that there will be a police service board for every municipality that maintains a police service.

**WHEREAS** subsection 46(1) of the Act provides that a police service board shall establish its own rules and procedures in performing its duties under this Act and the regulations

**WHEREAS** the York Regional Police Service Board is to ensure that those rules reflect the principles of accessibility, responsiveness and accountability to the community, fairness, respect and full debate in the conduct of its meetings and flexibility in responding to changing circumstances at meetings of the Board:

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

**1. INTERPRETATION**

1.1 This Bylaw will be interpreted in accordance with the following principles:

- (a) The majority of Members have the right to decide;
- (b) The minority of Members have the right to be heard;
- (c) All Members have the right to information to help make decisions, unless otherwise prevented by law;
- (d) Members have a right to an efficient meeting;
- (e) All Members have the right to be treated with respect and courtesy; and
- (f) All Members have equal rights, privileges and obligations, subject to additional rights, privileges and obligations granted to the Board Chair under this Bylaw or other Board Resolution.

Definitions

1.2 In this Bylaw

- (a) “*Act*” means the *Community Safety and Policing Act, 2019*, SO, 2019, c 1, Sch 1 and the regulations thereunder, as amended from time to time, 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 36(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 Service Board;
- (e) “*Board Manager/Administrator*” means the administrator of the Board;
- (f) “*Board Chair*” means the Member elected as Chair of the Board, at the first meeting of each year, in accordance with the Act, or any other Member elected to serve as Board Chair during that same year, should the position become vacant;
- (g) “*Chair*” means the person presiding at a Committee meeting;
- (h) “*Chief*” means the Chief of Police of the York Regional Police;
- (i) “*Committee*” means a committee of the Board that is established by the Board in accordance with the Act and this Bylaw;
- (j) “*Confirmatory Bylaw*” means a bylaw passed for the purpose of giving general effect to a previous decision or proceedings of the Board;
- (k) “*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;
- (l) “*Council*” means York Region Council;
- (m) “*Deputation*” means a submission made by and at the request of a member of the public or an organization to the Board or its Committees;
- (n) “*Electronic Means*” means an audio teleconference, video teleconference, teleconference, virtual, via the internet, or other electronic communication method that enables all persons attending a Meeting to hear and communicate with each other in real-time during the course of the Meeting;
- (o) “*Executive Director*” means the Executive Director to the Board and, for the purposes of this Bylaw, in the absence of the Executive Director to the Board or when the position of the Executive Director to the Board is vacant, includes the Board Manager/Administrator;
- (p) “*Improper Conduct*” means behaviour which causes obstruction or disorder to the deliberation or proper conduct of a meeting;

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- (q) “*Majority vote*” means an affirmative vote of more than one-half of the Members present and voting;
- (r) “*Meeting*” means a meeting of the Board or a Committee where a Quorum of Members 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 a Committee;
- (s) “*Member*” means a member of the Board;
- (t) “*Motion*” means a proposal moved by a Member or Committee member, as the case may be, and, if moved in a Meeting, seconded by another Member or Committee member, as the case may be, to adopt, amend or otherwise deal with a matter before the Board or a Committee;
- (u) “*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;
- (v) “*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;
- (w) “*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;
- (x) “*Point of order*” means a question by a Member or a member of a Committee with the view to calling attention to any issue relating to this Bylaw or the conduct of the Board’s or Committee’s business, as the case may be, or in order to assist the Member or member of the Committee in understanding the Board’s or Committee’s procedures, as the case may be, making an appropriate motion, or understanding the effect of a motion;
- (y) “*Point of privilege*” means a question by a Member or member of a Committee who believes that another Member or member of a Committee, as the case may be, has spoken disrespectfully towards that Member or another Member or who considers that their integrity or that of a Member or Regional official has been impugned or questioned by a Member;
- (z) “*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;
- (aa) “*Private Session*” means a meeting that is closed to the public in accordance with this Bylaw;
- (bb) “*Quorum*” means a majority of the Members of the Board in accordance with section 43(2) of the Act.
- (cc) “*Report*” means a report of the Board Chair, Chief of Police, Regional Solicitor, Executive Director or other staff member or a Board Committee;
- (dd) “*Resolution*” means the decision of the Board on any Motion;

