

**BY-LAW NUMBER 2020-1**

**OF**

**THE POLICE SERVICES BOARD FOR THE CITY OF ORILLIA**

**A BY-LAW TO PROVIDE RULES GOVERNING THE PROCEEDINGS OF THE ORILLIA POLICE SERVICES BOARD**

**WHEREAS** it is the responsibility of the Orillia Police Services Board to provide adequate policing services for the maintenance of law and order in the City of Orillia in accordance with the police needs of the said City;

**AND WHEREAS** it is the responsibility of the Detachment Commander of the Orillia Ontario Provincial Police Service, in his/her capacity as chief law enforcement officer for the City of Orillia, to administer the policing services of the City of Orillia as set out in the agreement, approved by the Orillia Police Services Board, for the provision of Police Services, between the Ministry of Community Safety and Correctional Services and the Corporation of the City of Orillia, and to be responsible to the Orillia Police Services Board;

**AND WHEREAS** it is deemed expedient to adopt rules setting out the order, procedure, and policies of the Orillia Police Services Board;

NOW THEREFORE THE POLICE SERVICES BOARD FOR THE CITY OF ORILLIA HEREBY ENACTS AS FOLLOWS:

**1. SHORT TITLE**

**1.1 By-law - Cited**

This By-law may be cited as the “Procedural By-law.” In the text of the By-law, it is referred to as “this By-law.”

**2. DEFINITIONS**

**2.1** For the purposes of this By-law:

- (a) **“Act”** shall mean the *Police Services Act*, R.S.O. 1990, c.P. 15, as amended.
- (b) **“Agenda”** shall mean a list of all items to be considered by the Board at the meeting for which the agenda was prepared.
- (c) **“Board”** shall mean the Police Services Board for the City of Orillia.
- (d) **“Chair”** shall mean a member elected by the Board to preside at the meetings of the Orillia Police Services Board.

- (e) **“City”** shall mean the Corporation of the City of Orillia.
- (f) **“City Centre”** shall mean the Administration Office of the Corporation of the City of Orillia located at 50 Andrew Street South, Suite 300, Orillia, ON L3V 7T5.
- (g) **“Closed Session”** shall mean the portion of a meeting that is not open to the public in accordance with Section 35(4) of the *Police Services Act*, R.S.O. 1990, c.P. 15, as amended.
- (h) **“Committee”** shall mean an advisory, ad hoc or other committee or sub-committee composed of individuals of the Board pursuant to the *Police Services Act*, R.S.O. 1990, c.P. 15, as amended.
- (i) **“Council”** shall mean the Council of The Corporation of the City of Orillia.
- (j) **“Days”** shall mean calendar days exclusive of Saturdays, Sundays and Statutory holidays, except as otherwise provided.
- (k) **“Deputation”** shall mean the presentation of a petition, brief or request by an individual or organization.
- (l) **“Electronic”** shall mean telephone, video or audio conferencing or other interactive method whereby Board members, staff and the public are able to hear the members participating by electronic means and the members participating by electronic means are able to hear other members, staff and the public.
- (m) **“Emergency”** shall mean any period of time during which an emergency has been declared to exist in all or part of a municipality by the head of Council or the Province of Ontario under sections 4 or 7.01 of the *Emergency Management and Civil Protection Act*.
- (n) **“Member”** shall mean a Member of the Orillia Police Services Board and includes the Chair.
- (o) **“Motion”** shall mean the manner by which a matter is formally brought before the Board.
- (p) **“Resolution”** shall mean an expression of the adopted decisions of the Board.
- (q) **“Vice-Chair”** shall mean a member appointed by the Board to preside at the meetings of the Board, in the Chair’s absence.

(r) “**Website**” shall mean the domain name [www.orilliapsb.ca](http://www.orilliapsb.ca)

2.2 By-law – Wording

In this By-law, words importing the singular number include the plural and vice versa.

**3. COMPOSITION OF THE BOARD**

3.1 In accordance with Section 27(5) of the Act, the Board shall consist of five (5) members, composed of:

- (a) the head of the municipal council or his/her designate, who is also a member of the council and appointed by resolution of the council;
- (b) one member of the council appointed by resolution of the council;
- (c) one person appointed by resolution of the council, who is neither a member of the council nor an employee of the municipality; and
- (d) two persons appointed by the Lieutenant Governor in Council of the Province of Ontario.

**4. SELECTION OF CHAIR**

4.1 Election – Chair – Procedure

In accordance with Section 28(1) of the Act, the members of the Board shall, in the first meeting held in January of each year, elect a Member to be the Chair of the Orillia Police Services Board for the year.

