



**PRINCE EDWARD COUNTY O.P.P. DETACHMENT BOARD
RULES AND PROCEDURES**

"The Board's Rules and Procedures"

Adopted on September 19, 2024

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PART 1 – DEFINITIONS

For purposes of the Rules and Procedures, the following definitions shall apply:

- 1.1. "Act" means the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*;
- 1.2. "Agenda" means the order in which business is conducted at a meeting.
- 1.3. "Board" means the Prince Edward County O.P.P. Detachment Board;
- 1.4. "Board Secretary" means the Board support staff;
- 1.5. "Chair " means the member identified in accordance with subsection 36(1) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*;
- 1.6. "Closed Session" means a meeting of the Board from which members of the public shall be excluded, and shall be held in accordance with the provisions of subsection 44 of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*;
- 1.7. "Commissioner" means the Commissioner of the Ontario Provincial Police;
- 1.8. Community Safety and Well-Being Plan means a community safety and well-being plan described in section 251 of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*. and discussed in Part XVI of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*.
- 1.9. "Council" means the Council of The Corporation of the County of Prince Edward County;
- 1.10. "County" means The Corporation of the County of Prince Edward County;
- 1.11. "Detachment Commander" means the member of the Ontario Provincial Police assigned as Detachment Commander for the Prince Edward County Ontario Provincial Police reporting to the County of Prince Edward O.P.P. Detachment Board;
- 1.12. "Meeting" means any regular, special or other meeting of the Board, where a quorum of members is present to discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Board.
- 1.13. "Member(s)" means the person appointed to the Board;
- 1.14. "Member of a police force" means a member of the Ontario Provincial Police (O.P.P.);
- 1.15. "Minister" means the Minister of the Solicitor General;

- 1.16. O.P.P. Detachment Board means a board referred to in section 67 of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*.
- 1.17. Policing Advisor means the person who is assigned by the Ontario Ministry of the Solicitor General.
- 1.18. "Quorum" means a majority of the Members of Board in accordance with subsection 43(2) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*;
- 1.19. "Recorded Vote" means the recording of the name and vote of every Member on any matter or question by the Board Secretary;
- 1.20. "Rules and Procedures" means this Rules and Procedures established in accordance with subsection 46 of the *Act*;
- 1.21. "Vice-Chair" means the member identified in accordance with subsection 36(2) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*;

PART 2 - GENERAL

Applicability

- 2.1. The rules in this Rules and Procedures apply to all proceedings of the Board and must be observed at all times. In the event of conflict between this Rules and Procedures and legislation, the provisions of the legislation prevail to the extent of the conflict.
- 2.2. The Chair, and in the absence of the Chair, the Vice-Chair shall decide all points of order or procedure for which rules have not been provided.

Board Composition

- 2.3. In accordance with subsection 31(4) of the *Act*, and as approved by resolution of the Council of the County of Prince Edward, the Board shall consist of:
 - (a) Two (2) Members of the Municipal Council appointed by resolution of the municipality;
 - (b) Two (2) persons appointed by resolution of the municipality, who is neither a Member of the Municipal Council nor an employee of the municipality; and
 - (c) One (1) person appointed by the Lieutenant Governor in Council.
- 2.4. The Board shall appoint a secretary in the manner that the Board deems appropriate, which may include County staff providing this service. The Board Secretary shall not be considered as a formal member hold a position as outlined in Section 2.3.

- 2.5. Prior to serving on the Board, each member shall take an oath or affirmation of office in accordance with section 35, *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*.

Accessibility

- 2.6. The Board shall comply with the requirements of the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA in accordance with section 14 of the Integrated Accessibility Standards (O. Reg. 191/11 under the Accessibility for Ontarians with Disabilities Act, 2005) on all agendas, minutes and information.

PART 3 - DUTY OF THE BOARD

Duties and Responsibilities of the Board and Members

- 3.1. The Board shall be responsible for those duties as set out in Section 68 of the Act, and any other applicable regulations.
- 3.2. In addition to paragraph 3.1, the Board shall also be responsible for those duties and responsibilities outlined in these rules and procedures, including the Code of Conduct in accordance with O. Reg. 409/23: Code of Conduct for O.P.P. Detachment Board Members under *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*. The Code of Conduct is attached hereto as Appendix A.
- 3.3. No Member shall divulge any information to any person that pertains to any aspect of any discussion or direction of Board that was given or provided at a Closed Session.

Attendance

- 3.4. Members shall attend and actively participate in all Board meetings in accordance with O. Reg 409/23 unless a leave of absence is granted by the Board.
- 3.5. Members cannot be absent for more than three (3) meetings in a year.

Remuneration

- 3.6. Council shall pay the Members of the Board who are appointed by the Lieutenant Governor in Council or Solicitor General remuneration that is at least equal to the prescribed amount in accordance with O. Reg. 135/24: O.P.P. Detachment Boards.
- 3.7. Members of the O.P.P. Detachment Board shall also be entitled to remuneration as approved by Council.