- (ee) “*Recorded Vote*” means a written record of the name and vote of every Member voting on any matter or question;
- (ff) “*Special Meeting*” means a meeting other than a regularly scheduled meeting.
- (gg) “*Two-thirds majority vote*” means an affirmative vote of at least two-thirds of the Members present;
- (hh) “*Vice Chair*” means the Member elected as Vice Chair of the Board, pursuant to section 36(2) of the Act;
- (ii) “*YRP*” means York Regional Police.

## **2. APPLICATION**

### General

- 2.1 The rules of procedure set out in this Bylaw shall govern all proceedings of the Board and its Committees and the order and dispatch of business conducted by the Board and its Committees except as stated otherwise in this Bylaw.
- 2.2 The Board may waive any rules of procedure set out in this Bylaw as it considers appropriate other than rules that are prescribed by the Act.

### 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*, as applicable, shall govern the proceedings.

### Other Rules

- 2.4 Where rules have not been provided in this Bylaw, the Board Chair shall decide procedure in accordance with established rules of Council.

## **3. ELECTION OF BOARD CHAIR AND VICE CHAIR**

### Election of Board Chair

- 3.1 Pursuant to section 36(1) of the Act, the Board shall elect a Board Chair at its first Meeting in each calendar year.
- 3.2 In addition, in the year of a regular election for the council of The Regional Municipality of York, if the incumbent Board Chair is a member of council of The Regional Municipality of York and is not re-elected to the council of The Regional Municipality of York or is re-elected to the council of The Regional Municipality of York but is not re-appointed to the Board, then the Board shall elect a Board Chair at a Meeting and the Board Chair so elected will remain in office until the election of a Board Chair at the Board’s first meeting in the next year.

- 3.3 In addition, if the Board Chair's term expires or the position of Board Chair becomes vacant after the first Meeting of the Board in a calendar year, the Board shall elect a Board Chair at a Meeting and the Board Chair so elected will remain in office until the election of a Board Chair at the Board's first meeting in the next year.

#### Election of Vice Chair

- 3.4 Pursuant to section 36(2) of the Act, the Board may elect a Vice Chair at its first Meeting in each calendar year.
- 3.5 In addition, in the year of a regular election for the council of The Regional Municipality of York, if the incumbent Vice Chair is a member of the council of The Regional Municipality of York and is not re-elected to the council of The Regional Municipality of York or is re-elected to the council of The Regional Municipality of York but is not reappointed to the Board, then the Board may elect a Vice Chair at a Meeting and the Vice Chair so elected will remain in office until the election of a Vice Chair at the Board's first meeting in the next year.
- 3.6 In addition, if the Vice Chair's term expires or the position of Vice Chair becomes vacant after the first Meeting of the Board in a calendar year, the Board may elect a Vice Chair at a Meeting and the Vice Chair so elected will remain in office until the election of a Vice Chair at the Board's first meeting in the next year..

#### Term

- 3.7 The Board Chair and Vice Chair shall hold office until their successors are elected in accordance with this Bylaw.

#### Nominations

- 3.8 The Executive Director shall act as presiding officer at the first meeting of the Board in each calendar year until the Board Chair is elected and shall call for nominations. Subsequently, after election, the Board Chair may act as presiding officer for the election of the Vice Chair if the Board chooses to elect a Vice-Chair.

#### Form of Nomination

- 3.9 Movers, seconders and nominees must be present either in person or by Electronic Means at the Board Meeting.
- 3.10 Each nomination shall be made openly and shall have the consent of the nominee and be seconded by a Member.
- 3.11 Each nominee shall have a mover and a seconder.

#### Nominations Closed

- 3.12 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.

#### Motion for Recess after Nominations Closed

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

#### Speakers

- 3.14 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

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

#### Order of Speakers Regarding Nominations

- 3.16 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

- 3.17 A nominee may withdraw their name at any time prior to a vote being called.

