

**BRANTFORD POLICE SERVICES BOARD BYLAW NUMBER 06-01
BEING A BYLAW TO REPEAL BYLAW NUMBER 1-93
AND TO
REGULATE THE PROCEEDINGS OF THE BRANTFORD POLICE SERVICES BOARD**

1. Definitions

- a) "Board" shall mean the Brantford Police Services Board.
 - b) "Chief" shall mean the Chief of Police of the Brantford Police Service.
 - c) "Executive Assistant" shall mean the Executive Assistant to the Brantford Police Services Board.
 - d) "Chair" shall mean the Chair of the Brantford Police Services Board.
2. In all proceedings of this Board, the following rules and regulations shall be observed and shall be the rules and regulations for the order and disposal of business of the Board and committees thereof.
3. The Chair shall convene a meeting in accordance with the *Police Services Act, R.S.O.*, at which the officers of the Board will be elected and appointments made to various committees. The Chair and Vice Chair for the coming year shall be elected by the majority of the Board. The member elected as Chair shall be responsible for setting meeting agenda and be the spokesperson for the Board.
4. The inaugural meeting of the Board will be held not later than the third Thursday in January of each year.
5. At the inaugural meeting, the schedule of regular meetings for the Board for the current year will be approved. Such meetings may be changed by a majority of the Board and such change will take place at a regular meeting, if possible.
6. Insofar as it is practical, the order of business for Board meetings shall be as follows:
- a) Roll Call
 - b) Delegations
 - c) Minutes
 - d) Business Arising from the Minutes
 - e) Reports
 - f) New Business
 - g) Adjournment
7. The Chair may at any time call a special meeting of the Board and it shall be the duty of the Chair to call a special meeting whenever requested in writing by a majority of members of the Board.

8. In the absence of the Chair, a special meeting may be summoned at any time by the Executive Assistant upon receipt of a request signed by a majority of members of the Board.
9. In the absence of the Chair, the Vice Chair shall assume the duties and responsibilities of the Chair. In the event of the resignation or death of the Chair, an election shall be held to select a member to serve as Chair for the balance of the current term.
10. In case the Chair does not attend within 15 minutes after the time appointed, the Vice Chair shall call the members to order.
11. If there is no quorum present within one-half hour after the time appointed for the meeting, the Executive Assistant shall call the roll and take down the names of the members present and the meeting shall stand adjourned until the next day of meeting.
12. The Chair shall preserve order and decorum and shall decide all questions of order, subject to appeals to the Board by any member. In the absence of the Chair, the Vice Chair shall have the same authority while presiding at a meeting as the Chair would have, if present.
13. When the Chair is called upon to decide a point of order or practice, the point shall be stated without unnecessary comment and the Chair shall cite the rule or authority applicable to the case.
14. The Chair shall vote with the other members on all questions, except as provided in paragraph 17. Any question on which there is an equality of votes shall be deemed to be negatived.
15. If the Chair desires to leave the Chair for the purpose of taking part in the debate or otherwise, the Vice Chair shall assume the Chair.
16. When two or more members wish to speak, the Chair shall name the member who, in the opinion of the Chair, first indicated a desire to speak.

17. Voting

- a) Every member present shall be required to vote on every question put before the Board, unless such member is not legally entitled to vote on the question and/or unless such member is excused by the Board from voting on the said subject. No member shall be excused from recording their vote without a motion being first passed by the Board to that effect.
 - b) Any member who refuses to vote on any question who is not excused in accordance with this section shall be recorded as voting in the negative on the question.
18. When the Chair is putting the question, no member shall walk across or out of the room or make any unnecessary noise or disturbance, nor when a member is speaking shall any

other member pass between him/her or the Chair or interrupt, except to raise a point of order.