Duties and responsibilities of the Chair

- 3.8. It shall be the duty and responsibility of the Chair to:
- (a) Report on the activities of the Board and of the OPP to Council annually;

- (b) Act as the spokesperson if designated by the Board;
- (c) Set the agenda for all Board meetings;
- (d) Open meetings of the Board and calling the Members to order;
- (e) Receive and submit all motions presented by the Members;
- (f) Put to vote all resolutions presented by the Members and announce the results;
- (g) Decline to put to vote all motions which infringe upon the rules and procedures or are beyond the jurisdiction of the Board;
- (h) Enforce the observance of order and decorum at all meetings;
- (i) Adjourn the meeting upon motion duly moved;
- (j) If deemed necessary adjourn, suspend, or recess the meeting;
- (k) Sign all documents for, on behalf of and approved by the Board including but not limited to policies, resolutions, agreements and protocols;
- (l) Develop orientation packages for newly appointed members; and
- (m) Perform any other additional duties when directed to do so by motion of the Board.

Duties and responsibilities of the Vice-Chair

- 3.9. The Vice-Chair shall act in the absence of the Chair in the following circumstances:
- when the Chair is absent due to illness, or scheduling conflict;
 - when the Chair is absent from the County;
 - when the Chair refuses to act; or
 - when the Chair declares a conflict of interest.
- 3.10. The Vice-Chair shall act in place of the Chair and shall have the same authority, rights, and powers as the Chair.

Selection of Chair and Vice-Chair

- 3.11. In accordance with Section 36(1) and (2) of the *Act*, the Members of the Board shall, at the first meeting in each year, select from amongst its Members, a Chair and Vice-Chair for a term of one year.
- 3.12. The election of the Chair and Vice-Chair shall be conducted by the Board Secretary.

Role of Board Secretary

- 3.13. The Board Secretary shall be present at all Meetings.
- 3.14. The Board Secretary shall be responsible for the management and coordination of meeting agendas and related resolutions, correspondence and records, and allow for public access to the same in accordance with the Community Safety and Policing Act, the Municipal Freedom of Information and Protection of Privacy Act, and other pertinent legislation.

- 3.15. The Board Secretary is authorized to make corrections for typographical or minor administrative errors to agendas and minutes.

Committees of the Board

- 3.16. The Board may at any time appoint one or more Members to a Committee of the Board to inquire into any matter within the jurisdiction of the Board.
- 3.17. The Committee shall report upon its work to the Board at the meeting of the Board immediately following the date of the Committee meeting or at a specified time agree to by the Board.

Disclosure of Pecuniary Interest

- 3.18. Prior to a particular matter being addressed, members shall declare any pecuniary interests they may have, and the general nature thereof, in connection with that matter pursuant to the Municipal Conflict of Interest Act, as amended.
- 3.19. A Member will provide to the Board Secretary a written statement of the Member's pecuniary interest(s). The statement must include a description of the general nature of the pecuniary interest(s) and a reference to the agenda item or items to which the statement relates.
- 3.20. A Member who declares a pecuniary interest shall not take part in any discussion of or vote on any question in respect of the matter, and must not attempt in any way to influence the voting on any such matter either before, during or after the Meeting. The Member must leave the meeting for that part of the meeting during which that matter is under consideration.
- 3.21. Where the interest of a Member has not been disclosed by reason of the Member's absence from the Meeting(s) at which the matter was discussed, the Member shall disclose the interest and otherwise comply at the first Meeting attended by the Member after the Meeting(s) at which the item was discussed, pursuant to the Municipal Conflict of Interest Act.
- 3.22. The Board Secretary shall maintain a registry of statements filed and declarations recorded for public inspection to be posted on the County's website.

Operational Budget

- 3.23. Before the end of October each year, the Board shall submit operating and capital estimates for the following year to Council that will show, separately, the amounts that will be required,
- (a) to maintain the police force and provide it with equipment and facilities; and
 - (b) to pay the expenses of the Board's operation other than the remuneration of Board Members.

- 3.24. The Board recognizes Council is solely responsible for approving finances relating to policing in Prince Edward County, however in establishing an overall budget for the Board, Council does not have the authority to approve or disapprove specific items in the estimates.
- 3.25. If the Board is not satisfied that the budget established for it by the Council is sufficient to maintain an adequate number of police officers or other employees of the police force or to provide the police force with adequate equipment or facilities, the Board may request that the Commission determine the question and the Commission, shall, after a hearing, do so.
- 3.26. The Board may also apply for additional funding outside of the budget in order to support their projects.
- 3.27. Each Board Member may submit to the Chair budget items for discussion with the prior to the Board's budget deliberation discussion.
- 3.28. At minimum, the budget will provide sufficient funds for:
 - education, training, skills and professional development, association/organization memberships, and attendance at OAPSB Zone 2 meetings as approved by the Board.
 - travel for any member of the Board carrying out Board business as approved by the Board.
 - office supplies and resource material;
 - any additional activities taken on by the Board such as the monitoring and overseeing the Community Safety and Well-Being Plan.