4.2 Election – Procedure

The following procedure shall be followed for elections of the Board Chair:

- (a) The Secretary shall chair the meeting during the conduct of the election.
- (b) The floor is opened for nominations.
- (c) Candidates are nominated by a member stating “I nominate (name) for election to the position of Chair.”
- (d) A nomination does not require a seconder.
- (e) The Secretary will request acceptance of the nomination by stating “(name) has been nominated, is he/she willing to be nominated?”
- (f) The Secretary will then ask three times if there are any other nominations.

- (g) The Secretary will then declare nominations closed.
- (h) The Secretary will call for a vote by a show of hands.
- (i) If there is a tie, lots are drawn by choosing at random, a name “out of the hat”.
- (j) The Secretary shall declare the member elected.
- (k) The newly-elected Chair assumes the office upon being declared elected.

## **5. SELECTION OF VICE-CHAIR**

### **5.1 Election – Vice-Chair – Procedure**

In accordance with Section 28(2) of the Act, the members of the Board shall, in the first meeting held in January of each year, elect a member to be the Vice-Chair of the Orillia Police Services Board for the year.

### **5.2 Election – Procedure**

The procedure for the election of Board Vice-Chair shall be the same as the procedure for the election of Board Chair as outlined in Section 4.2.

## **6. DUTIES AND RESPONSIBILITIES OF THE BOARD**

### **6.1 Duties – Responsibilities – Board**

In accordance with Section 10(9) of the Act, the Board shall advise the Ontario Provincial Police Detachment Commander assigned to the municipality, or his/her designate, with respect to police services in the municipality and shall:

- (a) participate in the selection of the Detachment Commander of the detachment assigned to the municipality;
- (b) generally determine objectives and priorities for police services, after consultation with the Detachment Commander or his/her designate;
- (c) establish, after consultation with the Detachment Commander or his/her designate, any local policies with respect to police services (in accordance with provincial policies of the Ontario Provincial Police with respect to police services);
- (d) monitor the performance of the Detachment Commander;
- (e) receive regular reports from the Detachment Commander or his/her designate on disclosures and decisions made under Section 49 (secondary activities) of the Act;

- (f) review the Detachment Commander's administration of the complaints system under Part V of the Act and receive regular reports from the Detachment Commander or his/her designate on his/her administration of the complaints system.

## **7. DUTIES AND RESPONSIBILITIES OF THE CHAIR**

### **7.1 Duties – Responsibilities - Chair**

It shall be the duty of the Chair to:

- (a) act as the sole spokesperson for the major policy decisions of the Board;
- (b) represent and support the Board, declaring its will and implicitly obeying its decision in all matters;
- (c) set the agenda for all meetings;
- (d) open the meetings of the Board by taking the Chair and calling the members to order, as soon as quorum is present;
- (e) announce the business before the Board and the order in which it is to be acted upon;
- (f) vote with the other members of the Board on all motions;
- (g) speak to all business of the Board as a member;
- (h) receive and submit, in the proper manner, all motions presented by the members;
- (i) put to vote all motions which are regularly moved and seconded or necessarily arise in the course of the proceedings, and to announce the result thereof;
- (j) decline to put to vote motions which infringe upon the rules of procedure or which are beyond the jurisdiction of the Board;
- (k) restrain the members when engaged in debate within the rules or order;
- (l) do all matters to permit the meetings to proceed in an orderly and efficient manner;
- (m) enforce on all occasions the rules of procedure and the observance of order and decorum among the members;

- (n) adjourn the meeting without question, or put or suspend the meeting for a time to be named by the Chair, when considered necessary because of grave disorder;
- (o) permit any question to be asked, through the Chair, of the Detachment Commander, or a person designated by the Detachment Commander, in order to provide information to assist any debate when the Chair deems it proper;
- (p) adjourn the meeting when the business is completed or upon a motion to adjourn;
- (q) authenticate by signature, when necessary, all by-laws, resolutions, agreements and minutes, which have been authorized by the Board;
- (r) conduct and direct the daily business of the Board and, as necessary, give direction to the Executive Director;
- (s) ensure the implementation of the decisions and wishes of the Board, as carried by resolution; and
- (t) be a member, ex officio, of all other committees of the Board and shall be entitled to vote on all questions, except unless disqualified to vote by reason of interest or otherwise.

## **8. DUTIES AND RESPONSIBILITIES OF THE VICE-CHAIR**

### **8.1 Duties – Responsibilities – Vice-Chair**

The Vice-Chair shall act in the absence of the Chair and shall have the same authority while presiding at the meetings as the Chair would have if present, in accordance with the “Duties and Responsibilities of the Chair” as identified in Section 7.1 of this By-law.

## **9. DUTIES AND RESPONSIBILITIES OF THE BOARD MEMBERS**

### **9.1 Speaking – Motion in Debate – Only**

When recognized by the Chair, members shall speak only with regard to the subject matter of the motion in debate.