#### Vote

- 3.18 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 Board Chair or Vice Chair.

#### Method of Voting

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

#### Majority Vote

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

No Majority Obtained

- 3.21 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 five (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 Board Chair.

Recorded Vote

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

Election of Vice Chair

- 3.23 The election of the Vice Chair shall follow the procedure set out for the election of the Board Chair.

**4. REGULAR MEETINGS OF THE BOARD**

Regular Meetings of the Board

- 4.1 The Board shall hold at least four (4) regular meetings each year in accordance with section 43 of the Act.
- 4.2 The regular meetings of the Board shall be held at 9:30 a.m., unless otherwise decided by the Board Chair, and held in Committee Room "A", of the York Region Administrative Centre, 17250 Yonge Street, Newmarket, Ontario, or through Electronic Means or a combination of both, in accordance with the schedule adopted annually by the Board, or at such place or time as may be determined by the Board, except:
- (a) when otherwise directed by Resolution of the Board; or
  - (b) when the Board Chair advises otherwise upon a minimum of 48 hours' notice, provided that this notice is not required in an emergency as determined by the Board Chair.
- 4.3 The Board may alter the meeting schedule as it considers necessary. In exceptional circumstances and when it may not be possible to obtain the concurring vote of a majority of Members, the Board Chair or Vice Chair may alter the meeting schedule.

- 4.4 If the Board Chair is not present within fifteen (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 until the arrival of the Chair. In the absence of the Board 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 Board Chair or the Vice Chair.
- 4.5 The Board 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 the Board Chair leaves the Board Chair for any reason.

#### Electronic/Hybrid Meetings

- 4.6 The Board will hold regular and/or Special Meetings where Members are permitted to participate by Electronic Means, in full or in part, and with or without the attendance by Members in person Members are permitted to participate by Electronic Means in any meeting of the Board.
- 4.7 Members' participation in any meeting of the Board by Electronic Means is subject to any protocols that the Board may consider necessary, in consultation with the Executive Director, to facilitate the meeting, and this Bylaw will apply to such meeting with any other necessary modifications as may be required.
- 4.8 Any Member participating in a meeting by Electronic Means in accordance with this Bylaw will be deemed present at that meeting for the purposes of the Act and this Bylaw.

#### Notice to Members

- 4.9 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

- 4.10 Notice of all Meetings, Agendas, cancellations and postponements shall be posted on the Board's web page, five (5) business days before the meeting date. The Executive Director shall ensure that the notice is in an accessible format.
- 4.11 Notice of the meeting and instructions on how members of the public can view and/or participate in the meeting will be included in the agenda and/or notice of the meeting.

#### Special Meetings of the Board

- 4.12 The Board 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

- 4.13 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.
- 4.14 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 Board Chair.

#### Matters Decided at Special Meeting

- 4.15 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

- 4.16 The Board 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 of Meetings

- 4.17 Board Meetings open to the public will be livestreamed online on a media streaming platform, provided the recording does not interfere with the proceedings at the Meeting. Closed sessions may be video and audiotaped or otherwise electronically or mechanically recorded as long as the recording does not interfere with the proceedings at the meeting.
- 4.18 The use of cameras, recording equipment, television cameras and any other device of a mechanical, electronic or similar nature used for recording the proceedings of a Meeting by members of the public, including the news media, must be used in accordance with the directions of the Board.

#### Participation by Electronic Means

- 4.19 A Member who wishes to participate in a meeting of the Board by Electronic Means shall provide the Executive Director a minimum of 24 hours' notice before the scheduled commencement of the Meeting or as much time that is practically required to ensure appropriate preparations for the Member's participation in the meeting by Electronic Means.

#### Failure to Meet Notice Provisions

- 4.20 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. PUBLIC ACCESS TO MEETINGS OF THE BOARD AND COMMITTEES

### Board Meetings Open to the Public

- 5.1 Meetings of the Board and Committees shall be open to the public except where a matter is to be discussed in the Private Session as authorized in section 44 of the Act or as may be legally required.