PART 4 - MEETINGS

Regular Board Meetings

- 4.1. The Board shall hold at least four meetings each year at such place and time as may be determined by the Chair. Meetings may also be held electronically.
- 4.2. Dates of Board meetings for a new calendar year shall be selected prior to November 15 of every year. The Meeting schedule shall be available to the public on the County's website.
- 4.3. The Chair shall preside at all meetings. In the absence of the Chair, the Vice-Chair shall preside.

Special Board Meetings

- 4.4. The Chair, or in the absence of the Chair, the Vice-Chair may, at any time, summon a special meeting of the Board and shall do so whenever requested by the majority of the Board.

- 4.5. A minimum of forty-eight (48) hours notice shall be provided to Members, and the public to the holding of a special Meeting, which shall be given by release of the meeting agenda.
- 4.6. No business may be transacted at a special Meeting other than that specified in the notice or Agenda.

Notice of Meetings

- 4.7. Notice of Board Meetings shall be provided through:
 - (a) release of a meeting agenda, with accompanying documentation by the Board Secretary, seven (7) working days prior to the date of the scheduled meeting; and
 - (b) posting of the time, place, and date of the meeting on the County's website.
- 4.8. Upon release of a meeting agenda, the Board Secretary shall:
 - (a) maintain copies of the meeting agenda for review by members of the public; and
 - (b) post the meeting agenda on the County's website.
- 4.9. A minimum of forty-eight (48) hours notice shall be provided to Members, and the public to the holding of a special Meeting, which shall be given by release of the meeting agenda.

PART 5 - GENERAL PROVISIONS

Open Meetings

- 5.1. Meetings and hearings conducted by the Board shall be open to the public except where expressly provided for by these Rules and Procedures, and notice of them shall be published in the manner that is described in Section 4.

Closed Session

- 5.2. In accordance with Section 44 of the *Act*, the Board may exclude the public from all or part of a meeting or hearing if the subject matter being considered is,
 - (a) the security of the property of the board;
 - (b) personal matters about an identifiable individual, including members of the police service or any other employees of the board;
 - (c) a proposed or pending acquisition or disposition of land by the board;
 - (d) labour relations or employee negotiations;

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

5.3. In accordance with section 44(6) of the Act, the Board may exclude the public if the following conditions are both satisfied:

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

5.4. In accordance with subsection 44(3) of the Act, a meeting or part of a meeting of the board, or committee of the board, shall be closed to the public if the subject matter being considered is a request under the Municipal Freedom of Information and Protection of Privacy Act.

5.5. For any meeting at which there are items to be considered in a Closed Session, the public agenda for that meeting shall identify the subsection(s) of the *Act* or other applicable legislation, and nature of the topic which authorizes each item to be considered at the Closed meeting.

- 5.6. The motion to rise from “Closed” shall include the time that the Board arose.
- 5.7. The Board Secretary shall record without note or comment all resolutions, decisions and other proceedings at a Meeting when it is closed to the public.

The Calling of the Meeting to Order

- 5.8. The Chair shall call the meeting to order as soon as possible after the time announced for the commencement of the meeting and a Quorum is present.
- 5.9. If a Quorum for either a regular or special meeting of the Board is not present within 15 minutes of the time fixed for the commencement of the meeting, the Board Secretary shall indicate that Quorum was not achieved and the meeting shall stand adjourned until the next regular meeting or such time as determined by the Chair.
- 5.10. The Board Chair shall open the meeting with a traditional land acknowledgement statement.

Meeting Agendas

- 5.11. The Board Secretary shall cause an agenda to be prepared for the use of the Members at the regular meetings of the Board in the following order:
 1. Call to Order
 2. Traditional Land Acknowledgement Statement
 3. Disclosure of Pecuniary Interest and the General Nature Thereof
 4. Confirmation of Agenda
 5. Closed Meeting, if applicable
 6. Report from Closed Meeting, if applicable
 7. Presentations, if applicable
 8. Deputations
 9. Comments from the Audience (on items on the agenda)
 10. Verbal updates from Board Members
 11. Items for Consideration
 - i. Review of Operational Budget
 - ii. Review of Sub-Committees
 - iii. Report from the Detachment Commander related to Part VIII (Complaints) and Part VI Section 89 (Secondary Activities) of the Ontario Community Safety and Policing Act.
 - iv. Report(s) from the Detachment Commander
 12. Next meeting date
 13. Adjournment
- 5.12. Where deemed appropriate by the Board Secretary or Chair, agenda headings may be added, or the order of the headings altered, to provide accommodation as may be required, or to achieve additional efficiency in the governing of the meeting.

- 5.13. The Board Secretary shall consult with the Chair prior to the completion of the agenda. Additions to the agenda for a Meeting may only be for matters of a time sensitive and urgent nature and require a majority approval of the members present.
- 5.14. The Board Secretary shall receive every letter, petition and other communication addressed to the Board and shall:
 - (a) If, in the opinion of the Board Secretary, the subject matter is properly within the jurisdiction of the Board, place it upon the Agenda to be dealt with; or
 - (b) If, in the opinion of the Board Secretary, and confirmed by the Chair, the subject matter is properly within the jurisdiction of the OPP Detachment Commander, shall refer the matter to him or her for necessary action and subsequent report to the Board.
- 5.15. If a Member wishes to have an item or motion placed on the Agenda for discussion at a Meeting, the Member shall notify the Board Secretary in advance and provide an outline of the issue, their concern and a draft recommended motion to be considered at the subsequent meeting of the body. Any item for inclusion on an agenda must be within the scope of Board.