### **9.2 Criticism – Decisions – Exemption**

Members shall not criticize any decision of the Board, except for the purpose of moving in accordance with the provisions of Section 17.9(e) of this By-law that a motion be reconsidered.

- 9.3 Obey – Rules  
Members shall obey the rules of the Board, or a decision of the Chair, on a question of order or practice or upon the interpretation of the rules of the Board.
- 9.4 Speaking – Disrespectfully – Prohibited  
A member shall not use profane or offensive language or speak in a disrespectful or insulting manner.
- 9.5 Vote – Exception  
Members shall vote on questions in accordance with the provisions of Section 16.2 of this By-law except unless disqualified to vote by reason of interest or otherwise.
- 9.6 Reflection Upon Vote – Prohibited – Exception  
No member shall reflect upon any vote of the Board, except for the purpose of moving that such vote be rescinded.
- 9.7 Disobedience – Member Ordered to Leave – Apology  
If any member disobeys the rules of the Board, he/she may be ordered by the Chair to leave their seat for the meeting; but, in the case of an apology being made by the offender, he/she may, by consensus of the members present, be permitted forthwith to retake their seat.

## **10. DUTIES AND RESPONSIBILITIES OF THE EXECUTIVE DIRECTOR**

- 10.1 Duties – Responsibilities – Executive Director  
It shall be the duty of the Executive Director to:
- (a) manage the Orillia Police Services Board office;
  - (b) act as Recording Secretary to the Board to:
    - (i) attend all public, closed session and special meetings of the Board and record the minutes, orders and requests of all meetings;
    - (ii) produce minutes, without note or comment, for all regular, special, and closed session meetings of the Board in formal session. The minutes shall be copied to the Chief Administrative Officer and Deputy CAO/Clerk for the Corporation of the City of Orillia for circulation to Council. The minutes of a meeting shall record:
      - (1) the time, date, and location of the Board meeting;
      - (2) the record of attendance of the members;
      - (3) the reading, if requested, correction and adoption of the minutes of prior meetings;

- (4) all the other proceedings of the meeting;
  - (5) a concise and accurate record of the decisions of the Board;
  - (6) the reason for the Board to retire into a closed session meeting noting the subject discussed and any direction by the Board; and
  - (7) the Chair's verbal report on the status of closed session items during the open session portion of the meeting.
- (iii) arrange meetings for the Board by soliciting items for the agenda, prepare the agenda for distribution in consultation with the Chair, and ensure the distribution to the Board members, at the address specified by each member, by 3:00 p.m. on the Thursday preceding the meeting, unless otherwise directed by the Chair;
- (c) arrange meals, overnight accommodations and travel for Board members, when necessary;
  - (d) receive all communications addressed to the Board and deal with the communications as follows:
    - (i) acknowledge receipt and confirm that attention is being given, on such items that are not general correspondence;
    - (ii) refer correspondence to the Detachment Commander to take such action as is immediately necessary and to report to the Board at the next meeting;
    - (iii) report to the Chair immediately if the matter is, in the opinion of the Executive Director, necessary for immediate action by the Board.
  - (e) ensure that information, correspondence, and reports emanating from the Board Office are accurate and of the highest professional standard;
  - (f) prepare and issue all communications arising from the proceedings of the Board, unless otherwise directed by the Board;
  - (g) schedule deputations when required, in accordance with Section 12.11 of this By-law;
  - (h) act as liaison with the Board, the Ontario Provincial Police, the Ontario Provincial Police Detachment Commander, the Corporation of the City of Orillia, the Ministry of Community Safety and Correctional Services, the



Ontario Association of Police Services Boards, and any other individuals who want to raise a matter with the Board;

- (i) maintain an up-to-date list of all Board members;
- (j) maintain an up-to-date list of all reference and operational materials required by the Board;
- (k) monitor the operating budget and provide financial information to the Board at the regular monthly meetings;
- (l) authorize expenditures up to \$2,000, and manage the Board credit card and all related ledgers;
- (m) issue, approve, and expedite, in accordance with authority limits, cheque requisitions and purchase orders, and maintain ongoing budget information and records in preparation for the City's annual budget review;
- (n) prepare the annual budget estimates for Board approval and submission to the City;
- (o) ensure all revenues received by the Board are deposited to the appropriate Board accounts;
- (p) maintain the Board's by-laws and all original contracts and agreements executed into by the Board;
- (q) liaise with the City's Human Resources Department to administer full-time personnel files and time sheets, maintain the attendance, vacation, overtime, and sick leave registers for all employees of the Board, and maintain personnel files on all Board members;
- (r) prepare expressions of sympathy and appreciation on behalf of the Board by making necessary arrangements for flowers, plaques and/or organizing banquets;
- (s) ensure that proper investigation and research is conducted on all routine and non-routine assignments, concerns or problems by directly resolving or making recommendations for solutions;
- (t) anticipate the needs and concerns of the Board in the context of particular agendas and provide members with reference materials regarding such agendas;

- (u) fulfill all other responsibilities required by the Board, as well as any and all office services required in relation to the general activities of the Board, with direction from the Chair; and
- (v) perform other assigned duties as deemed appropriate by the Board, including but not limited to Secretary for the Ontario Association of Police Services Boards – Zone 3, Citizens on Patrol program development and liaison, and the issuance of parade permits.