### Board Meetings Closed to the Public

- 5.2 Pursuant to section 44 of the Act, before holding a meeting, the Board, or a Committee, shall consider whether to close the Meeting or part of the Meeting to the public and shall have regard to whether the subject matter being considered relates to:

- (a) the security of the property of the Board;
- (b) personal matters about an identifiable individual, including a member 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* (Ontario) would authorize refusal to disclose if it were contained in a record; or
- (l) an ongoing investigation respecting the Board.

- 5.3 The Board shall close the Meeting or part of the Meeting to the public if the subject matter being considered relates to a request under the *Municipal Freedom of Information and Protection of Privacy Act* (Ontario).

- 5.4 Members and other persons permitted by the Board may attend the Private Session and all others shall vacate the Meeting when asked by the Board Chair.

- 5.5 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.

- 5.6 During a Private Session, the Board may move any item from the private Agenda to the public Agenda.
- 5.7 Reports and documents on the private agenda will be marked “private” or “confidential”.
- 5.8 Private reports, presentations or documents for the Private Session will include written justifications or in the case of a presentation verbal justification for its inclusion on the private Agenda.
- 5.9 Any Member may submit an item to be put on an Agenda provided that:
  - (a) The request is received in writing by the Executive Director prior to the deadline for the revised Agenda or as otherwise permitted by the Board Chair;
  - (b) The requested item contains a recommendation with supporting information; and
  - (c) The matter for consideration is within the jurisdiction of the Board.

Any request that meets the above criteria will be placed on the Agenda for the next scheduled Board Meeting.

- 5.10 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**

### Preparation of Agenda

- 6.1 The Executive Director shall prepare, under the direction of the Board Chair, for distribution an Agenda with the routine order of business for regular meetings of the Board as follows:
  - (a) Call to Order
  - (b) Indigenous Land Acknowledgement
  - (c) Disclosures of Interest
  - (d) Confirmation of Minutes of Previous Meeting
  - (e) Presentations
  - (f) Deputations
  - (g) Communications
  - (h) Consideration and Adoption of Reports
  - (i) Bylaws
  - (j) New Business
  - (k) Private Session
  - (l) Reconvene in Public Meeting
  - (m) Confirmatory Bylaw
  - (n) Adjournment

#### Order of Business on Agenda

- 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 Board 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.

#### Availability of Agenda

- 6.3 The Agenda for each regular meeting of the Board shall be available to the Members at least five (5) 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 (5) business days prior to the Board meeting, except for information relating to matters to be considered in Private Session.

#### Additions to the Agenda

- 6.5 Members requesting an item be added to an upcoming Agenda shall include the following information with their request: title of the agenda item, brief summary and purpose of the request, including relevant documents if applicable, and any other additional information that will provide Members with further understanding of the matter up for discussion. Members must submit these requests to the Executive Director.

#### Revised Agenda

- 6.6 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 forty-eight (48) hours prior to the meeting. The Revised Agenda shall be presented at the Board meeting, and is not subject to the notice requirements set out in this Bylaw.

#### Consent Procedure

- 6.7 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 OF THE BOARD**

#### Minutes of the Board to be Taken

- 7.1 The Executive Director shall cause minutes to be taken of each Meeting of the Board and shall record in the minutes, without note or comment:
- (a) the place, date and time of Meeting;

- (b) the names, titles, and attendance of the following persons: the Members, the Executive Director, Board staff, the Executive Command Team, senior staff of the YRP, and senior staff of the Region;
- (c) approval of the Minutes of the previous Meeting;
- (d) disclosures of conflicts of interest; and
- (e) each item considered by the Board, including all Resolutions, decisions, and other proceedings of the Board at the Meeting.

#### Approved Minutes of the Board

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

#### Signature on Approved Board Minutes

- 7.3 After the Board Minutes have been approved by the Board, they will be signed by the electronically by the Board Chair and the Executive Director. The approved public minutes of the Board shall be posted on the Board's website.

