

CONSOLIDATION (including amendment B/L 2 of 2007)

**BY-LAW NUMBER 1 of 2006
OF THE SARNIA POLICE SERVICES BOARD**

“A By-Law to provide rules governing the proceedings of the Sarnia Police Services Board, the conduct of its members and the call of Meetings”

WHEREAS it is deemed expedient that there be rules governing the order and procedure of the Sarnia Police Services Board:

NOW THEREFORE the Sarnia Police Services Board enacts as follows:

Interpretation

- 1.) In this By-Law,
 - a) “Board” means the Sarnia Police Services Board;
 - b) “Chief of Police” means the Chief of Police of the City of Sarnia;
 - c) “City” means the Corporation of the City of Sarnia;
 - d) “Chair” means the Member elected to preside at the meetings of the Board;
 - e) “Member” means a member of the Board;
 - f) “Secretary” means the person appointed to act as secretary to the Board;
 - g) “Treasurer” means the Treasurer of the City of Sarnia;
 - h) “Vice-Chair” means the Member elected to preside at the meetings of the Board in the absence of the Chair.

General Provisions

- 2.)
 - a) Should a procedural reference be required for any matter not covered in this bylaw, that reference shall be made to *Roberts Rules of Order*.
 - b) No standing rule or order of the Board may be suspended except by a majority vote of the whole number of Members of the Board;
 - c) Should any provision of this Bylaw contravene any Legislation of Ontario, the provincial legislation shall prevail.

Meetings of the Board

- 3.) The Board shall hold at least four meetings each year.
- 4.) At the first meeting of each year the Board shall:
 - a) elect a Chair for the year;
 - b) elect a Vice-Chair for the year;
 - c) appoint a Secretary for the year; and
 - d) choose dates for the year on which the regular meetings of the Board will be held.

- 4.1) Procedure for election of the chair and vice chair in a public forum:
- a) the Secretary will call for nominations for the position of Chair;
 - b) all nominations shall be moved and seconded;
 - c) votes shall be cast by secret ballot; and
 - d) the votes will be tabulated by the Secretary who will announce the newly elected Chair.
 - e) the process shall be repeated for the election of the Vice-Chair.
 - f) the votes cast by secret ballot shall be destroyed by the Secretary following the election.
- 5.) All regular meetings of the Board shall be open to the public.
- All meetings of the Board, whether regular, special or In-Camera, shall be
- 6.) governed, so far as practicable, by the provisions of this By-Law.

In-Camera Meetings

- 7.) The Board may convene In-Camera meetings on the same day as the regular meetings.
- 8.) In-Camera meetings may be called where:
- 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 matters or other matters may be disclosed of such a nature, having regard to the circumstance, 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.
- 9.) The Secretary shall prepare a separate agenda for all In-Camera meetings
- 10.) The Secretary shall maintain separate minutes of In-Camera meetings, which shall be ratified by the Board at its next In-Camera meeting.
- 11.) There shall be no recorded votes at any In-Camera meeting. The Secretary shall record that a resolution was duly moved and seconded and whether the resolution passed or failed.

- 12.) No member shall discuss or comment publicly on any matter considered at an In-Camera meeting until the matter has been reported out publicly by the Board. A Member who violates this provision shall be excluded from future In-Camera meetings and the Member will not receive the correspondence, materials or information to be considered at those meetings.

Special Meetings

- 13.) Special meetings of the Board may be called as follows:
 - a) by the Chair at any time;
 - b) by the Chair at the written request of a majority of the Board;
 - c) by the Secretary at the written request of a majority of the Board, when the Chair is absent or the office of the Chair is vacant.
- 14.) Notice of any special meeting shall be at least 24 hours in advance delivered in writing, verbal notification by telephone, or distributed by electronic means to each Member at his residence or place of business. If 2/3rds of the Members consent to the time and purpose of the meeting, it shall be called

Opening Proceedings

- 15.) A majority of the Members of the Board shall constitute a quorum.
- 16.) The Chair shall call the Members to order as soon as there is a quorum present after the time appointed to commence the meeting.
- 17.) If the quorum is not present within 15 minutes after the time appointed to commence the meeting, the Secretary shall record the names of the Members in attendance and the meeting shall stand adjourned until the time appointed for the next meeting.
- 18.) If the Chair does not attend within 15 minutes after the time appointed to commence the meeting, the Vice-Chair shall call the meeting to order. If the Vice-Chair is also absent, the Secretary shall call the Members to order and, if a quorum is present, the Members present shall appoint one from among them to preside over the meeting or until the Chair or Vice-Chair arrives, with all the same rights and powers of the Chair.