Meeting Minutes

- 5.16. The Board Secretary shall prepare and maintain minutes of all Meetings and shall post the minutes to the County's website, with the exception of Closed Session minutes.
- 5.17. Where any Member identifies an error in the minutes of a previous Board Meeting, the Member shall so advise the Clerk to correct the minutes prior to approval, and the Board Secretary shall so note such change in the minutes.

Adjournment

- 5.18. All meetings shall adjourn after the three hours unless there is a motion to extend the time by a majority vote, unless a meeting has been expressly scheduled for an extended period.
- 5.19. Any further extensions of time shall be in one-hour increments and shall require a majority vote of the Members present at the meeting.

Waiving the Provisions of the Rules and Procedures

- 5.19. No provision of this By-law shall be waived except by an affirmative vote of the majority, for each incidence of suspension of the rules.
- 5.20. The suspension shall only apply to the procedure(s) or rule(s) which are stated within the motion to suspend and only during the meeting in which such motion was introduced.

PART 6 - DEPUTATIONS/PRESENTATIONS/COMMENTS FROM THE AUDIENCE

Hearing Deputations

- 6.1. Any person may, by notice to the Board Secretary, request an opportunity to address the Board on any matter within the jurisdiction of the Board. Deputations may participate in-person, or electronically.
- 6.2. Every request to be listed on an agenda as a deputation shall be received by the Board Secretary nine (9) working days prior to a meeting and shall include:
 - the complete name of the person requesting the opportunity to be a deputation;
 - the reasons for the deputation; and
 - a brief summary of their comments or presentation to the Board Secretary prior to making a deputation eight (8) working days prior to the meeting for inclusion on the Agenda.
- 6.3. The Board Secretary, in consultation with the Board Chair, may decline to circulate the deputation request to members of the Board and refuse to list the matter for presentation to the Board where the application fails to comply with section 6.1 and/or section 6.2 of the Rules and Procedures.
- 6.4. Materials submitted from a deputation related to a public meeting of the O.P.P. Detachment Board shall form part of the public record and shall be added to the County's website.
- 6.5. Deputations shall be limited to ten (10) minutes. If a deputation has not completed the presentation within the time allotted, the Board may by motion determine if the extension shall be allowed by immediate vote in which case the time shall be extended for such reasonable time as the Board may so determine.
- 6.6. No person presenting a deputation shall:
 - speak disrespectfully of any person;
 - use offensive words or unparliamentary language;
 - speak on any subject other than the subject for which he received approval to address; or
 - disobey the rules of order or a decision of the Chair.
- 6.7. After a deputation has completed the presentation, Members shall each have the opportunity to ask a question of the deputation without debate. When all members who have indicated a desire to ask questions have been given the opportunity to do so, the deputation shall withdraw from the place designated to make submission.
- 6.8. Members may pose questions to staff following a deputation, for clarification purposes.

Presentations

- 6.8. Presentations shall be permitted by staff, consultants, senior levels of government and other organizations with respect to ceremonial and any matter as determined by the Chair and Board Secretary.
- 6.9. There are no prescribed time limits to presentations.

Comments from the Audience

- 6.10. During the Comments from the Audience portion of the meeting, any person may address members of the Board on any matter that is listed on the agenda by notice to the Board Secretary by noon the day before the meeting.
- 6.11. The time allotted to Comments from the Audience at the meeting will be limited to no more than thirty (30) minutes in total. The Board may by motion determine if an extension of the time allotted shall be allowed by immediate majority vote, in which case the time shall be extended for such reasonable time as the Board may so determine.
- 6.12. A person addressing Board shall be limited to speaking not more than three (3) minutes.
- 6.13. Once all registered comments have spoken, the Chair shall ask if anyone present wishes to speak, and they shall be limited to speaking not more than three (3) minutes.
- 6.14. After the person has provided their comments, members shall have an opportunity to ask questions of the speaker for clarification purposes only, and without debate.

PART 7 – RULES OF DEBATE

Rules of Decorum

- 7.1. No Member shall:
- use offensive words or language in or against any Member or to speak disrespectfully of any Member;
 - speak on any subject other than the subject in debate;
 - criticize any decision of the Council or the Board except for the purpose of moving that the question be reconsidered;
 - disobey the rules; or
 - disobey the rulings of the Chair on questions respecting the interpretation or application of the rules except for the purpose of appealing the decision in accordance with the rules.
- 7.2. No Member shall speak until recognized by the Chair.

