

**BY-LAW NO. 02
A BY-LAW RESPECTING
ESTABLISHING RULES OF PROCEDURE**

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1.0 Preamble

- 1.1 WHEREAS Section 37 of the **Police Services Act** provides that a Police Services Board shall establish its own rules and procedures in performing its duties under this **PSA**.
- 1.2 AND whereas the Police Services Board deems it expedient to pass such a By-Law to make rules and regulations governing the orders and procedures of the Board.
- 1.3 Therefore, the Barrie Police Services Board enacts as follows:

2.0 Definitions

- 2.1 **Acting Chair** – the Vice-Chair who shall act as the Chair if the Chair is absent or if the Chair’s position is vacant, pursuant to Section 28(2) **PSA** or as prescribed by **Section 7.0** of this By-Law.

- 2.2 **Administrator** – the Administrator of the Board.
- 2.3 **Agenda** – the document prepared for distribution as prescribed by **Section 14.0** of this By-Law.
- 2.4 **Board** – the Barrie Police Services Board.
- 2.5 **BPS** – the acronym for the Barrie Police Service.
- 2.6 **Chair** – the Member elected to be the Chair pursuant to Section 28 **PSA**.
- 2.7 **Chief** – the Barrie Police Services Chief of Police.
- 2.8 **Committee** – a Standing or Special Committee of the Board pursuant to Section 34 **PSA**.
- 2.9 **Confidential Session** – a meeting that is closed to the public in accordance with the 35(4) **PSA**.
- 2.10 **Deputation** – an address to the Board or its Committees at the request of a person wishing to speak.
- 2.11 **Majority Vote** – an affirmative vote of more than one-half the Members present and voting.
- 2.12 **Member** – a Member of the Board.
- 2.13 **Meeting** – a meeting of the Board or a Committee.
- 2.14 **Motion to Defer** – a motion to delay consideration of a matter until later in the same meeting or to a future meeting of the Board or Committee.
- 2.15 **Motion to Receive** – a motion to acknowledge the particular item, report or recommendation under consideration and have it placed in the records of the Board with no additional action being taken.
- 2.16 **Motion to Refer** – a motion to dispose of a question under consideration with or without any proposed amendment, in order to seek consideration by, and if deemed desirable, one or more reports from the Chief or other official or Committee.
- 2.17 **Motion to Table** – a motion to postpone without setting a definite date as to when the matter will be considered again.
- 2.18 **Notice of Motion** – an oral notice or a written motion received by the Chair, moved by a Member, and seconded by another Member, for inclusion on an agenda of a meeting of the Board or a Committee.
- 2.19 **Pecuniary Interest** – a direct or indirect pecuniary interest of a Member as defined in the **Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50**.

- 2.20 **Point of Order** – a question by a Member with the view of calling attention to any issue relating to this By-Law 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.
- 2.21 **Point of Privilege or Personal Privilege** – a question by a Member who believes that another Member has spoken disrespectfully towards that Member or another Member who considers that their integrity or that of a Member has been impugned or questioned by a Member.
- 2.22 **Presentation** – an address to the Board or Committee at the request of the Board or a Committee of the Board.
- 2.23 **PSA** – the **Police Services Act, R.S.O. 1990, c.P.15**, as amended.
- 2.24 **Quorum** – a majority of the Members of the Board in accordance with Section 35(2) **PSA**.
- 2.25 **Recorded Vote** – a written record of the name and vote of every Member voting on any matter or question.
- 2.26 **Resolution** – the decision of the Board on any motion.
- 2.27 **Seriatim** – taking one subject after another in regular order; point by point.
- 2.28 **Special Meeting**- a meeting other than a regularly scheduled meeting called pursuant to **Section 11.0** of this By-Law.
- 2.29 **Two-thirds Majority Vote** – an affirmative vote of at least two-thirds of the Members present and voting.
- 2.30 **Vice-Chair** – the Member elected as Vice-Chair pursuant to Section 28 **PSA**.