Order of Business

- 19.) The order of business for all regular meetings shall be as follows:
 - a) Disclosure of Pecuniary Interest;
 - b) Adoption of Minutes;
 - c) Matters Arising from Minutes;
 - d) Delegations;
 - e) Reports from the Chief of Police;
 - f) Committee Reports;
 - g) Correspondence;
 - h) New Business;
 - i) By-Laws;
 - j) Routine Approvals;
 - k) Adjournment.

- 20.) Delegations will be scheduled by the Secretary and shall be limited to a 10 minute presentation which may be extended an additional five minutes at the discretion of the Chair.

- 21.)
 - a) Any person desiring to address the Board at a regular Meeting shall notify the Secretary of such desire by 12:00 p.m., seven working days before the date of the regular meeting.
 - b) Any person desiring to address the Board shall file with the Secretary a brief which outlines his proposal or request, and such brief shall be delivered to the Secretary in time for inclusion in the Agenda of the next regular Meeting
 - c) When a person or persons, not being a Member nor an appointed City Official, desires to address the Board, without having given prior notice, he or they shall be permitted to do so only if a motion to that effect is carried by the Members present.
 - d) Any person permitted to address the Board shall be limited to a maximum of 10 minutes, and only one person shall be permitted to address the Board on each subject, except in the case of rebuttal, and that person shall be subject to the same time limit.

Duties of Chair

- 22.) At all meetings the Chair shall:
 - a) preserve order and decorum;
 - b) decide questions of points of order, subject to an appeal to the Board, and cite the rule or authority applicable to the case, if requested;

- c) announce the business before the Board according to the agenda.

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- 23.) *The Chair may take part in debate, and vote on all questions.*

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- 24.) When the Chair is absent from the City or absent through illness the Vice-Chair shall act on behalf of the Chair. If both the Chair and Vice-Chair are absent, the remaining Members shall appoint an acting chair to serve in the interim.

Duties of a Board Member

- 25.) In addition to their regular responsibilities, Members may be assigned to ad hoc committees from time to time. (i.e.) Bargaining Committee etc.

Duties of the Secretary

- 26.) It shall be the duty of the Secretary:
 - a) To attend all meetings of the Board to record the minutes, orders, and requests of all such meetings;
 - b) To notify the Members of each regular, special and In-Camera meeting of the Board called pursuant to the Rules;
 - c) To notify the public of Board Meetings through the media and the Sarnia Police Services Website;
 - d) To forward the minutes of the Board meetings to each Member;
 - e) To furnish to the Chief of Police all resolutions and enactments and orders of the Board as soon as possible after the meeting of the Board at which the action of the Board in respect thereof takes place;
 - f) To prepare and make available the agenda for regular meetings five working days, prior to the regular meeting. Agendas shall be distributed to Board Members and the Chief of Police. Agendas shall be made available to the public via the website, and to the media;
 - g) The Secretary shall write all correspondence arising from the Minutes of the Board, unless otherwise directed.

Conduct of Debate

- 27.)
 - a) When speaking to any question or motion, Members shall address the Chair;
 - b) When more than one Member signifies an intention to speak, the Chair shall designate the order of speaking and the Member who has the floor;

- c) Every Member present when a question is put shall vote thereon unless precluded from participating in discussion and from voting thereon by the Municipal Conflict of Interest Act;
- d) A member who is called to order shall cease speaking unless allowed to explain and the ruling of the Chair shall be obeyed, subject to appeal to the Members present, but without debate;
- e) When the Chair is putting the question, no Member shall leave his seat;
- f) Any Member may require a question or motion under discussion to be read at any time during debate thereof, but not so as to interrupt a Member;
- g) Questions may be put to the Chair at any time, or through or by the Chair on any matters connected with the Board, but no argument or debate is to be made on such question except in so far as is necessary to state and answer same;
- h) No member shall:
 - i) Speak disrespectfully of any member of the Royal Family, the Governor General, the Lieutenant Governor or any member of the Senate, The House of Commons, the Legislative Assembly or the Board;
 - ii) Use indecent, offensive, or insulting language;
 - iii) Speak beside the question in debate;
 - iv) Speak more than once to the same question, except to explain any material portion of his speech which may have been interpreted incorrectly and in so doing he shall not introduce any new matter:
 - a) A member may be permitted to speak more than once to the same question with leave of the Board as granted by a majority vote of Members present after all other Members so desiring have spoken;
 - v) Resist the rule of the Board; or
 - vi) Disobey the decision of the Chair or of the Board on questions of order or practice or interpretation of the rules;
- i) A Member who is called to order shall immediately cease to speak. A Member persisting in a breach of this By-Law may be ejected from the meeting by the Chair;
- j) No Member will be permitted to retake his seat at any meeting after being ejected until he has apologized to the Board;
- k) No Member shall speak to the same question or in reply in accordance with paragraphs 27 (h) (iv) and 27 (h) (iv) (a) above for longer than 5 minutes;
- l) When the Chair is putting the question, no Member shall leave his or her seat, or make any noises or disturbance.