### **8. QUORUM**

- 8.1 If a Quorum of Members is not present at a scheduled meeting of the Board within thirty (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 of Members is present, then the Meeting shall proceed. All Members participating by Electronic Means shall be counted in determining whether a Quorum of Members is present.
- 8.2 If a Quorum is lost during a meeting of the Board, then the Board Chair shall, upon determining that a Quorum is not present, request the Executive Director to call for a Quorum of Members for a period of fifteen (15) minutes, or until a Quorum is present, whichever is sooner.
- 8.3 If there is still no Quorum of Members after the 15-minute period specified in section 8.2 of this Bylaw, 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 BOARD CHAIR AND VICE CHAIR**

#### Board Chair's Duties

- 9.1 The Board Chair has the following duties:
- (a) preside at all meetings of the Board so that its business can be carried out efficiently and effectively;
  - (b) as soon as there is Quorum after the time set for the meeting, the Board Chair will open the Meeting and call the members to order;

- (c) maintain order and preserve the decorum of the Meeting;
- (d) rule on all procedural matters, without debate or comment;
- (e) receive and submit to a vote all Motions presented by the Members which do not contravene this Bylaw;
- (f) decline to put to a vote any Motion that does not comply with this Bylaw, or which is not within the jurisdiction of the Board;
- (g) announce the results of the vote on any Motions presented for a vote;
- (h) expel or exclude from any meeting any person whom the Board Chair determines, in their sole discretion, has exhibited Improper Conduct at the Meeting;
- (i) adjourn or suspend the meeting if the Board Chair determines, in their sole discretion, it necessary because of grave disorder;
- (j) adjourn the meeting when business is concluded or recess the meeting as required for a time specified by the Board Chair;
- (k) adjourn the Meeting or suspend the Meeting for a time to be specified by the Board Chair if the Board Chair considers it necessary;
- (l) act as the spokesperson for the Board or designate the Vice Chair or the Executive Director to do so;
- (m) represent the Board at public or official functions or designate another Member or the Executive Director to do so; and
- (n) perform any and all other duties when directed to do so by Motion of the Board.

#### Order to Vacate

- 9.2 The Board Chair, after three (3) warnings, shall call by name any Member persisting in breach of this Bylaw and, subject to a majority vote of Members present, order them to vacate their seat and leave the Meeting.

#### Matters not Covered in this Bylaw

- 9.3 All procedural matters not covered by this Bylaw shall be decided by the Board Chair. The Board Chair may call upon the Executive Director to provide advice regarding procedure. The Executive Director shall provide this advice following which the Board Chair shall announce their ruling, without debate or comment.

#### Appeal of Board Chair's Ruling

- 9.4 If a Member disagrees with the ruling of the Board Chair, they may (with a seconder) appeal the ruling of the Board Chair. The Board Chair, in response, shall call a vote on the question of sustaining the ruling of the Board Chair. The Board Chair is permitted to provide further explanation of the ruling prior to calling the vote.

#### Duties of Vice Chair

- 9.5 When the Board Chair is absent, the Vice Chair shall act in their place and while acting shall have the power, authority, rights and duties of the Board Chair.
- 9.6 If the position of Board Chair becomes vacant, the Vice Chair shall act in their place until the election of a new Board Chair in accordance with the procedures set out in this Bylaw.

- 9.7 If the position of Vice Chair becomes vacant, an election of a new Vice Chair may take place.
- 9.8 The Acting Chair shall have and may exercise all the rights, power and authority of the Board Chair under this Bylaw.

## **10. CONDUCT OF MEMBERS AT A MEETING**

- 10.1 Every Member will comply with Ontario Regulation 408/23 Code of Conduct for Police Service Board Members, as amended or replaced from time to time.
- 10.2 No Member will:
- (a) use offensive words or unparliamentary language;
  - (b) engage in private conversation or use electronic devices in a manner that interrupts proceedings, while the Meeting is taking place
  - (c) leave their seat or make any noise or disturbance while a vote is being taken and until the result of the vote is announced;
  - (d) speak on any subject other than the subject under debate;
  - (e) 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.
  - (f) criticize any decision of the Board except for the purpose of moving that the question be reconsidered; and
  - (g) If a Member continues to be in breach of this section after having been called to order by the Board Chair, the Board 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.