3.0 Application

- 3.1 The rules of procedure contained in this By-Law shall be observed in all proceedings of the Board and shall be the rules for the order and dispatch of business before the Board and where applicable, in a Committee of the Board.
- 3.2 The rules of procedure contained in this By-Law shall be observed, with necessary modification, in proceedings of all Committees of the Board.
- 3.3 The rules of procedure may be suspended when deemed appropriate by an affirmative vote of at least two-thirds of the Members.
- 3.4 Any point of order or procedure for which rules have not been provided for in this By-Law shall be decided by a motion duly put and passed by a majority vote.

- 3.5 Should any provision of this By-Law be or become in contravention of any legislation of the Province of Ontario, the provincial legislation shall prevail.
- 3.6 Notwithstanding anything in this By-Law, 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 of Procedures Act** shall govern the proceedings.
- 3.7 This By-Law shall not be amended or repealed except by the concurring votes of at least two-thirds of the Members and a notice of motion to amend this By-Law must be delivered to each Member at least two (2) weeks prior to the meeting where the motion is going to be considered.

4.0 Board Membership

- 4.1 The Board shall consist of:
 - 4.1.1 The Head of the Municipal Council, or if the head chooses not to be a Member, another Council Member appointed by resolution of Council.
 - 4.1.2 One (1) person of the Council appointed by resolution of Council.
 - 4.1.3 One (1) person appointed by resolution of Council, who is neither a Member of Council nor an employee of the municipality, and
 - 4.1.4 Two (2) persons appointed by the Lieutenant Governor in Council.

5.0 Election of the Chair and Vice-Chair

- 5.1 Pursuant to Section 28(1) **PSA**, the Board shall elect a Chair at its first meeting in each year.
- 5.2 Pursuant to Section 28(2) **PSA**, the Board shall elect a Vice-Chair at its first meeting in each year.
- 5.3 The election of the Chair and Vice-Chair shall be conducted at the first public meeting of the Board each year.
- 5.4 The election of the Chair and Vice-Chair shall only be held at a meeting where all Members are present and an election may be deferred until such meeting.
- 5.5 The Chair and Vice-Chair of the Board shall hold office for a one-year term until their successors are elected in accordance with the **PSA** and this By-Law.
- 5.6 The Chair and Vice-Chair may be elected for more than one term.
- 5.7 The Administrator shall act as presiding officer at the first meeting of the Board in each year until the Chair is elected and shall call for nominations.
- 5.8 Each nomination shall be made openly and shall have the consent of the nominee and be seconded by a Member.

- 5.9 A nominee is a person whose candidacy for the position of Chair or Vice-Chair has been moved and seconded by Members present at the first meeting of the Board in each year.
- 5.10 Where it appears to the Administrator, by asking for further nominations and receiving no response, that there are no further nominations, the Administrator shall call for a motion declaring nominations closed.
- 5.11 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 of not more than five (5) minutes.
- 5.12 The speakers shall be called upon to address the Board in alphabetical order of the nominees' surnames.
- 5.13 A nominee may withdraw their name at any time prior to the vote being called.
- 5.14 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.
- 5.15 If there are more than two (2) 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:
 - 5.15.1 A nominee receives the majority required for election at which time they shall be declared or elected.
 - 5.15.2 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 minutes recess, and another vote. If no nominee is elected at this time, the Board shall rely on seniority of Member to elect the Chair.
- 5.16 When voting is completed, the Administrator shall announce the new Chair.
- 5.17 The election of the Vice-Chair shall follow the procedures set out for the election of the Chair.

6.0 Duties of the Chair

- 6.1 It is the duty of the Chair to:
 - 6.1.1 Preside at all meetings of the Board so that its business can be carried out efficiently and effectively.
 - 6.1.2 Be the spokesperson for the Board.
 - 6.1.3 To represent the Board at official functions.
 - 6.1.4 Commence the meetings of the Board by taking the chair and calling the meeting to order as soon as a quorum is present.
 - 6.1.5 Announce the business before the Board and the order in which it is to be acted upon.
 - 6.1.6 Receive and submit, in proper manner, all motions presented by the Members.