- 7.3. When the Chair is putting a motion to a vote, no Member shall leave or make a disturbance.
- 7.4. If any Member desires to leave a meeting prior to the adjournment thereof and not return, the Member shall so advise the Chair and the Board Secretary, and the Member's departure shall be recorded in the minutes.
- 7.5. Should a quorum be lost due to the departure of one or more Members prior to the adjournment of a meeting, the Board Secretary shall declare the Meeting adjourned.
- 7.6. The Chair may declare a recess at any point during a meeting to enable any unusual circumstance or condition that has arisen to be addressed.
- 7.7. The Chair shall recess the meeting for a minimum of ten (10) minutes after two (2) hours have passed, unless there is unanimous consent to continue without such.

Rules of Procedure Respecting Motions

- 7.8. The Chair shall not permit debate on a motion or put a motion to vote until the motion is formally seconded.
- 7.9. When a motion is presented, it shall be read by the Mover of the Motion or the Board Secretary when directed by the Chair, before debate.
- 7.10. A motion that has been duly seconded may be withdrawn subject to the following provisions:
 - A motion can only be withdrawn by the mover with the consent of the seconder; and
 - Withdrawal of a motion shall be in order at any time during debate.
- 7.11. A motion containing two or more distinct proposals may be divided at the request of a Member, and each part considered separately.
- 7.12. A main motion shall receive disposition before any other motion can be considered, except in respect of matters listed below and according to the listed priorities, namely:
 - to defer the motion under consideration to a definite date;
 - to defer the motion under consideration indefinitely;
 - to refer the motion under consideration to a committee or staff for a report;
 - to amend the motion under consideration;
 - to put the question (to end debate on the motion under consideration);
 - to recess; and
 - to adjourn.
- 7.13. A motion to recess:
 - is permissible when there is business for consideration;

- shall specify the length of time of the recess;
- is not debatable except with regard to the length of the recess;
- shall be amendable with respect to the length of the recess; and
- is not in order when a Member is speaking or during a vote.

7.14 A motion to adjourn:

- is not amendable;
- is not debatable;
- is not in order when a Member is speaking or during a vote; and
- when resolved in the negative, cannot be made again until the Chair has deemed sufficient business has been conducted in the intervening time.

7.15. A motion to defer:

- may or may not state a definite time or date as to when the matter shall be further considered;
- shall state the reasons for the deferral;
- shall apply to the main motion and to any motions to amend the main motion that are on the table;
- is not debatable except with regard to the appropriateness and terms of the deferral motion; and
- is not amendable except with regard to the terms of the deferral.

7.16. A motion to refer:

- shall include the reasons for the referral;
- may or may not include the time or conditions under which the matter is to be returned for consideration;
- is not debatable except with regard to the appropriateness and terms of the referral motion; and
- is not amendable except with regard to the terms of the referral.

7.17. A motion to amend:

- shall be relevant to the main motion;
- shall not be directly contrary to or propose a direct negative to the main motion;
- shall be debatable;
- shall not itself be amended more than once; and motions to amend shall be put to a vote in reverse order from which motions to amend are put forward, and should the motion to amend be carried, the main motion shall then be considered as amended; and
- Friendly amendments: Notwithstanding the foregoing, a motion to amend shall not be required where the mover and seconder of the main motion agree to re-word the main motion to accommodate a proposed amendment.

7.18. A motion to call the vote:

- is not permissible until every Member present has had the opportunity to speak to the question at least once;
- is not amendable; and

- is not debatable; and upon adoption, the Chair shall forthwith put the main motion and all amendments thereto to a vote.
- 7.19. No dilatory motion shall be entertained by the Chair, including:
- any motion made subsequent to a motion that was lost that is substantially the same as the lost motion where, in the opinion of the Chair, the motion is made for the purpose of delay or to frustrate; or
 - any motion made that is absurd or frivolous, or that can not be affected;
- 7.20. Any Member who wishes to introduce a motion that is contrary to a motion that has been adopted shall employ the reconsideration procedures.

Voting on Motions

- 7.21. No vote shall be taken in a meeting by ballot or by any other method of secret voting.
- 7.22. The Chair shall be entitled to vote on any question, but is not required to vote unless:
- (i) a Member has requested a Recorded Vote; or
 - (ii) the votes of all other Members present produces an equality of votes.
- 7.23. Immediately preceding the taking of the vote on a motion, the Chair may read the motion or request the Board Secretary to read the motion in the form introduced and shall do so if requested by a Member, and the motion shall be stated in the form in which it will be recorded in the minutes.
- 7.24. After a motion is put to a vote 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 result has been declared.
- 7.25. A member can request that a motion containing separate proposals be dealt with separately, a separate vote shall be taken upon each proposal contained in a motion.
- 7.26. The manner of determining the decision of Board on a motion shall be by show of hands, and the Chair shall determine the adequacy of the show of hands, and upon being satisfied with the adequacy of the show of hands, the Chair shall declare the results of the vote by stating that the motion is carried or that the motion is lost, as appropriate.
- 7.27. Where a Member elects not to vote, and abstains, the action shall be considered to be a negative vote to the motion.
- 7.28. Any motion on which there is a tie vote shall be deemed to be lost.
- 7.29. During a meeting, if any Member disagrees with the declaration of the Chair that a motion has been carried or lost, the Member, immediately after the declaration by

the Chair, may appeal the declaration and request that a Recorded Vote be taken, whereupon the Board Secretary shall poll the Board.