19. When a point of order is raised or when a member is called to order from the Chair, that member shall immediately sit down and shall remain seated until the presiding officer shall have stated and decided the point of order. On that point of order, the member shall only address the Chair to appeal that point of order. If appealed, a case shall be decided without debate. If there is no appeal, the decision of the Chair shall be final.
20. No member shall speak disrespectfully of Her Majesty the Queen or any of the Royal Family or of the Governor General, Lieutenant Governor or any person administering the Government of the Dominion or of the Province, nor shall offensive words be used in or against the Board or against any member thereof. The speaker must confine remarks to the question in debate and shall not resist the rules of the Board or disobey the decision of the Chair on questions of order and practice or upon interpretation of the rules of the Board. If any member shall resist or disobey, that member may be ordered by the Chair to leave their seat for that meeting, but in case of ample apology being made by the offender, they may, by vote of the Board, be permitted forthwith to retake their seat.
21. 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.
22. No member shall speak more than once on the same question without leave of the Chair, except an explanation or a material part of their speech which may have been misconstrued. In so doing, the member is not to introduce any new matter. A member who has made a substantive motion to the Board is allowed a reply, but a member who has moved an amendment on the question or an amendment on instructions to a committee, is not allowed a reply. No member, without leave of the Board, shall speak to the same question or in reply for longer than five minutes.
23. In cases where a recorded vote of the Board is required on any question, either by law or upon the request of a member of the Board, the names of those who vote against the question shall be entered in the minutes. Each member voting for the question shall say "yes" and each member voting against the question shall say "no".
24. A meeting of the Board, including a committee of the Board, may be closed to the public when a subject matter under consideration involves:
 - a) personnel matters involving one or more identifiable employees or prospective employees;
 - b) matters affecting labour negotiations and contract negotiations with employees;
 - c) criminal or other police investigations in which premature public disclosure could prejudice the successful completion of the investigation or interfere with the right of any accused person to a fair and impartial trial or hearing;

d) matters in which public discussion could prejudice the Board's legal position or be detrimental to the Board in proceedings before any court or tribunal;

e) consideration of awards of merit;

f) matters that are specifically restricted by legislation regarding protection of privacy;

g) any other matter which the Board feels, for the protection of municipal interests, must be discussed "in camera", subject to the concurrence of the majority of the members present.

When a matter which has been discussed at an in-camera meeting is submitted to the Board for approval, a report outlining the concerns addressed in reaching the recommendations will be presented.

25. Every letter, petition, resolution or other communication addressed to the Board shall be received by the Executive Assistant who shall deal with them as follows:

a) Where, in the opinion of the Executive Assistant, the subject matter of any communication is properly within the jurisdiction of the Board, such communication shall be included on the list of correspondence, and a copy of such list shall be provided to each member of the Board at its next regular meeting.

b) Where, in the opinion of the Executive Assistant, the subject matter of any communication is properly within the jurisdiction of the Police Service, such communication shall be referred to the Chief for necessary action.

26. The Board may utilize the services of the City of Brantford Purchasing Department in the acquisition of materials and supplies and shall adhere to the terms of the municipal purchasing policy.

27. In all unprovided cases in the proceedings of the Board, the Rules of Order of Parliament shall be followed.

28. All motions shall be seconded before being debated or put from the Chair, and shall, where possible, be in writing, except motions to adjourn. When a motion is seconded, it shall be read, or if made verbally, shall be stated by the Chair before debate.

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

30. A motion to adjourn the Board or adjourn the debate is in order, except when:

a) a member is in possession of the floor;

b) the "yes" and "no" votes have been called for;

c) the members are voting;

d) it has been decided that the previous question shall be put forthwith.