- 6.1.7 Put to a vote all motions that are moved or that necessarily arise in the course of the proceedings, and to announce the results.
 - 6.1.8 Announce the results of the vote on any motions presented for a vote.
 - 6.1.9 Sit as ex-officio as a Member of all Committees and be entitled to participate and vote at all meetings.
 - 6.1.10 Decline to put to a vote motions that do not comply with this By-Law or that are not within the jurisdiction of the Board.
 - 6.1.11 Maintain order and preserve decorum of the meetings.
 - 6.1.12 Adjourn or suspend the meeting to another time without any motion being brought up where it is not possible to maintain order.
 - 6.1.13 Permit any question to be asked through the Chair or any BPS Member in order to provide information to assist in any debate when the Chair deems it proper.
 - 6.1.14 Adjourn the meeting when business is concluded or upon a motion to adjourn or to recess the meeting as required.
- 6.2 The Chair and Administrator shall authenticate by their signature, as required, all documentation for and on behalf of the Board, including but not limited to By-Laws, agreements, resolutions and minutes that have been approved by the Board.

7.0 Duties of the Vice-Chair

- 7.1 The Vice-Chair shall act in the absence of the Chair and have the same authority as the Chair if they were present.
- 7.2 In the absence of both the Chair and the Vice-Chair at a meeting, the Members present shall elect a Chair for the purpose of presiding over the meeting.

8.0 Conduct of Members

- 8.1 A code of conduct setting out general standards for acceptable conduct by Members in performance of their duties is set out in Board By-Law 01.

9.0 Duties of the Administrator

- 9.1 The duties of the Administrator pertaining to meetings of the Board shall be:
 - 9.1.1 Serve as the administrative link between the Board, the Chief, the Board's Legal Counsel, Committees of the Board, the media and members of the community.
 - 9.1.2 Organize meetings, prepare agendas for the meetings in consultation with the Chief and ensure their timely distribution.
 - 9.1.3 Attend all Board meetings and Committee meetings.
 - 9.1.4 Record the minutes of the proceedings at meetings of the Board and Committees.
 - 9.1.5 Receive all communications addressed to the Board.
 - 9.1.6 Prepare and issue all communications arising from the proceedings of the Board, unless otherwise directed by the Board.
 - 9.1.7 Maintain a current record of Board resolutions requiring further or future actions and to keep the Board informed of these matters.

- 9.1.8 Organize and maintain an annual calendar of monitoring and other reports to be received by the Board.
- 9.1.9 Report on the performance indicators and annual activities of the Board.

10.0 Meetings of the Board

- 10.1 Pursuant to Section 35 PSA, the Board shall hold at least four (4) meetings each year.
- 10.2 At its first meeting of each year, the Board shall elect a Chair and Vice-Chair for that year as per Section 5.0 of this By-Law.
- 10.3 Scheduled meetings of the Board will be set in January of each year and may be amended by a majority of the Members for the following meeting.
- 10.4 In addition to regular meetings, the Chair may summon a Special Meeting of the Board at any time.
- 10.5 The Chair shall summon a Special Meeting of the Board when requested in writing to do so by a majority of its Members.
- 10.6 In the absence of the Chair, or if the office is vacant, the Vice-Chair shall summon a Special Meeting of the Board when required in writing to do so by a majority of its Members.
- 10.7 Notice to Members of all meetings, agendas, agenda items, cancellations and postponements shall be provided by the Administrator to a Member's residence or place of business as directed by the Member. It may be sent by first-class mail, courier, facsimile or electronic mail as requested by the Member. It may also be provided by telephone or personal contact in the case of an emergency.
- 10.8 Notice of all public meetings, agendas, cancellations and postponements shall be provided to the public by posting on the BPS Website.
- 10.9 The Administrator shall use their best efforts to satisfy the notice provisions set out in this section. Failure of do so does not invalidate the meeting or any proceeding at the meeting.
- 10.10 The Chair may cause to be expelled and exclude any member of the public who creates any disturbance or acts improperly during a meeting of the Board.

11.0 Special Meetings

- 11.1 Special Meetings of the Board may be held in person or by electronic means. (e.g. email, other internet based communications systems, telephone conferences, video conferences, etc.)
- 11.2 Special Meetings of the Board may be called to deal with matters that would otherwise form part of either the Board's public agenda or the Board's in-camera agenda.