## **11. COMMITTEES OF THE BOARD**

### **11.1 Committees – Establishment and Size**

From time to time, the Board may determine a need to establish other committees or sub-committees to inquire into any matter within the jurisdiction of the Board, and will appoint by motion at that time two (2) or more members of the Board to the committee.

## **12. MEETINGS OF THE BOARD**

### **12.1 Meetings – Not to Conflict – Corporation of the City of Orillia**

Meetings of the Board shall not be summoned for a time which conflicts with meetings scheduled for Council.

### **12.2 First Meeting – Newly Appointed**

The first regular meeting of the newly appointed Board shall be held in the month of December or January as soon as possible after Council has appointed any new members to the Board.

### **12.3 First Meeting – Agenda – Responsibility**

The past Chair and the Executive Director shall be responsible for the content of the agenda for the first meeting of the year.

### **12.4 Schedule of Meetings – Decided at First Meeting**

At the first regular meeting of the newly appointed Board, the Board shall establish, by resolution, the regular meeting dates, times and locations of the Board for that year.

### **12.5 Special – Summoned by Chair – At Any Time**

The Chair may, at any time, summon a special meeting of the Board, and it shall be his/her duty to summon a special meeting whenever requested in writing by a majority of the members of the Board, providing twenty-four hours' notice is given in each case, but a majority of all Board members may, in writing, waive the requirement for such notice. At that time, the location of the special meeting will be determined.

### **12.6 Special – Summoned by Chair – Upon Receipt of Petition**

Upon receipt of a petition of a majority of members of the Board, the Executive Director shall prepare for a special meeting for the purpose and at the time mentioned in the petition.

12.7 Schedule of Meetings – Office of Mayor and Council – Available to Public

Notwithstanding Sections 12.5 and 12.6, the Executive Director shall inform the Office of the Mayor and Council of the dates, times and locations of all regular, special, or sub-committee meetings of the Board, at least seven days preceding the meeting.

12.8 Meetings – Electronic – Not Permitted

Meetings of the Board are not permitted to be conducted electronically or by e-mail or by any other electronic means.

12.9 Meetings – Electronic – Exception

Notwithstanding 12.8, Board members may participate in a meeting by telephone or other electronic means in an emergency or urgent unforeseen event as determined by the Board Chair provided that:

- (a) Members participating electronically shall be considered present at the meeting but shall not be counted towards quorum, except during a state of emergency declared under sections 4 or 7.01 of the *Emergency Management and Civil Protection Act*. Members will have the ability for full participation including the ability to vote.
- (b) The number of Board members who may participate by electronic means in the same meeting shall be determined by the Board Chair, in consultation with the Executive Director.
- (c) Members may not participate electronically in any meeting that is closed to the public except during a state of emergency declared under sections 4 or 7.01 of the *Emergency Management and Civil Protection Act*.
- (d) The Board Chair must be present in person at a meeting when feasible.

12.10 Provision of Public Notice

The provision of a monthly schedule of regular and special Board meetings posted by the Office of the Mayor and Council and the posting of the monthly schedule on the Orillia Police Services Board website shall constitute public notice of meetings.

12.11 Meetings – Open to Public – Exception – Closed Session

All Board meetings, including any regular, special, committee or other meetings of the Board, shall be open to the public. However, the Board may exclude the public and media from all or part of a meeting if it is of the opinion that, as per section 35(4) of the Act, that:

- (a) matters involving 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 be open to the public; or
- (b) intimate financial or personal or personnel matters or other matters may be disclosed of such a nature, having regard to the circumstances, that 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 proceedings be open to the public.

12.12 Deputation – Notice – Information – Requirements

Any person wishing to appear as a deputation before the Board at a regular meeting, must give notice in writing, including the subject matter of the deputation, to the Executive Director not later than 12:00 noon seven (7) days prior to the regular Board meeting so that such deputation may be reflected on the agenda for the Board meeting.