## **11. DISCLOSURES OF CONFLICT OF INTEREST/PECUNIARY INTEREST**

- 11.1 Where a Member, either on their 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*, R.S.O. 1990, c. M. 50;
- (a) prior to any consideration of the matter at the Meeting, disclose their 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.
- 11.2 The Executive Director shall record with reasonable detail, the particulars of any disclosure of conflict of interest made by a member, and the particulars will appear in the minutes of that Meeting of the Board.

- 11.3 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.
- 11.4 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.

Open Vote

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

**12. PUBLIC DEPUTATIONS**

- 12.1 All persons wishing to make a deputation to the Board shall notify the Board in writing by email to the Executive Director or by filling out and submitting the online form and providing the Executive Director with the following information in legible format:
- (a) an outline of the nature of the deputation, which must be within the Board's jurisdiction;
  - (b) a list of person(s), by name, who shall be appearing before the Board;
  - (c) the full name and email and/or contact addresses of at least one person with whom the Executive Director can communicate on behalf of the Board or Committee; and
  - (d) a copy of any presentation materials at least five (5) business days prior to the date of the meeting.
- 12.2 Anonymous correspondence will not be accepted or presented to the Board. All prospective deputants at the Meeting shall only be heard upon the consent of the Board.
- 12.3 Upon receipt of the written notice as described in section 12.1 of this Bylaw, the Executive Director shall review the request, and if it meets the provisions of this Bylaw, 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 Board Chair.
- 12.4 The Executive Director will not place a deputation on the agenda where the subject matter involves:
- (a) Current or pending litigation with the Board;
  - (b) A specific investigation, the conduct of specific operations, the discipline of specific police officers, the day-to-day operation of the police service or other prescribed matters under the Act;
  - (c) Ongoing procurement or negotiations with the Board;
  - (d) Any items that fall under the private Agenda, as per section 44 of the Act; or
  - (e) The same matter that was considered at a Meeting within the last six months of the request date of deputation, unless previously approved by the Board Chair or Executive Director.

- 12.5 Deputations are subject to Board approval and shall be limited to five (5) minutes, unless approval to extend the speaking time is obtained from the Board. If there is a group of people wishing to address the Board with respect to a particular position on a particular issue, then the Board may determine that the group shall be represented by one person or that the time limit shall be other than as stated above.
- 12.6 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 and not allow any further deputation or presentation to be made before the Board.
- 12.7 A person making a deputation shall not speak on any subject other than the subject for which they have received approval to address the Board.
- 12.8 The Board Chair may curtail any deputation, or debate during a deputation for Improper Conduct or any other breach of this Bylaw, and, if the Board Chair rules that the deputation is concluded, the person(s) appearing shall immediately withdraw.
- 12.9 Members of the public who constitute the audience at a meeting shall not:
- (a) address the Board without permission from the Board Chair;
  - (b) bring signage, placards or banners into such meetings and shall refrain from any activity or behaviour that would interfere with Board proceedings.
- 12.10 The Board Chair may expel and exclude any member of the public who creates any disturbance or engages in Improper Conduct during a meeting of the Board.

### **13. RULES OF DEBATE**

#### Recognition of Member

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

#### Order of Debate

- 13.2 Debate on each item will follow the following order, as applicable:
- (a) Presentations
  - (b) Deputations
  - (c) Questioning
  - (d) Speaking
  - (e) Voting

#### Microphone

- 13.3 Prior to speaking to any question or motion, each Member shall use their microphone.

Order of Speakers'

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

Interruptions

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

Read Motion

- 13.6 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

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

Questions

- 13.8 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 Board Chair, the previous speaker, the Chief of Police and their designates, the Executive Director or the Regional Solicitor and their designates. No Member shall speak more than once on the same question without the Board's permission, except that a reply will be permitted only from a member who has presented the main Motion.