- 11.3 The Chair shall call for a Special Meeting by attempting to contact all otherwise available Members via their preferred contact method. There is no minimum notice required to Members to conduct a Special Meeting.
- 11.4 In order for a Special Meeting to be properly constituted, a quorum of the Board must be participating in the meeting. All participating Members must have access to the required technology or otherwise be present in order to fully participate in the meeting.
- 11.5 Participating Members are assumed to be present throughout the entire Special Meeting unless they advise the Chair to the contrary. A quorum of the Board must be present at all times.
- 11.6 In limited circumstances, the polling of Members seriatim by the Chair will be sufficient to conduct a Special Meeting provided that no participating Member objects to this approach. A quorum of the Board must be contacted in order for the Special Meeting to be properly conducted.
- 11.7 The affirmative vote of the majority of the quorum of the Members shall be the minimum vote requirement for the adoption of any motion. A motion properly adopted at a Special Meeting is a decision of the Board.
- 11.8 The Chair shall ensure that minutes are prepared following all Special Meetings.
- 11.9 In the case of any part of a Special Meeting that considered matters that would otherwise form part of the Board's public agenda, the minutes of that portion of the Special Meeting shall be tabled as part of the public agenda at the Board's next regular Public Meeting.
- 11.10 In the case of any part of a Special Meeting is considered matters that would otherwise form part of the Board's in-camera agenda, the minutes of that portion of the Special Meeting shall be tabled as part of the in-camera agenda at the Board's next regular in-camera meeting.

12.0 Emergency Meetings

- 12.1 Notwithstanding any other provision of this By-Law, an emergency meeting may be called by the Chair without written notice to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Administrator to notify the Members about the meeting as soon as possible and in the most expedient manner available.
- 12.2 The only business to be dealt with at an emergency meeting shall be business dealing with the emergency or extraordinary situation.
- 12.3 At the discretion of the Chair and with the consent of the majority of the Members, an emergency or extraordinary situation may be dealt with by means of telephone or electronic polling, or other communication method as to permit all persons participating to communicate adequately with each other. The Board's decision must be reported back at the next regularly scheduled meeting for ratification.

12.4 The lack of receipt of notice of or an agenda for, an emergency meeting by any Member shall not affect the validity of the emergency meeting or any action taken at it.

13.0 Quorum

13.1 A majority of the Members present constitutes a quorum.

13.2 As soon after the hour of the meeting as a quorum is present, the Chair shall take the chair and call the meeting to order.

13.3 If a quorum is not present within 30 minutes after the time appointed to commence a Board Meeting, the Administrator shall record the names of the Members present and the meeting shall be adjourned until the next meeting.

13.4 If a quorum is lost during a meeting of the Board, the Chair shall request the Administrator to call for a quorum for a period of 15 minutes, or until a quorum is present, whichever is sooner.

13.5 If there is still no quorum of the Board after 15 minutes, the meeting shall stand adjourned and the Administrator 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.

14.0 Agenda

14.1 Except as otherwise provided by this By-Law, all correspondence, notices of motion and other communication addressed to the Board that is received by the Administrator at least 10 days prior to a regular meeting shall be placed on the agenda and shall be dealt with at the next regular monthly meeting.

14.2 When the Administrator is of the opinion that any communication received is within the jurisdiction of BPS, they shall forward the communication to the Chief.

14.3 The Chair, after consultation with the Chief, shall prepare an agenda for the meeting. Any Member may submit items for the agenda to the Chair before the agenda is sent to the Members. The Chair will also consider additional items at the meeting.