31. No motion shall be received when a question is under debate, unless to commit it, amend it, lay it on the table, postpone it, adjourn it or move that the vote be now taken.
32. Debate on a motion to commit or refer must be confined to its merits only and cannot go into the main question, except as necessary for debate of the immediately pending question.
33. Motions dealing with policy and procedure shall be first introduced by members of the Board as a “notice of motion”, unless the resolution deals with a matter of urgency, in which case such motion may be introduced at a meeting of the Board on an affirmative vote of a majority of the members present.
34. The previous question, until it is decided, shall preclude all amendment of the main question, and shall be put in the following words: “Shall this question be now put?” If this motion is resolved in the affirmative, the motion is to be put forthwith, without any amendment or further debate; however, if the proposed question is resolved in the negative, the question may then be debated and amended.
35. If a member moves that the vote be now taken and it is seconded by another member, the same shall be put without debate and, if carried, the motion and amendments under discussion shall be immediately submitted to the Board without further discussion.
36. Amendments shall be put in the reverse order to that in which they are moved. Every amendment shall be submitted, wherever possible, in writing and shall be decided before the main question is put to the vote. Only one amendment shall be allowed to an amendment, and any amendment more than one must be put to the main question.
37. After any question, except one of indefinite postponement, has been decided, any member may move or give notice for a reconsideration thereof; however, no discussion of the main question shall be allowed until the motion for reconsideration is carried and no question shall be reconsidered more than twice during the calendar year.
38. When the question under consideration contains distinct propositions, upon the request of any member, the vote upon each proposition shall be taken separately.
39. After a question is finally put by the Chair, no member shall speak to the question nor shall any other motion be made until after the result of the vote has been declared.
40. When the Chair is of the opinion that a motion is contrary to the rules and privileges of the Board, the Chair shall apprise the members thereof immediately before putting the question, and shall cite the rule or authority applicable to the case without argument or comment.
41. Whenever any matter of privilege arises, it shall be immediately taken into consideration.

42. Members shall immediately take their places when any division is called for and shall remain in their respective seats until the presiding officer has declared the results of the vote.
43. Every bylaw shall receive three separate readings previous to its being finally passed, but no bylaw shall be read three times on the same day, except when this rule has been suspended by resolution for the single occasion. Further, no bylaw shall be committed or amended until it shall have been read twice, provided that no resolution to suspend this rule shall be carried, unless on a call of the “yes” and “no” vote, the majority of the Board then present vote in favour of the same.
44. Every bylaw passed by the Board shall immediately, after being signed by the Chair and the Executive Assistant, be deposited by the Executive Assistant in a secure location.

45. Delegations

- a) All delegations wishing to address the Board must notify the Executive Assistant of their desire to attend not later than noon five business days preceding the date of the regular meeting, subject to the time limit being waived by a majority of the Board.
 - b) Delegations appearing before the Board shall first submit a written report containing, in a concise manner, the presentation to be made. This submission must be provided to the Executive Assistant not later than noon on the Thursday preceding the regular meeting. The person or deputation addressing the Board shall confine their remarks to the content of the written submission. Such submission shall be precise and non-repetitive.
 - c) The time allowed for presentation of submissions shall not exceed 15 minutes without Board consent. Members of the Board may seek clarification from the person or deputation, but shall not enter into debate on the subject matter of the submission.
 - d) Persons addressing the Board shall conduct themselves with decorum and shall obey the rules of the Chair in the conduct of the meeting.
 - e) The Board may require persons making presentations to limit their remarks or may refuse to hear such presentations if, in the opinion of the Board, the subject is beyond the jurisdiction of the Board or concerns a matter which is not currently before the Board.
46. A special committee may be appointed by the Board at any time, subject to the following conditions:
- a) The Chair shall be ex-officio a member.
 - b) A notice of motion specifying the matters to be dealt with shall be given at the previous meeting.

c) Of the number of members appointed to compose any committee, a majority shall be a quorum.

47. The Board shall act in accordance with and be governed by all pertinent legislation, and in particular, *The Police Services Act, R.S.O.*, and any revisions or guidelines made by the Ministry of Community Safety and Correctional Services, as may be provided from time to time.
48. This Bylaw shall come into force upon passage thereof.

READ A FIRST TIME: March 23, 2006

READ A SECOND TIME: March 23, 2006

READ A THIRD TIME AND PASSED: March 23, 2006