12.13 Deputation – Procedure

The following procedure shall be followed for deputations:

- (a) Deputations shall be scheduled at the beginning of the meeting.
- (b) A maximum of three (3) speakers shall be permitted per deputation, and each deputation shall be limited to a maximum of fifteen (15) minutes.
- (c) Members shall not interrupt a deputant while he/she is speaking, except on a point of order.
- (d) Members may ask questions of deputants following completion of the deputation, but shall not enter into debate with deputants.
- (e) The Chair shall grant deputation requests, at his/her discretion, provided the subject matter of the deputation falls within the Board's mandate.
- (f) Requests from deputants who have previously addressed the Board on a topic shall not be granted unless they can prove that they have new information to present.
- (g) The Executive Director shall confirm, in writing, to the deputant, the time and place at which the deputation will be heard by the Board; and, such written confirmation shall include the rules and procedures relating to deputations.
- (h) The Executive Director shall inform the members of requests which are not granted.

- (i) No more than two deputations shall be scheduled for any Board meeting, subject to the necessity to deal with matters of an urgent nature.
- (j) All persons initiating an application to the Board shall be heard first, then any deputations in opposition of the subject matter shall be heard; and, the Chair may grant limited time, to the original deputant, for a reply on the subject matter.

### **13. QUORUM**

#### **13.1 Quorum – Majority of Members**

In accordance with Section 35(2) of the Act, a majority of the Board members shall constitute a quorum (3).

#### **13.2 Quorum – Present – Call to Order**

As soon as quorum is present after the scheduled commencement of the meeting, the Chair shall call the meeting to order.

#### **13.3 Quorum – Not Present – Names Recorded – Adjournment**

If no quorum is present within thirty (30) minutes after the scheduled commencement of the meeting, the Secretary shall record the names of the members present, for attendance purposes, and the meeting shall stand adjourned until the next regular meeting, subject to the provisions of Sections 12.5 and 12.6.

#### **13.4 Quorum – Chair and Vice-Chair – Absent**

If the Chair and Vice-Chair are not present within thirty (30) minutes after the time appointed for the meeting, and no notice of their imminent attendance has been received, the Secretary shall call the members to order and, if a quorum is present, a Chair shall be chosen to preside during the meeting until the arrival of the Chair and/or Vice-Chair.

### **14. DISCLOSURE OF INTEREST**

#### **14.1 Members – Responsibility – Disclosure of Interest**

The Board shall be governed by the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M50, and the agenda shall include provision for members to declare pecuniary interests, and the general nature thereof. The Secretary shall record the disclosure of interest in the Board's official minutes.

### **15. RULES OF DEBATE**

#### **15.1 Speaking – Recognition from Chair**

Every member, before speaking to a question or motion, shall first receive recognition from the Chair and then the member shall address the Chair.

15.2 Speaking – Order – Determination

When two or more members indicate their intention to speak, the Chair shall recognize the member who, in the Chair's opinion, first indicated their intention to speak, and that member may speak to the question or motion first.

15.3 Speaking – Order – Interruptions

When a member is speaking, no other member may interrupt that member except to raise a point of order. A member can raise a point of order when he/she considers that:

- (i) there has been a breach of the rules of order of the Board;
- (ii) a meeting is not properly constituted;
- (iii) improper, offensive, or abusive language has been used;
- (iv) the matter under discussion is not within the scope of the resolution; or
- (v) there has been any other irregularity in the proceedings of the Board.

15.4 Point of Order – Stated

When a member raises a point of order, he/she shall ask leave of the Chair to raise a point of order and, after leave is granted, shall state the point of order to the Chair and then remain silent until the Chair has decided the point of order.

15.5 Point of Order – Appeal – Chair's Decision

Thereafter, a member shall only address the Chair for the purpose of appealing to the Board from the Chair's decision.

15.6 Point of Order – Appeal – Members' Decision

The members, if appealed to, shall decide the question without debate and their decision shall be final.

15.7 Point of Order – No Appeal

If no member appeals the Chair's point of order decision, the decision of the Chair shall be final.

15.8 Personal Privilege

When a member considers that his/her integrity or the integrity of the Board as a whole has been impugned, he/she may, as a matter of personal privilege, rise at any time, with the consent of the Chair, for the purpose of drawing the attention of the Board to the matter.

15.9 Speaking – Reply – Maximum Duration – Five Minutes

No member, without leave of the Board, shall speak to the same question, or in reply, for longer than five minutes.

15.10 Question Called – Disturbance – Prohibited

When the Chair is calling a question, no member shall walk across or out of the room or make any noise or disturbance; nor, when a member is speaking, shall any other member pass between the member speaking and the Chair, or interrupt that member except to raise a point of order.