14.4 The agenda for regular meetings of the Board shall contain the following:

14.4.1 Call to Order.

14.4.2 Roll Call.

14.4.3 Declarations of Conflict/Pecuniary Interests by Members.

14.4.4 Minutes of Previous Meetings.

14.4.5 Verbal Reports from the Board Chair.

14.4.6 Verbal Reports from the Chief of Police.

14.4.7 Presentations.

14.4.8 Deputations.

14.4.9 Unfinished Business (if any).

14.4.10 New Business – Communications for Consent Agenda.

14.4.11 Other New Business – Communications for Consideration.

14.4.12 In-Camera Report Back.

14.4.13 Confidential Meeting.

14.4.14 Adjournment.

- 14.5 The Administrator shall ensure the agenda and copies of all related materials is delivered to Members seven (7) days prior to the regular monthly meeting.
- 14.6 Board business shall be taken up in the order in which it appears on the agenda, unless otherwise decided by the Board. Any matter on the agenda not decided by the Board shall be placed on the agenda of the next regular meeting of the Board.
- 14.7 As soon as the agenda information is published and distributed by the Administrator to the Members, the information may be made available to the public.
- 14.8 Every communication intended to be presented to the Board or its Committees must be legibly written and must contain the signature and contact address of at least one (1) person and preferably the addresses and contacts for all signatories. For all communications submitted, there shall be designated a contact person to whom the Administrator can communicate on behalf of the Board or Committee.
- 14.9 All or several items on the agenda for a meeting containing a recommendation to 'receive for information' may be adopted by a single motion. Any specific items of business will be provided individual deliberation and debate upon the request of any Member.
- 14.10 No business shall be introduced at a meeting that has not been included on the agenda unless the person seeking to introduce the business obtains the approval of a majority of the Members present at the meeting.

15.0 Board Minutes

- 15.1 The Administrator shall cause Minutes to be taken of each meeting of the Board that shall include:
 - 15.1.1 The place, date and time of the meeting.
 - 15.1.2 The name of the Chair, Members in attendance, the Administrator, BPS Senior Staff, presenters and external delegations.
 - 15.1.3 The confirmation and correction of the Minutes of the previous meetings.
 - 15.1.4 Declarations of interest.
 - 15.1.5 All other proceedings of the Board without note or comment.
- 15.2 The Minutes of each Board Meeting shall be presented to the Board for approval at the next regular meeting.
- 15.3 After the Minutes have been approved by the Board, they shall be signed by the Chair and the Administrator.
- 15.4 The approved Public Minutes of the Board shall be posted on the BPS website.

16.0 Disclosures of Conflict/Pecuniary Interest

- 16.1 When a Member has a pecuniary interest in any matter and is present at a Board Meeting or Committee Meeting where the matter is the subject of consideration, the Member shall:
- 16.1.1 Prior to any consideration of the matter at the meeting, disclose the interest and the general nature of it.
 - 16.1.2 Not take part in the discussion of, or vote on, any question in respect of the matter.
 - 16.1.3 Not attempt in any way, whether before, during or after the meeting, to influence the voting on any such question.
- 16.2 When a meeting is not open to the public, in addition to complying with the requirements set out above, the Member shall forthwith leave the meeting for that part while the matter is under consideration.
- 16.3 Where the interest of the Member has not been disclosed by reason of their absence from the particular meeting, the Member shall disclose their interest at the next meeting that the Member attends.
- 16.4 The Administrator shall record in reasonable detail the particulars of any disclosure of pecuniary interest made by a Member and this record shall appear in the Minutes of that particular meeting of the Board or Committee.

17.0 Rules of Debate

- 17.1 All Members shall exercise their right to debate within the framework set out in these rules.
- 17.2 To address the Board, a Member shall raise their hand and be recognized by the Chair and direct all comments through the Chair.
- 17.3 When two (2) or more Members indicate their intention to speak at the same time, the Chair shall recognize the Member who, in their opinion, first indicated the intention to speak to the question or motion.
- 17.4 Every Member, prior to speaking, must address the Chair and all remarks must be directed through the Chair.
- 17.5 All remarks and comments must be relevant to the question under consideration and the Chair shall be the judge of such relevancy.
- 17.6 When a Member is speaking, no other Member shall interrupt the Member except to raise a point of order, privilege or personal privilege.
- 17.7 A Member may require the question or motion under discussion to be read at any time during the debate but not as to interrupt a Member who is speaking.

- 17.8 No Member shall speak more than once to the same question or motion without leave of the Board.
- 17.9 Notwithstanding **Section 17.8**, a reply may be made by the Member who has presented a motion to the Board, following the conclusion of the speeches of other Members.
- 17.10 No Member shall speak to the same question or motion, or in reply, for more than five (5) minutes, without leave of the Board.
- 17.11 After the question has been put by the Chair, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the results have been declared.
- 17.12 When a Member desires to address a point of order, the Member shall ask leave of the Chair to raise a point of order and after leave is granted, the Member shall state the point of order to the chair and the point of order shall be forthwith decided by the Chair. Thereafter, a Member shall only address the Chair for the purpose of appealing the Chair's decision to the Board.
- 17.13 If no Member appeals, the decision of the Chair is final.
- 17.14 The Board's decision is final if the Chair is challenged.