- 7.30. During a meeting, when a Member present requests a Recorded Vote on a motion, all Members present shall vote when polled by the Board Secretary, commencing with the Member who requested the recorded vote, by verbally indicating in favour of or opposed to, and the Board Secretary shall record the results of the vote in the minutes.
- 7.31. A Member may request a Recorded Vote immediately prior to, or immediately subsequent to the taking of a vote on a motion.

Rules of Procedure Respecting Reconsideration of a Matter

- 7.32. A motion to reconsider may be made by any Member, and shall require a majority vote of the Members present and voting on the Motion, and:
- is not debatable; however, the mover and seconder of a Motion to Reconsider may provide a brief and concise statement outlining the reasons for proposing such reconsideration;
 - is not amendable;
 - shall not be in order if the action approved in the Motion to Reconsider cannot be reversed or if the original Motion has been implemented, resulting in a legally binding commitment that is in place on the date that a Motion to Reconsider is being debated;
 - shall be submitted in writing to the Board Secretary and form part of the agenda, when possible; and
 - may be brought forward only twice in the twelve (12) month period from the date the Motion or matter was first decided.
- 7.33. If a Motion to Reconsider carries, reconsideration of the decided matter shall be the next order of business. Debate on the matter being reconsidered shall proceed as though it had never previously been considered.
- 7.34. When a matter previously decided is brought before a succeeding Council, it shall be deemed new business and not a matter of reconsideration.

Rules of Debate

- 7.35. Every Member, prior to speaking to any question or motion, shall so indicate to the Chair through the raising of a hand of their desire to speak, and no Member shall speak until recognized by the Chair as having the floor.
- 7.36. When two or more Members raise their hands to indicate their desire to speak, the Chair shall determine who was the first to so indicate, and shall designate such Member as having the floor, and the subsequent Members who shall have the floor and the order of same, and the determination of the Chair in such respect shall not be subject to appeal.

- 7.37. All Members or staff who are called upon to speak during a debate shall direct their comments and questions to the Chair.
- 7.38. When a Member is speaking, no other Member shall interrupt except to rise on a point of order or a point of personal privilege.
- 7.39. Any Member may request the Chair to read the motion under discussion at any time during debate, but such request shall not be made so as to interrupt another Member while speaking.
- 7.40. A member may initially speak on an item of business or motion for a maximum of three (3) minutes.
- 7.41. No member shall speak more than once on an item of business except to give an explanation, until every member who desires to speak on that item has spoken.
- 7.42. Any member, including the mover of the motion, wishing to speak on an item of business a second time may do so for a further maximum three (3) minutes.
- 7.43. Any member desiring to speak more than twice on the motion shall do so only at the discretion of the Chair.
- 7.44. A member may ask a question only for the purpose of obtaining information relating to the matter under discussion and said question must be stated concisely and asked only of the Chair, or through the Chair.
- 7.45. The mover may request the right to be the last member to speak on the motion.
- 7.46. In all proceedings of a meeting the Chair shall decide and rule upon all matters pertaining to the rules.

Point of Order

- 7.47. A Member may raise a point of order at any time, including interrupting another Member who has the floor, to bring the Board's attention to:
- any breach of the Rules and Procedures;
 - a deviation from the matter under consideration noting that the current discussion is not within the scope of the motion on the table; and
 - any other informality or irregularity in the proceedings of Board Meetings.
- 7.48. When a Member rises on a point of order, the Member shall ask leave of the Chair to raise the point of order and the Chair shall grant such leave, following which the Member shall state the point of order, and the Chair shall decide on the point of order and state their ruling on the matter.
- 7.49. Upon the raising of a point of order, no further discussion on the main issue shall be conducted until the Chair has decided and stated their ruling on the point of order.

- 7.50. Upon hearing the point of order, a Member shall only address the Chair for the purpose of appealing the Chair's ruling to the Board.
- 7.51. If no Member appeals, the ruling of the Board shall be final.
- 7.52. If a Member appeals the Board's ruling on the point of order to the Board, the Member shall have the right to give reasons for the appeal, following which the Chair shall have the right to reply with reasons, and the Board shall decide without further debate and the decision of the Board shall be final.

Point of Personal Privilege

- 7.53. A Member may rise at any time on a point of personal privilege where such Member feels that their integrity, or the integrity of the Board, or the integrity of a Board, or the integrity of anyone present at the meeting has been called into question by another Member or by anyone present at the meeting.
- 7.54. When a Member rises on a point of personal privilege, the Member shall ask leave of the Chair to raise the point of personal privilege and the Chair shall grant such leave, following which the Member shall state the point of personal privilege, and the Chair shall decide on the point of personal privilege and state their ruling on the matter.
- 7.55. Upon the raising of a point of personal privilege, no further discussion on the main issue shall be conducted until the Chair has decided and stated their ruling on the point of personal privilege.
- 7.56. Where the Chair rules that a breach of personal privilege has taken place, they shall demand that the offending Member or individual apologize and failing such apology shall require the Member or individual to vacate the meeting for the duration of the meeting.
- 7.57. With the exception of providing an apology, the Member shall only address the Chair's for the purpose of appealing the Chair's ruling of a breach of privilege.
- 7.58. If no Member appeals, the ruling of the Chair shall be final.
- 7.59. If a Member appeals the Chair's ruling on the point of personal privilege, the Member shall have the right to give reasons for the appeal, following which the Chair shall have the right to reply with reasons, and the Board shall decide if the ruling of the Chair is sustained without further debate and the decision of the Board shall be final.