15.11 Reading – Question – Motion – Under Debate – At Any Time

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

**16. VOTING ON MOTION**

16.1 Non-Vote Deemed Negative – Exception

Every member who is present in the meeting room when a question is called shall vote unless the member has a pecuniary interest in the motion. In such case, the member shall not vote. If any member present persists in refusing to vote for any other reason, that member shall be deemed as voting in the negative on the motion before the Board.

16.2 Method of Voting

The manner of determining the decision of the Board on a motion shall be at the discretion of the Chair and may be by voice, show of hands, or standing.

16.3 Recorded Vote – When Used

A recorded vote shall be entered in the minutes when any member requests a recorded vote. All members shall take their seats when a recorded vote is requested.

16.4 Recorded Vote – Consideration

In considering recorded votes, the Secretary shall record the names of those members who voted for and the names of those members who voted against the matter in the minutes and announce the results.

16.5 Equality of Votes – Deemed Lost

Any motion on which there is an equality of votes shall be deemed to be lost.

**17. MOTIONS**

17.1 Motion – Seconded – Before Debate – In Writing

All motions shall be moved and seconded and placed before the Chair before being debated, and shall be in writing, except motions which may be made verbally to:

- (a) adjourn;
- (b) approve the minutes;

- (c) approve the agenda;
- (d) appeal the decision of the Chair; or
- (e) postpone.

17.2 Motion – Seconded – Read – Stated Verbally

When a verbal motion is moved and seconded, it shall be stated by the Chair.

17.3 Motion – Read – In Possession of Board – Withdrawal

After a motion is read or stated by the Chair, it shall be deemed to be in possession of the Board, but may, by consensus of the Board, be withdrawn at any time before a decision or amendment is made.

17.4 Question – Under Debate – Motion Permitted – Set Out

When a question is under debate, no motion shall be received unless to read it, to amend it, to postpone it, to move that the vote be taken, or to extend the time for adjournment.

17.5 Motion to Postpone

A motion to postpone indefinitely or to postpone to a certain time shall not be received and stated by the Chair until he/she has determined that sufficient discussion has taken place on the pending question.

17.6 Amendment – Put in Reverse Order – Exception

Amendments shall be called in the reverse order to that in which they are moved.

17.7 Amendment – In Writing – Decided – Withdrawn

Every amendment shall be germane to the main question, submitted in writing, and decided or withdrawn before the main question is called for the vote.

17.8 Amendment – To Amendment – One Only

Only one amendment shall be allowed to an amendment, and any further amendments must be to the main question.

17.9 Reconsideration – Authority – Main Question

- (a) A substantive resolution may be reconsidered only if a two-thirds vote of all the members of the Board agree to such reconsideration by resolution.
- (b) A notice of motion shall be required for reconsideration of a matter.
- (c) A motion for reconsideration shall not be in order when the motion has been implemented resulting in legally binding commitments as of the date for the vote on the reconsideration, on the understanding that the Board's power to re-examine issues generally remains intact and its lawful power to pass by-laws and to exercise its powers under the Act, remains. This



shall not be meant to limit motions for reconsideration of Board policies other than specific Board actions.

- (d) A motion to reconsider may be moved by any member.
- (e) A motion to reconsider a specific substantive resolution shall be voted on no more than once in the same Board meeting.

17.10 Question – Taken Separately – Upon Request

When the question under consideration contains distinct propositions, upon the request of any member the vote upon each proposition shall be taken separately.

17.11 Question – Finally Called – Speaking – Other Motion

When the Chair determines that sufficient discussion of the question has occurred, he/she shall call the question. No further debate shall be permitted.

17.12 Rules – Contravened – Member Apprised

Whenever the Chair is of the opinion that a motion is contrary to the rules and privileges of the Board, he/she shall apprise the members immediately before calling the question, and shall cite the rule of authority applicable to the case.

17.13 Point of Personal Privilege – Consideration – Immediate

Whenever any matter of privilege arises, it shall be immediately taken into consideration.

**18. READING OF BY-LAW – PROCEEDING**

18.1 Introduction – In Blank – Imperfect Shape – Prohibited

No by-law shall be introduced either in blank or in an imperfect shape.

18.2 By-law – Open – Debate

All by-laws may be open for debate.

18.3 Readings – Three in One Meeting – Permitted

All by-laws at a meeting may be introduced and read a first, second and third time by one motion unless a member of the Board requires a by-law to be introduced separately.

18.4 Signed – Each Reading – Seal Affixed

Every by-law shall be under the seal of the Orillia Police Services Board and shall be signed by the Chair and the Secretary in attendance at that meeting.

18.5 Readings – Dates – Endorsed by Secretary – Seal Affixed

The Secretary shall endorse on all by-laws read in the Orillia Police Services Board, the dates of the several readings, and shall be responsible for the

correctness of such by-laws, should they be amended, and shall affix the seal of the Orillia Police Services Board upon the second and third readings.