18.0 Rules of Voting

- 18.1 All voting, except with respect to the election of the Chair and Vice-Chair, shall be conducted in the manner prescribed by the rules in this section.
- 18.2 When the Chair is putting a question to vote, no Member may leave the room or cause any disturbance.
- 18.3 Every Member, except the Chair, who is present when a question is put forward, shall vote in a non-recorded, unless disqualified by a conflict of interest.
- 18.4 The failure to vote by a Member who is not disqualified shall be deemed to be a negative vote.
- 18.5 The Chair is expected to vote to break a tie in a non-recorded vote.
- 18.6 When a recorded vote is requested by a Member, the Administrator shall record the name and vote of every Member on the question. The Chair votes on a recorded vote.
- 18.7 A tie in a recorded vote shall mean that the motion is defeated.
- 18.8 The manner of determining the decision of the Board on a question shall be at the discretion of the Chair and may be by show of hands, voice or otherwise.
- 18.9 Where there is an equality of votes on any decision, the question shall be deemed lost.

19.0 Motions and Notices of Motions

- 19.1 No Member shall introduce any item to the Board for its consideration unless:
- 19.1.1 The item relates to a matter on the agenda for that meeting.
 - 19.1.2 The matter is of an urgent nature.
 - 19.1.3 Leave is granted on a two-thirds majority vote.
- 19.2 The following may be introduced orally without written notice and without leave of the Board:
- 19.2.1 A point or order or privilege.
 - 19.2.2 Presentations of petitions.
 - 19.2.3 A motion to waive or suspend the rules of procedure.
 - 19.2.4 Any other procedural motion.
 - 19.2.5 A motion to recess.
 - 19.2.6 A motion to adjourn.
 - 19.2.7 A motion to call the question.
 - 19.2.8 A motion to retire into a confidential session.
 - 19.2.9 A motion to receive an item.
 - 19.2.10 A motion to table an item.
 - 19.2.11 A motion to refer.
 - 19.2.12 A motion to defer.
 - 19.2.13 A simple amendment.
 - 19.2.14 A motion to adopt the recommendation.
 - 19.2.15 The motion relates to a report that was distributed with the agenda.
- 19.3 Except as provided in **Section 19.2**, all motions and notices of motion shall be in writing and signed by the mover and seconder.
- 19.4 A motion shall be moved and seconded before the Chair has the question and the motion recorded in the Minutes of the meeting.
- 19.5 All motions or notice of motions shall be worded in the affirmative, where possible, and shall express fully and unambiguously the intention of the mover.
- 19.6 Notwithstanding the above, any motion may be introduced for consideration by the Board in a situation deemed to be an emergency by the Chair.
- 19.7 There may be only one substantive motion before the Board at any time.
- 19.8 A motion may be amended during debate provided that the motion to amend is relevant and not in direct opposition to the main question.
- 19.9 Only one (1) motion to amend an amendment to the question shall be allowed.
- 19.10 After a motion has been seconded, it may be withdrawn by the mover and the seconder at any time before a vote is taken.
- 19.11 A motion to refer a question shall include the name of the Committee, body or official to whom the question is to be referred.