Motion

- 28.)
- a) A motion may be introduced without notice upon leave of the Board as granted by a majority of Members present;
 - b) All motions shall be moved and seconded before being discussed or debated or put from the Chair;
 - c) After a motion is seconded, it may be withdrawn by the mover or seconder at any time before decision with the permission of the Board, which permission will be implied unless stated to the contrary by the majority of Members present.
 - d) When a question or motion is under consideration, no further motion shall be made unless it be:
 - i) To amend;
 - ii) To refer for a report; or
 - iii) To postpone to a certain time;
 - e) Motions to refer for a report or postpone are not debatable and shall be dealt with in the reverse order to that of (d) above;
 - f) An amendment to a motion may be made provided it is not contrary to the intention of the main motion;
 - g) Only one motion to amend an amendment to the question will be allowed and any further amendment must be to the main question;
 - h) No more than two amendments may be outstanding at any one time;
 - i) With the approval of the mover and seconder, a substitute motion is sometimes preferable in order to save the time of the meeting;
 - j) Where the question under consideration contains separate propositions they shall, at the request of any Member of the Board, be put separately;
 - k) Amendments shall be put to the vote in the reverse order to that in which they are moved and every amendment shall be decided or withdrawn before the main question or motion is put to the vote;
 - l) If the Chair is of the opinion that a question or motion is contrary to these rules, he shall so inform the Member, and shall cite the rule or authority applicable in ruling the matter out of order;
 - m) After the question is put, no Member shall speak to the motion or shall any other motion be made until the result of the vote has been declared;

- n) Where a vote is taken for any purpose, except at an In-Camera meeting in accordance with the paragraph 13 hereof, and a Member requests immediately prior or immediately subsequent to the taking of the vote that the vote be recorded, each Member present, except a member who is disqualified from voting by any Act, shall announce his vote openly and any failure to vote by a Member who is not disqualified shall be deemed to be negative vote and the Secretary shall record it as same.

Reconsideration

- 29.) a) No report or motion shall be reconsidered except with the permission of the Board, granted upon a majority vote of the Members present
- b) No report or motion shall be reconsidered at the same meeting except upon a vote of the majority of the Board and only upon the motion of a Member who voted with the majority upon the original question;
- c) No motion or report shall be reconsidered more than once at any time;
- d) No motion to reconsider is necessary if no position has been adopted;
- e) A motion to reconsider is not debatable although the mover of the motion may briefly express his rationale for the motion to reconsider, without debating the merits of the issue to be reconsidered.

By-Laws

- 30.) a) Every By-Law shall be introduced by motion for first reading thereof and shall receive three readings before it is finally passed.
- b) By separate motion, a By-Law may be taken as read the first, second and third times;
- c) A By-Law shall be deemed to have been read upon the title or heading being read or taken as read, unless a Member requires the By-Law or any portion thereof be read in full.
- d) Every By-Law finally passed shall immediately be signed by the Chair and the Secretary.

Payment of Accounts

- 31.) All accounts shall be rendered to the Board by the Chief of Police, listed and classified by him under the various Departments of the Police Service.

Adjournment

- 32.) A motion to adjourn the proceedings of the Board shall always be in order and shall be decided without debate, but no second motion to adjourn shall be made until after some intermediate proceeding of the Board.

Repeal

- 33.) By-Law 91 of the Sarnia Police Services Board is hereby repealed.
- 34.) This By-Law comes into force upon being finally passed.

Finally passed this 26th day of October, 2006.

"Anne Marie Gillis"

Chairman

"Brian W. Knott"

Secretary

April 27, 2023 - Articles 5 and 7 were revised.

P. Wierama

Chair, Sarnia Police Services Board