Points of Order, Privilege

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

Board Chair to Rule on Point

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

Challenge

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

Decision Final

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

- 13.13 Any Member may challenge the Board Chair's ruling immediately following the ruling.

13.14 The Member has the right to state their case and the Board Chair may reply.

13.15 The Board decides whether the decision of the Board Chair is sustained without further debate.

13.16 The decision of the majority of the Members present is final.

#### Tie Vote of Board

13.17 In the event of a tie vote, the Board Chair's ruling will be sustained.

### **14. MOTIONS AND NOTICES OF MOTION**

#### Jurisdiction

14.1 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

14.2 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

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

- (a) a Point of order or Point of privilege, provided that the Member raising the Point of order or Point of privilege has obtained leave of the Board Chair pursuant to section 13.9 of this Bylaw;
- (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 a 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

14.4 Except as provided in section 14.3 of this Bylaw, all Motions and Notices of Motion shall be in writing. The Board Chair may require that any amendment be in writing signed by the mover and the seconder.

Must be Seconded

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

Mover May Vote in Opposition

14.6 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

14.7 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.

**15. SPECIFIC MOTIONS**

Recess

15.1 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

15.2

(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 Board Chair their desire to speak on the matter before the Board.

(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

15.3

(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

#### 15.4

- (1) A Motion to table is not amendable or debatable and shall apply to the subject 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

15.5 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

15.6 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

#### 15.7

- (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

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

#### Substantive Motion

15.9 An amendment shall be out of order if it is ruled by the Board Chair to be a substantive Motion and not an amendment.

#### Cannot be Contrary

15.10 An amendment which, in effect, is nothing more than a rejection of the main Motion is not in order.

Consider Matter Previously Deferred

15.11 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

15.12 Subject to sections 15.13 and 15.14 of this Bylaw, no question, after it has been decided, shall be reconsidered within twelve (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 twelve (12) month period only requires a majority vote.

Must Have Voted with the Majority

15.13 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

15.14 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

15.15 A Motion to reconsider is debatable.

15.16 No discussion of the main question shall be allowed until the Motion for reconsideration is carried.

15.17 Once the question is reopened, it is reopened in its entirety unless the reopening Motion specifies otherwise.

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

15.19 No Motion to reconsider may, itself, be the subject of a Motion to reconsider.

**16. NOTICES OF MOTION**

Agenda Materials

16.1 The Executive Director shall include in the Agenda materials and any reports from staff relating to a notice of Motion submitted in accordance with section 5.9 of this Bylaw.

Future Agendas

16.2 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

- 16.3 When a notice of Motion has been on the Agenda for two (2) 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.

**17. VOTING**

Order of Votes

- 17.1 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

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

Method of Voting

- 17.3 A Member shall vote by raising a hand, except where a recorded vote is requested. Recorded votes will be dealt with in accordance with section 17.12 of this Bylaw. Actions During Vote.
- 17.4 When the Board Chair calls for the vote on a question, a) each Member shall occupy their seat and shall remain in place until the result of the vote has been declared by the Board 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

- 17.5
- (1) Upon the request of any Member, and when the Board 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* (Ontario).

No Vote Deemed Negative

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

Board Chair

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

Majority Vote

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

Equality of Votes

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

Two-Thirds

17.10 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 pursuant to section 14.2 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 15.11 of this Bylaw;
- (c) a motion to reconsider a question decided within the previous twelve (12) months under section 15.12 of this Bylaw;
- (d) a motion to suspend the provisions of this Bylaw under section 21.1 of this Bylaw.

Recorded Vote

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

17.12 When a recorded vote is requested by a Member, the Executive Director shall call, and Members shall announce, their vote in alphabetical order of their surnames, beginning with the Member who requested the recorded vote. The Executive Director shall announce the results of all recorded votes taken and the Executive Director shall record the name and vote of every Member on any question.

Announcement of the Results of Vote

17.13 The person who takes the vote shall announce the results of the vote.

Request for Further Vote

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

**18. BYLAWS**

One Motion

18.1 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

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

Form of Bylaw

18.3 Every bylaw, when introduced, shall be in written form and shall comply with the provisions of any relevant legislation.