- 19.12 A direction to the chief by the Board shall be authorized by resolution of the majority of the Members present.
- 19.13 The motions referred to in the following subsections are not debatable:
- 19.13.1 **Subsection 19.2.5.**
 - 19.13.2 **Subsection 19.2.6.**
 - 19.13.3 **Subsection 19.2.7.**
 - 19.13.4 **Subsection 19.2.10.**
 - 19.13.5 **Subsection 19.2.12.**
- 19.14 A motion is deemed carried when a majority of the quorum votes in the affirmative.
- 19.15 The procedure on a motion is as follows:
- 19.15.1 The Chair shall read, state or verbally acknowledge each motion presented, whereupon the motion shall be deemed to be in the possession of the Board.
 - 19.15.2 The motion shall be seconded.
 - 19.15.3 The Chair shall restate the motion and open debate.
 - 19.15.4 The motion shall be debated in accordance with **Section 17.0.**
 - 19.15.5 The question shall be put to the Board by the Chair.
 - 19.15.6 A vote shall be taken in accordance with **Section 18.0.**
 - 19.15.7 The motion shall be declared carried or lost.
- 19.16 The Chair shall refrain from moving motions.
- 19.17 A motion to reconsider a matter previously decided by the Board shall be permitted within 12 months of the original motion where a Member, who voted in the majority, gives notice in writing which is included in the agenda that they will move at the next meeting that a matter be reconsidered.
- 19.18 A motion to reconsider is not required after the expiration of 12 months from the date the matter was previously decided, or if new material facts respecting the previously decided arise. In those cases, the motion process laid out in **Section 19.15** applies.
- 19.19 A motion to reconsider requires an affirmative vote of at least two-thirds of the Members to pass.

20.0 Outstanding Inquiries and Motions

- 20.1 Inquiries made at a Board Meeting may be introduced orally or in writing and shall be recorded in the Minutes.
- 20.2 Following each Board Meeting, the Administrator will forward, in writing, any inquiries or motions requiring action or a subsequent report to the Chief or other person assigned reasonability for responding.
- 20.3 The response shall be submitted in writing to the Administrator for inclusion in an upcoming Board Agenda.

20.4 The Administrator shall keep a record of all inquiries and motions requiring a response and shall submit a list of outstanding inquiries and motions to the Board on a quarterly basis.

21.0 Public Access to Meetings

21.1 Board Meetings shall be open to the public except as provided for in Section 35(4) **PSA** and this section of the By-Law and no person shall be excluded from a meeting open to the public except for improper conduct.

21.2 The public shall be allowed access 15 minutes before the scheduled start time of the meeting.

21.3 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, may be permitted and shall be subject to the approval and/or direction of the Chair unless otherwise decided by the Board.

21.4 A meeting may be conducted in Confidential Session pursuant to 35(4) **PSA** if the Board is of the opinion that:

21.4.1 The Board may exclude the public from all or part of a meeting or hearing if it is of the opinion that matters involving:

21.4.1.1 Public security may be disclosed and, having regard to the circumstances, the desirability of avoiding their disclosure in the public interest outweighs the desirability of adhering to the principle that proceedings to be open to the public; or

21.4.1.2 Intimate financial or personal matters or other matters may be disclosed of such a nature, having regard to the circumstances, the desirability of avoiding their disclosure in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that proceeds be open to the public.

21.5 Without limiting the intent of **Section 21.4**, the following circumstances are deemed to be matters that permit a meeting, or part of a meeting, to be closed to the public if the subject matter being considered is:

21.5.1 The security of the property of the City of Barrie.

21.5.2 Personal matters about an identifiable individual, including BPS Members.

21.5.3 A proposed or pending acquisition or disposition of land by the City of Barrie.

21.5.4 Labour relations or employee negotiations.

21.5.5 Litigation or potential litigation, including matters before administrative tribunals, affecting the Board or BPS.

21.5.6 Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

21.5.7 Any other matter in respect of which a Council, Board, Committee or other body may deem confidential or has provided on a confidential basis.

- 21.5.8 A consideration of a quest under the ***Municipal Freedom of Information and Protection of Privacy Act***, if the Board is designated as Head of the Institution for the purposes of that act.
- 21.5.9 Education or training sessions for the benefit of Members.

22.0 Deputations

- 22.1 Persons wishing to make a deputation to the Board may be heard with the permission of the Chair provided the request:
 - 22.1.1 Is received no later than noon on the first Thursday of the month.
 - 22.1.2 Is made to the Board Administrator on the Barrie Police Services Board Deputations Request Form.
 - 22.1.3 Includes a copy of any materials that will be presented.
 - 22.1.4 Pertains to a matter that falls within the jurisdiction of the Board.
 - 22.1.5 Does not address the conduct of a BPS Member or a Board Member.