18.6 Minutes – Resolution Number – Requirements

There shall be attached to every resolution of the proceedings of the Board, a progressive resolution number.

**19. AGENDA**

19.1 Agenda – Deadline – Material Submission

The deadline for receipt of written material by the Executive Director to be included in the agenda shall be 12:00 p.m. (noon) seven days prior to the meeting.

19.2 Agenda – Unlisted Additions

The Executive Director shall, at the request of or with the consent of the Chair, add such items to the agenda after the print deadline that are of an urgent nature or are items of importance or relevance to items on the agenda, and such items shall be listed on an “Addendum to Agenda” sheet which shall be made available to the Board and the public at the start of the meeting and which shall be considered part of the regular agenda for the named date. Late agenda items must be received by the Executive Director no later than Thursdays at 4:00 p.m. preceding the Board meeting.

19.3 Agenda – Heading – Order – Prepared - Printed

The Executive Director shall have prepared and printed, for the use of members of the regular meetings of the Board, an agenda under the following headings:

1. **Open Session**
2. **Chair**
3. **Call to Order**
4. **Approval of Agenda**
5. **Disclosure of Interest**
6. **Deputations**
7. **Minutes**
8. **Closed Session (If required)**
  - Motion to Move Into Closed Session**
  - Closed Session Items**
  - Motion to Return to Open Session**
9. **Open Session**
10. **Motions Arising from Closed Session Discussions**
11. **Correspondence – Information Items**
12. **Correspondence – Action Items**
13. **Reports**
14. **Deputation Motions**
15. **Date of Next Meeting**
16. **Adjournment**

19.4 Agenda – Format – Special

At all special meetings of the Board, the agenda shall be prepared and printed when and as the Chair may direct and, in default of such direction, then as provided in Section 19.3.

19.5 Business – Order – As Specified

The business shall, in all cases, be taken up in the order in which it stands upon the agenda unless otherwise decided by a motion of the Board.

19.6 Business – Not Disposed Of – Carried Forward

All items of business on a meeting agenda that are not disposed of shall be carried forward to the next regular meeting.

19.7 Agenda – Prepared – Printed – Deadline

For all regularly scheduled meetings of the Board, the Executive Director shall have the agenda prepared and printed as follows:

- (a) by 9:00 a.m. on the Wednesday preceding the date of the meeting, to the Chair for review;
- (b) by 3:00 p.m. on the Thursday preceding the date of the meeting to Board members;
- (c) by 10:30 a.m. on the Friday preceding the date of the meeting, to the public and media and inclusion on the website.

**20. ORDER OF PROCEEDINGS IN CLOSED SESSION**

20.1 Matters Considered – Closed Meeting

The Board may only consider subject matters at a closed session meeting:

- (a) as stated in Section 35(4) of the Act,
- (b) that are determined to be matters within the mandate of the Board; and
- (c) reviewed and approved by the Chair.

20.2 Closed Session – Resolution at Open Meeting

For closed session matters listed on the agenda, the Board shall, in open session, pass a resolution which advises that the Board intends to move into closed session and states the general nature of the matter(s) to be considered.

20.3 Rules of Order – No Voting – Exception

There shall be no voting in a closed session meeting, unless it is for a procedural matter or for giving direction.

20.4 Motions – Open Session

Any motions arising as a result of closed session discussion will be presented in open session.

## **21. COMPLAINTS**

### **21.1 Complaints - Administration**

All complaints against the Orillia Ontario Provincial Police, by a member of the public, shall be made in accordance with Part V “Complaints and Disciplinary Proceedings” of the *Police Services Act*, R.S.O. 1990, c. P.15, as amended.

## **22. AGREEMENTS**

### **22.1 Agreements**

All agreements entered into between the Ministry of Community Safety and Correctional Services, and the City for the provision of police services for the City by the Ontario Provincial Police are subject to the Board’s consent, in accordance with Section 10(2) of the Act.

### **22.2 Agreements – Duties of the Ontario Provincial Police**

The Board shall advise the Ministry of Community Safety and Correctional Services and/or the Detachment Commander of the Orillia Ontario Provincial Police with respect to police services in the City of Orillia, and may generally determine priorities in the City of Orillia with respect to police services, in accordance with the agreement and with provincial policies affecting the Ontario Provincial Police, in accordance with Section 10(6) of the Act.

## **23. FINANCES**

### **23.1 Budget – Preparation – Each Fiscal Year**

The Board shall prepare a budget for each fiscal year, outlining the expenses for the Board’s operations for submission to the City.

### **23.2 Budget – Reports – Monthly**

The Executive Director shall prepare monthly reports in relation to authorized budget figures and actual expenditures, and shall present such reports to the Board.