Previous Board Approval

18.4 No bylaw, except the Confirmatory Bylaw, will be presented to the Board unless its subject matter has been approved by the Board except:

- (a) to correct an error in a bylaw; or
- (b) to give effect to organizational changes.

Confirmatory Bylaw

18.5 The proceedings at every Meeting of the Board shall be confirmed by bylaw so every decision of the Board at that Meeting and every Resolution thereof will have the same force and effect as if each and every one had been the subject matter of a separate bylaw duly enacted.

Amendments

18.6 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

18.7 Every bylaw enacted by the Board shall be signed by the Board Chair or by the Vice Chair or delegate in the Board Chair's absence, and by the Executive Director, or designate in the Executive Director's absence, electronically and/or in person. Once signed, the bylaw will be numbered, dated and electronically filed in the Board office.

## 19. OTHER COMMITTEES

### General

19.1 This article applies to all Committees.

### Establishment of Other Committees

19.2 The Board may, subject to the requirements of the Act, establish a Committee by bylaw, and 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.

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

19.4 The Board may appoint one or more additional members, who are not Members, to a Committee provided that the majority of the Committee is comprised of Members and the additional members meet the eligibility requirements under the Act.

19.5 The Board will appoint Members to Committees for a specified period of time.

### Committees to Meet By Electronic Means

19.6 All Committees will meet by Electronic Means, in accordance with the schedule adopted annually by the Board, except when:

- (a) otherwise directed by Resolution of the Board;
- (b) the Board Chair advises otherwise upon a minimum 48 hours' notice, provided this notice is not required in an emergency as determined by the Board Chair.

### Chair of Committee

19.7 The Board will appoint a Chair of each Committee, and the Chair will preside over the meetings of that Committee.

### Committee Rules and Procedures

19.8 The rules governing the procedures of the Board and the conduct of Members will be observed in all Committee meetings so far as they are applicable, provided that:

- (a) a Motion is not required to be seconded;
- (b) no recorded vote will be taken;
- (c) the time to speak is not limited unless a member moves to call the question;
- (d) no member will speak more than once until every member who desires to speak has spoken;
- (e) a majority vote is required to decide any matter on the agenda; and
- (f) the Chair of that Committee may vote on all Motions.

Right of Attendance for Members not on the Committee

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

Reporting for Committees

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

Ad-Hoc Committees

- 19.11 The Board may establish, by bylaw, ad hoc Committees of limited duration, to inquire and report on a particular matter or concern. An ad hoc Committee will be deemed to be discharged and dissolve automatically upon submitting its final report to the Board provided that if such Committee has not convened and reported to the Board for a period of ten (10) consecutive months, it will be deemed to be discharged and dissolve automatically.

Sub-Groups of Committee

- 19.12 No sub-groups of Committees will be established without the prior approval of the Board.

Other Committee Meetings

- 19.13 No Committee will meet while the Board is in session.
- 19.14 A Committee will not consider or act on any item being considered by the Board unless the matter has been referred to that Committee or has been brought by Board staff for consultation.

Quorum of a Committee

- 19.15 A quorum of a Committee will be a majority of the members of that Committee unless the Committee is comprised of an equal number, in which case the quorum is one-half of the Committee members.
- 19.16 The Board Chair will be an ex-officio member of each Committee and is entitled to vote at meetings.
- 19.17 The Board Chair, when present, will be counted in making quorum but not in determining the number of members of a Committee.

**20. SUSPENSION OF BYLAW PROVISIONS**

Two-Thirds Majority Vote to Suspend

- 20.1 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.

**21. AMENDMENTS TO BYLAW**

Majority Vote to Amend

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

Notice

21.2 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.

**22. CONFLICT**

Conflict with Statute

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

**23. ENACTMENT**

Repeal

23.1 Bylaw No. 07-17, and its amendments are hereby repealed.

Effective Date

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

ENACTED AND PASSED this 20th day of May, 2026.

\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Executive Director