Assessment of Request

- 22.2 Upon receipt of the notice requesting a deputation and provided the requirements in **Section 22.1** are met, the Chair in consultation with the Chief shall:
 - 22.2.1 Approve or deny the request.
 - 22.2.2 Direct the Board Administrator to notify the applicant of the decision.
 - 22.2.3 Place the deputation on an agenda if approved.

General Rules for Deputations

- 22.3 Deputations will be restricted to five (5) minutes.
- 22.4 Upon the completion of a deputation, Board Members may take the opportunity to ask questions seeking clarification for up to five (5) minutes.
- 22.5 Members shall not debate with the person making the deputation.
- 22.6 A person making a deputation shall:
 - 22.6.1 Speak respectfully.
 - 22.6.2 Speak only to the subject for which they have received approval.
- 22.7 The Chair shall halt the deputation if:
 - 22.8 The specified time frame expires.
 - 22.9 Improper conduct occurs.
 - 22.10 Any other breach of this By-law is observed.

23.0 Media Relations

- 23.1 Unless otherwise specified, the spokesperson for the Board is the Chair of the Board. Should the Chair be unavailable, the Vice-Chair shall be the spokesperson for the Board.
- 23.2 On matters of factual information, administration of the Board or communicating a decision of the Board in response to an enquiry, the Administrator may act as a resource person on behalf of the Board.
- 23.3 In special circumstances, such as labour relations, or where a Board Committee has been established on a specific issues, the Board may designate the Member leading the negotiation or the Chair of the Committee to act as spokesperson for the Board.
- 23.4 Members may communicate a position of the Board; however, should a Member publicly disagree with a position of the Board, or should a Member comment upon a matter not yet before the Board, they will clearly identify they are speaking as an individual and not on behalf of the Board. No Member shall state the Board has taken a position on a matter until the matter has been voted on.
- 23.5 Media releases shall be approved by the Chair or Vice-Chair prior to release. Members shall receive a copy of the release as soon as possible once it has been approved.
- 23.6 News conferences on matters within the jurisdiction of the Board shall be called on at the discretion of the Chair or the Vice-Chair. Whenever possible, Members shall be advised of the event prior to it taking place.

24.0 Committees

- 24.1 Subject to the provisions of Section 34 ***PSA***, Committees may be established by the Board at any time as is deemed necessary for the consideration of matters within the jurisdiction of the Board.
- 24.2 The Board may establish Ad Hoc Committees of limited duration, to inquire and report on a particular matter or concern. An Ad Hoc Committee shall dissolve automatically once the matter or issue has been resolved.
- 24.3 The Board shall determine the appropriate number of Committees, their membership, mandate and reporting practices.
- 24.4 Each Committee shall appoint a Chair of the Committee.
- 24.5 Members shall be appointed to Committees by the Board and confirmed on an annual basis.
- 24.6 The role of the Committees shall generally be to:
 - 24.6.1 Make recommendations to the Board on matters that are in their jurisdiction.
 - 24.6.2 Guide and request staff through the Chief, to provide reports on the direction and nature of policy development, fact findings, analysis and generation of possible alternatives required.

- 24.7 The rules governing the procedure of the Board and the conduct of Members shall be observed in all Committees as far as they are applicable.
- 24.8 Members who are not Members to a specific Committee may attend meetings of the Committee and may, with the consent of the Committee Chair, take part in the discussion, but shall not be counted in the quorum or entitled to make motions or to vote at these meetings. The Chair, as ex-officio, is a Member of every Committee.
- 24.9 No sub-groups of Committees shall be established without approval by the Board.

25.0 By-Laws

- 25.1 Every By-Law shall be introduced upon motion by a Member, and any number of By-Laws may be introduced together in one motion, but the Board may, at the request of a Member, deal separately with any By-Law.
- 25.2 Every By-Law when introduced shall be typewritten and shall comply with the provisions of any relevant legislation.
- 25.3 Every By-Law of the Board requires only one reading before it may be passed.
- 25.4 Every By-Law that has been passed by the Board shall be numbered and dated and signed by the Chair or Vice-Chair and the Administrator.

26.0 Repeals

- 26.1 This By-Law repeals BPS Board By-Law 02-2017.

Dated this _____ day of _____, 20____.

Board Chair

Board Administrator