Expulsion for Improper Conduct

- 7.60. The Chair, where a warning or ruling has not been heeded, may expel any Member or person from the meeting place for improper conduct at the meeting, which for purposes of this Section shall include:

- (i) violation of the rules;
- (ii) interruption of the proceedings of the Board;
- (iii) making of disruptive noise or visible gestures;
- (iv) campaigning for any political cause or outcome; or
- (v) any other activity that impedes the conduct of the meeting.

7.61. Where the Chair expels any Member or person from the meeting, such Member or person shall vacate the meeting place forthwith.

PART 8 - BOARD EDUCATION AND PROFESSIONAL DEVELOPMENT

Education, Training, Skills and Professional Development Plan

- 8.1. The Board shall develop a Board Education, Training, Skills and Professional Development Plan. The Board may consider developing training with neighbouring Police Services Boards or O.P.P. Detachment Boards or recognized community organizations, association or post secondary institutions to provide any of the above training programs. The areas of focus of the training may include police governance, the role of the detachment board and responsibilities of members of the board, Canadian Charter and human rights, and systemic racism, the diverse, multiracial and multicultural character of Ontario society, the rights and cultures of First Nation, Inuit and Métis Peoples, training as prescribed in regulation by the Solicitor General, etc. Members who have completed their training will provide proof of completion of the training.
- 8.2. The Plan shall address Board Orientation education and training.
- 8.3. The Board shall consider sending one or more of its members to one or more of the following:
- The Ontario Association of Police Services Board's (OAPSB) Annual Conference.
 - The Police Association of Ontario (PAO) Annual Labour Conference
 - The Canadian Association of Police Governance (CAPG) when the conference is hosted in Ontario
 - The Board shall consider any education, training, skills and professional development offered through any recognized organization, association or postsecondary institution when offered virtually, through e-learning, video webinars, or by other distance learning technologies where in the opinion of the Board it would be beneficial to the Board
 - Members of the Board shall review any training, education, skills or professional development offered free on the OAPSB member's only website.
- 8.4. The Board shall participate in any education, training, skills and professional development as recommended by the Ministry of the Solicitor General.

- 8.5. The Board shall ensure any education, training, skills or professional development costs are prepared in advance of Board budget submissions.
- 8.6 The Board shall participate in any mandated training by the Minister or any prescribed training under the Community Safety and Policing Act.

Board Professional Association and Membership

- 8.7. The Board shall participate in the following memberships:
- The Ontario Association of Police Services Board (OAPSB)
 - Zone 2 – members (OAPSB)
 - The Board shall consider membership in the Canadian Association of Police Governance (CAPG).

Prince Edward County O.P.P. Detachment Board Webpage

- 8.8. The O.P.P. Detachment Board shall maintain a webpage on the County's website.
- 8.9. In determining what at minimum should be posted on the webpage, the Board shall consult with the Detachment Commander.
- 8.10. At minimum, the following shall be posted on the Board's webpage:
- The names of the members of the Board including whether they are members of council, a council appointee or if they are provincial appointees.
 - The Board's Rules and Procedures.
 - The Board's current Strategic Plan
 - The Community Safety and Well-Being Plan.
 - The dates and times of all Board meetings for the calendar year.
 - The link to access Board's agendas and minutes.

PART 9 – INTERPRETATION

Severability

- 9.1 If a court or tribunal of competent jurisdiction declares any portion of these Rules and Procedure to be illegal or unenforceable, that portion of the Rules and Procedures will be considered severed from the remainder of this Rules and Procedures, which shall continue to be in full force and effect.

Community Safety and Policing Act, 2019

ONTARIO REGULATION 409/23 CODE OF CONDUCT FOR O.P.P. DETACHMENT BOARD MEMBERS

Consolidation Period: From April 1, 2024 to the [e-Laws currency date](#).

No amendments.

This is the English version of a bilingual regulation.

APPLICATION AND INTERPRETATION

1. (1) This Regulation sets out the code of conduct with which every member of an O.P.P. detachment board must comply.

(2) For greater certainty, the existence of a good faith exception in this code of conduct does not limit the grounds on which it may be determined that a member of an O.P.P. detachment board has not contravened this code of conduct.