### **23.3 Budget – Proposals**

The Board shall review the budget proposals of the Orillia Ontario Provincial Police, with the Detachment Commander and/or Ontario Provincial Police Municipal Policing representatives, in order to provide recommendations and to ensure that adequate policing levels are maintained within the municipality, prior to their submission to the City for approval.

### **23.4 Payroll Services – Corporation of the City of Orillia – Treasury Department**

The Treasury Department for the City shall provide accounting and payroll services for the Board.

23.5 General Ledger Accounts

The Board shall, for accounting purposes, be handled as a Department of the City in the City's general ledger accounts and all Board expenses shall be paid on "The Corporation of the City of Orillia" cheques, out of the City's general bank account, and such expenses shall be debited to the Board's general ledger accounts.

23.6 Revenues

All revenues of the Board shall be forwarded to the City's Treasury Department, along with the required details, including general ledger accounts to be debited on a form as prescribed by the Treasurer of the City.

23.7 Expenses – Up to \$2,000

Any invoices received directly by the Board shall be verified against the purchase order for expenses up to a maximum of \$2,000, as authorized by the Executive Director, and directed to the City's Treasury Department for payment, accompanied by the Board's general ledger account number which is to be debited for the specific invoice.

23.8 Expenses – Exceeding \$2,000

Any invoice received directly by the Board shall be verified against the purchase for expenses exceeding \$2,000, and included on the next agenda for approval at the next Board meeting. The invoice is then directed to the City's Treasury Department for payment, accompanied by the Board's resolution of approval and the Board's general ledger account number which is to be debited for the specific invoice.

23.9 Signing Authorities – Accounts Payable Cheques

The signing authorities on the accounts payable cheques shall be as per the City's current purchasing by-law.

23.10 Budget Updates

The Executive Director shall ensure that all financial information related to the Board and its operations, is made available to the Board from the City.

**24. MEETINGS, CONFERENCES AND TRAINING SEMINARS**

24.1 Attendance – Determined by Board Resolution

The Board shall, from time to time, by resolution, determine policies for the attendance of its Board members, Detachment Commander, and/or Executive Director, at conferences, meetings, and educational seminars, and the payment of appropriate expenses necessarily incurred, in accordance with the City's Municipal Code Chapter 493.

24.2 Attendance – Remuneration

All Board members attending regular Board meetings, special Board meetings, and any other particular meeting, for the purpose of conducting the Board's business operations, shall be remunerated in accordance with the City's Municipal Code Chapter 493.

24.3 Mileage

Where a private motor vehicle is used, mileage shall be paid in accordance with the City's Municipal Code Chapter 493.

24.4 Written Report

Where a Board member, the Detachment Commander, and/or the Executive Director is paid to attend a meeting, conference, and/or training seminar, such individual(s) shall submit a written report relating to the event, upon request by the Board.

**25. CASES NOT PROVIDED FOR**

25.1 Cases Not Provided For – In By-law

In all cases not provided for in this By-law, the question shall be decided by the Chair of the Board and, in making his/her ruling, shall base his/her decision on "Robert's Rule of Order."

**26. RULES**

26.1 Rules – Regulations – Observed

The rules and regulations in this By-law shall be observed in all proceedings of the Board and shall be the rules and regulations for the order and dispatch of business of the Board.

26.2 Minutes – Preceding Meeting – Read – Corrected

The minutes of the preceding meeting or the relevant portion thereof, if required by any member of the Board present, shall be read by the Secretary in order that any mistake may be corrected by the Board.

26.3 Adjournment – By Motion – Always in Order – Exception

Adjournments in all other cases than provided in Section 13.3 shall be made by motion and are always in order provided such motion be made so as not to interrupt a member while addressing the Chair, and confining the member to the question in debate.

26.4 Robert's Rules of Order – Parliamentary Authority

The governing rules of procedure set out herein are the rules of procedure to be followed by the Board. Where the By-law is silent on a rule, the parliamentary authority to be used shall be Robert's Rules of Order.

26.5 Suspension of Rules – Permitted

Except as otherwise provided, any one (1) or more of these rules of procedure may be temporarily suspended if a majority of the members present at the meeting vote to do so.

26.6 Waiver of Rules – Permitted

The Board may, by resolution or by-law, waive any and all provisions of this by-law.

**27. REPEAL AND ENACTMENT**

27.2 Effective Date

By-law Number 2020-1 shall come into force and take effect on July 3, 2020.

BY-LAW read a first, second and third time and finally passed this 3<sup>rd</sup> day of July, A.D. 2020.

*Steve Clarke*

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Mayor Steve Clarke,  
Chair

*Kristine Preston*

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Kristine Preston,  
Executive Director