2. In this Regulation,

“conflict of interest” means a situation in which a member of an O.P.P. detachment board’s private interests or personal relationships place, or may reasonably be perceived to place, the member in conflict with their duties as a member of the O.P.P. detachment board; (“conflict d’intérêts”)

“personal relationship” includes, but is not limited to, a relationship with any of the following persons:

1. A current or former spouse or common-law partner of the board member.
2. A current or former intimate partner of the board member.
3. The board member’s children, including biological and adoptive children and stepchildren.
4. The legal dependants of the board member.
5. A child in the board member’s care.
6. The board member’s grandparents, parents or siblings, including grandparents-in-law, parents-in-law and siblings-in-law. (“rapports personnels”)

CONDUCT BECOMING OF A BOARD MEMBER

3. (1) A member of an O.P.P. detachment board shall not conduct themselves in a manner that undermines or is likely to undermine the public’s trust in the O.P.P. detachment board or the Ontario Provincial Police.

(2) A member of an O.P.P. detachment board shall not be subject to discipline for a contravention of subsection (1) if, on a balance of probabilities, their conduct was in the good faith performance of their duties as a board member.

4. A member of an O.P.P. detachment board shall comply with the Act and the regulations made under it.

5. A member of an O.P.P. detachment board shall not, by act or omission, conduct themselves in a manner that is likely to cause the board to fail to comply with the Act or the regulations made under it.

6. A member of an O.P.P. detachment board shall comply with any rules, procedures and by-laws of the O.P.P. detachment board.

7. A member of an O.P.P. detachment board shall not substantially interfere with the conduct of O.P.P. detachment board meetings.

8. A member of an O.P.P. detachment board contravenes this code of conduct if they are found guilty of an offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Cannabis Act* (Canada) that was committed after they were appointed as a member of the O.P.P. detachment board.

9. (1) A member of an O.P.P. detachment board shall not, in the course of their duties, treat any person in a manner that the member, at the time, knows or reasonably ought to know would contravene the *Human Rights Code*.

(2) A member of an O.P.P. detachment board shall not be subject to discipline for a contravention of subsection (1) if, on a balance of probabilities, the member's conduct was in the good faith performance of their duties.

10. (1) A member of an O.P.P. detachment board shall conduct themselves in a professional and respectful manner in the course of their duties including, without limitation, not using abusive or insulting language in the course of their duties.

(2) A member of an O.P.P. detachment board shall not be subject to discipline for a contravention of subsection (1) if, on a balance of probabilities, the member's conduct was in the good faith performance of their duties.

STATEMENTS AND ATTENDANCE

11. A member of an O.P.P. detachment board shall not knowingly make false statements pertaining to the duties of a member of an O.P.P. detachment board.

12. A member of an O.P.P. detachment board shall not purport to speak on behalf of the O.P.P. detachment board unless authorized by the board to do so.

13. A member of an O.P.P. detachment board shall clearly indicate when they are expressing a personal opinion when commenting on an action or omission of the O.P.P. detachment board, the Ontario Provincial Police or a member of the Ontario Provincial Police.

14. A member of an O.P.P. detachment board shall not access, collect, use, alter, retain, destroy or disclose to any person information that has been obtained by or made available to the member in the course of their duties if doing so would be contrary to law.

15. (1) A member of an O.P.P. detachment board shall not disclose to the public information obtained or made available in the course of the member's duties except as authorized by the O.P.P. detachment board or as required by law.

(2) Subsection (1) does not apply to information that was already made available to the public by a person who was authorized to do so prior to the member's disclosure.

16. A member of an O.P.P. detachment board shall attend all O.P.P. detachment board meetings unless able to provide a reasonable explanation for the absence.

MISCONDUCT AND CONFLICTS OF INTEREST

17. A member of an O.P.P. detachment board shall disclose any conduct of another member of the O.P.P. detachment board that the member reasonably believes constitutes misconduct,

(a) to the chair of the board; or

(b) if the misconduct involves the chair, to the Inspector General.

18. (1) A member of an O.P.P. detachment board shall disclose any charges laid against them under the *Criminal Code (Canada)*, the *Controlled Drugs and Substances Act (Canada)* or the *Cannabis Act (Canada)* and any finding of guilt made in relation to those charges.

(2) Subsection (1) only applies to charges or findings that were made after the member's appointment to the O.P.P. detachment board.

(3) The disclosure required by subsection (1) must be made to the person or body that appointed the individual as a member of the O.P.P. detachment board.

19. A member of an O.P.P. detachment board shall not apply for employment with the Ontario Provincial Police unless they resign from the board before applying.

20. (1) A member of an O.P.P. detachment board shall promptly disclose any conflict of interest,

(a) to the chair of the board; or

(b) if the conflict of interest involves the chair, to the Inspector General.

(2) After making the disclosure required by subsection (1), the member shall disclose the conflict at the next meeting of the O.P.P. detachment board.

21. A member of an O.P.P. detachment board shall not use their position as an O.P.P. detachment board member to,

(a) benefit themselves;

(b) benefit one or more persons with whom they have a personal relationship; or

(c) interfere with the administration of justice.

22. A member of an O.P.P. detachment board shall not participate in discussion of or voting with respect to matters at O.P.P. detachment board meetings if the member has a conflict of interest in the matter.

23. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION).