

**ESSEX COUNTY OPP DETACHMENT BOARD - NORTH
(LAKESHORE, ESSEX, TECUMSEH)**

Governance Policy

December 2024

Table of Contents

Contents

PART 1 – DEFINITIONS	3
PART 2 – GENERAL	4
Authority	4
Application	4
Board Composition.....	4
Oath of Office.....	5
Term of Office	5
PART 3 - DUTY OF THE BOARD	5
Duties and Responsibilities of the Board and Members.....	5
Attendance.....	5
Remuneration	5
Remuneration and expenses by Members of the Board shall be paid as follows:.....	5
Duties and responsibilities of the Chair.....	5
Duties and responsibilities of the Vice-Chair	6
Selection of Chair and Vice-Chair	6
Role of Administrative Support.....	7
Role of Municipal Liaisons	7
Role of Host Municipality	7
Committees of the Board	7
Disclosure of Pecuniary Interest.....	7
Operational Budget.....	8
PART 4 - MEETINGS	9
Regular Board Meetings.....	9
Special Board Meetings	9
Notice of Meetings	9
PART 5 - GENERAL PROVISIONS	9
Open Meetings	9
Closed Session	10
The Calling of the Meeting to Order	11
Meeting Agendas	11
Meeting Minutes.....	12
Adjournment	12
Waiving the Provisions of the Rules and Procedures	12
Hearing Deputations/Delegations	12
Presentations	14
PART 7 – RULES OF DEBATE	14
Rules of Decorum	14
Rules of Procedure Respecting Motions	14
Voting on Motions	17
Rules of Procedure Respecting Reconsideration of a Matter.....	18
Rules of Debate	18
Point of Order	19
Point of Personal Privilege	20
Expulsion for Improper Conduct.....	20
PART 8 - BOARD EDUCATION AND PROFESSIONAL DEVELOPMENT	21
Education, Training, Skills and Professional Development Plan	21
Board Professional Association and Membership.....	22
Essex County OPP Detachment Board - North (Lakeshore, Essex, Tecumseh) Webpage.....	22
PART 9 – INTERPRETATION	22
Severability	22
Community Safety and Policing Act, 2019.....	1

PART 1 – DEFINITIONS

- 1.1. "Act" means the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*;
- 1.2. "Administrative Support" means the permanent, part-time position for the Essex County OPP Detachment Board - North (Lakeshore, Essex, Tecumseh);
- 1.3. "Agenda" means the order in which business is conducted at a Meeting;
- 1.4. "Board" means the Essex County OPP Detachment Board - North (Lakeshore, Essex, Tecumseh);
- 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. "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*.
- 1.8. "Councils" means the Councils of the Municipality of Lakeshore, Town of Essex, and Town of Tecumseh;
- 1.9. "County" means The Corporation of the County of Essex;
- 1.10. "Detachment Commander" means the Detachment Commander for the Essex County Detachment of the Ontario Provincial Police reporting to the Essex County OPP Detachment Board - North (Lakeshore, Essex, Tecumseh);
- 1.11. "Host Municipality" means the municipality responsible for Board's administration;
- 1.12. "Inspectorate of Policing" means the person who is assigned by the Ontario Ministry of the Solicitor General;
- 1.13. "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;
- 1.14. "Member(s)" means the person(s) appointed to the Board;
- 1.15. "Minister" means the Minister of the Solicitor General;
- 1.16. "Municipalities" means the Municipality of Lakeshore, Town of Essex, and Town of Tecumseh, who receive policing from the Essex County O.P.P. Detachment;

- 1.17. "Municipal Liaison" means a representative from each of the three municipalities that provides governance support to the Board in an advisory capacity;
- 1.18. 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*.
- 1.19. "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*;
- 1.20. "Recorded Vote" means the recording of the name and vote of every Member on any matter or question by the Administrative Support;
- 1.21. "Rules and Procedures" means these Rules and Procedures established in accordance with subsection 46 of the *Act*;
- 1.22. "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

Authority

- 2.1. The Act requires an O.P.P. Detachment Board, in accordance with the regulations, for each detachment of the Ontario Provincial Police that provides policing in a municipality.

Application

- 2.2. The Rules and Procedures contained in this policy shall be observed in all proceedings of the Board and shall be the rules for the order and dispatch of business before the Board, and with necessary modifications, in a committee of the Board. In the event of conflict between this policy and legislation, the provisions of the legislation prevail to the extent of the conflict.
- 2.3. 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

- 2.4. In accordance with Table 2 of O. Reg. 135/24 (O.P.P. Detachment Boards) and as approved by resolution of the respective Councils, the Board shall consist of:
 - (a) One (1) Member appointed by each of the following Municipalities, who is a member of the council of the municipality, for a total of three Members: Town of Essex, Municipality of Lakeshore and Town of Tecumseh;
 - (b) One (1) Member appointed by each of the above Municipalities who is neither a member of the council of, nor an employee of, the municipality, for a total of three members;
 - (c) One (1) Member who is neither a member of the council of, nor an employee of, any of the above Municipalities, jointly appointed by all of the above Municipalities;

- (d) Two (2) Members appointed by the Minister.

Oath of Office

- 2.5. Prior to serving on the Board, each Member shall take an oath or affirmation of office in accordance with section 35 of the Act.

Term of Office

- 2.6. The term of office for a Member appointed by resolution of council shall be as set out by the municipality in his or her appointment, but shall not exceed the term of office of the Council that appointed the Member in accordance with section 6 of O. Reg. 135/24.

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 this policy, including the Code of Conduct in accordance with O. Reg. 409/23 (Code of Conduct for O.P.P. Detachment Board Members) under the *Act*. 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.
- 3.4. The Board shall participate in any education, training, skills and professional development as required or recommended by the Ministry of the Solicitor General.

Attendance

- 3.5. 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.
- 3.6. Members cannot be absent for more than three (3) Meetings in a year.

Remuneration

Remuneration and expenses by Members of the Board shall be paid as follows:

- 3.7. All Members (Council, Community, and Provincial members) shall be compensated for Meeting attendance through the Board's annual budget, as approved by the respective Councils and administered by the Host Municipality.

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 the Councils annually;
- (b) Act as the spokesperson if designated by the Board;
- (c) Review the Agenda with Municipal Liaisons;
- (d) Open Meetings of the Board and call 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: minutes; 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:

- (a) When the Chair is absent due to illness, or scheduling conflict;
- (b) When the Chair refuses to act; or
- (c) 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.

3.11. The Vice-Chair shall sign the minutes of the Board Meetings.

Selection of Chair and Vice-Chair

3.12. 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.

- 3.13. The election of the Chair and Vice-Chair shall be conducted by the Administrative Support.

Role of Administrative Support

- 3.14. The Administrative Support shall be present at all Meetings of the Board and Committees of the Board.
- 3.15. The Administrative Support shall be responsible for the management and coordination of Meeting Agendas and related minutes, resolutions, correspondence, and records, and allow for public access to the same in accordance with the *Act*, the *Municipal Freedom of Information and Protection of Privacy Act*, and other pertinent legislation.
- 3.16. The Administrative Support is authorized to make corrections for typographical or minor administrative errors to Agendas and minutes.

Role of Municipal Liaisons

- 3.17. The Municipal Liaisons shall set the Meeting Agenda.
- 3.18. The Municipal Liaisons shall develop policies at the direction of the Board.
- 3.19. The Municipal Liaisons shall oversee administrative functions of the Board.
- 3.20. The Municipal Liaisons shall provide governance support to the Board in an advisory capacity.

Role of Host Municipality

- 3.21. The Host Municipality shall be responsible for the administrative functions of the Board on a fee for service basis, including overhead expenses, financial support services, use of the electronic agenda management software, records management, website, livestreaming, and hosting meetings, facilitated through a cost-sharing agreement between the other municipalities.

Committees of the Board

- 3.22. 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.
- 3.23. 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 agreed to by the Board.

Disclosure of Pecuniary Interest

- 3.24. 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.

- 3.25. A Member will provide the Administrative Support with 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.
- 3.26. 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.
- 3.27. 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*.
- 3.28. The Administrative Support shall maintain a registry of statements filed and declarations recorded for public inspection to be posted on the Host Municipality's website.

Operational Budget

- 3.29. Before the end of October each year, the Board shall prepare draft budget estimates for the following year and submit to the respective Councils for approval during each of their budget deliberations.
- 3.30. Upon approval of the annual Board budget estimates by all three member Municipalities, the Host Municipality will invoice the other municipalities for their respective shares of the Board's operating budget on an equal basis.
- 3.31. The Board recognizes Councils are solely responsible for approving finances relating to policing in the catchment area, however in establishing an overall budget for the Board, Councils do not have the authority to approve or disapprove specific items in the estimates.
- 3.32. Each Board Member may submit to the Chair budget items for discussion prior to the Board's budget deliberation discussion.
- 3.33. At minimum, the budget will provide sufficient funds for:
 - (a) Education, training, skills and professional development, association/organization memberships, and attendance at the annual OAPSB Conference and Zone 6 meetings as approved by the Board;
 - (b) Travel for any Member of the Board carrying out Board business as approved by the Board;
 - (c) Office supplies, resource materials and liability insurance;
 - (d) Board remuneration.

PART 4 - MEETINGS

Regular Board Meetings

- 4.1. The Board shall hold at least one Meeting per quarter in each calendar year. Meetings may also be held electronically.
- 4.2. The Board may meet at the Town of Tecumseh Council chambers, or an alternate Meeting location may be arranged at the discretion of the Board Chair.
- 4.3. Dates of Board Meetings for a new calendar year shall be selected prior to December 15 of every year. The Meeting schedule shall be available to the public on the respective municipal websites.
- 4.4. The Chair shall preside at all Meetings. In the absence of the Chair, the Vice-Chair shall preside.

Special Board Meetings

- 4.5. The Chair, or in the absence of the Chair, the Vice-Chair may, at any time, summon a special Meeting of the Board.
- 4.6. 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.
- 4.7. No business may be transacted at a special Meeting other than that specified in the notice or Agenda.

Notice of Meetings

- 4.8. Notice of Board Meetings shall be provided through:
 - (a) Release of a Meeting Agenda with accompanying documentation by the Administrative Support, seven (7) days prior to the date of the scheduled Meeting; and
 - (b) Posting of the time, place, and date of the Meeting on the respective municipal websites.
- 4.9. Upon release of a Meeting Agenda, the Administrative Support shall post the Meeting Agenda on the Host Municipality website.
- 4.10. The notice shall be provided to Members and the public at least seven (7) days before the special Meeting, except in extraordinary circumstances, 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 concerning 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:
- (a) The Meeting is held for the purpose of educating or training the Members of the Board or the committee, and
 - (b) 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 Administrative Support 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 fifteen (15) minutes of the time fixed for the commencement of the Meeting, the Administrative Support 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 Administrative Support shall prepare an Agenda in consultation with the Board Chair for the use of the Members at the regular and special Meetings of the Board and publish the Agenda as set out in Sections 4.8, 4.9 and 4.10.
- 5.12. The Administrative Support shall receive every letter, petition, and other communication addressed to the Board and shall:
 - (a) If, in the opinion of the Administrative Support/Municipal Liaisons, 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 Administrative Support/Municipal Liaisons 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.
- 5.13. If a Member wishes to have an item or motion placed on the Agenda for discussion at a Meeting, the Member shall notify the Administrative Support in advance and provide an outline of the issue or concern and a draft recommended motion to be considered at the subsequent Meeting of the Board. Any item for inclusion on an Agenda must be within the scope of Board.
- 5.14. Additions to the Agenda at a Meeting may only be for matters of a time sensitive

and urgent nature and require a majority approval of the Members present.

Meeting Minutes

- 5.15. The Administrative Support shall prepare and maintain minutes of all Meetings and shall bring the minutes to the next Board meeting for consideration of approval.
- 5.16. Upon approval by Board resolution and signing by the Board Chair and Vice Chair, the Administrative Support shall post the minutes to the Host Municipality 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 advise the Administrative Support/Municipal Liaison to correct the minutes prior to approval, and the Administrative Support shall note such change in the minutes.

Adjournment

- 5.18. All Meetings shall adjourn after 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

- 5.20. No provision of this policy shall be waived except by an affirmative vote of two-thirds (2/3) of the members, for each incidence of suspension of the rules.
- 5.21. 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.

Hearing Deputations/Delegations

- 6.1. Any person may, by notice to the Administrative Support, 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 Administrative Support nine (9) working days prior to a Meeting and shall include:
 - (a) The complete name of the person requesting the opportunity to be a deputation;
 - (b) The reasons for the deputation; and
 - (c) A brief summary of their comments or presentation to the Administrative Support prior to making a deputation eight (8) working days prior to the Meeting for inclusion on the Agenda.

- 6.3. The Administrative Support, 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 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:
 - (a) Speak disrespectfully of any person;
 - (b) Use offensive words or unparliamentary language;
 - (c) Speak on any subject other than the subject for which they received approval to address; or
 - (d) 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.
- 6.9. Delegations may be received at the Public meetings of the Board only, save by special permission of the Board. Delegations must meet at least one of the following criteria:
 - (a) Be a resident of the Municipality of Lakeshore, Town of Essex, or Town of Tecumseh;
 - (b) Own property in the Municipality of Lakeshore, Town of Essex, or Town of Tecumseh;
 - (c) Work or attend school in the Municipality of Lakeshore, Town of Essex, or Town of Tecumseh; or
 - (d) Own or operate a business in the Municipality of Lakeshore, Town of Essex, or Town of Tecumseh.

Delegations who do not satisfy any of the criteria in 6.9 (a-d) may still be heard by the Board if the subject of the delegation is deemed to be in the Board's interest and the Board elects to waive the rules noted above.

Presentations

- 6.10. 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 Administrative Support.
- 6.11. There are no prescribed time limits to presentations.

PART 7 – RULES OF DEBATE

Rules of Decorum

- 7.1. No Member shall:
 - (a) Use offensive words or language in or against any Member or to speak disrespectfully of any Member;
 - (b) Speak on any subject other than the subject in debate;
 - (c) Criticize any decision of the Councils or the Board except for the purpose of moving that the question be reconsidered;
 - (d) Disobey the rules; or
 - (e) 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 advise the Chair and the Administrative Support, 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 Administrative Support 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 Administrative Support 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) A motion can only be withdrawn by the mover with the consent of the seconder; and
 - (b) Withdrawal of a motion shall be in order at any time during debate.
- 7.11. A motion containing two (2) 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:
- (a) To defer the motion under consideration to a definite date;
 - (b) To defer the motion under consideration indefinitely;
 - (c) To refer the motion under consideration to a committee or staff for a report;
 - (d) To amend the motion under consideration;
 - (e) To put the question (to end debate on the motion under consideration);
 - (f) To recess; and
 - (g) To adjourn.
- 7.13. A motion to recess:
- (a) Is permissible when there is business for consideration;
 - (b) Shall specify the length of time of the recess;
 - (c) Is not debatable except with regard to the length of the recess;
 - (d) Shall be amendable with respect to the length of the recess; and
 - (e) Is not in order when a Member is speaking or during a vote.
- 7.14. A motion to adjourn:
- (a) Is not amendable;
 - (b) Is not debatable;

- (c) Is not in order when a Member is speaking or during a vote; and
- (d) 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:

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

7.16. A motion to refer:

- (a) Shall include the reasons for the referral;
- (b) May or may not include the time or conditions under which the matter is to be returned for consideration;
- (c) Is not debatable except with regard to the appropriateness and terms of the referral motion; and
- (d) Is not amendable except with regard to the terms of the referral.

7.17. A motion to amend:

- (a) Shall be relevant to the main motion;
- (b) Shall not be directly contrary to or propose a direct negative to the main motion;
- (c) Shall be debatable;
- (d) 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
- (e) 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:

- (a) Is not permissible until every Member present has had the opportunity to speak to the question at least once;
- (b) Is not amendable; and
- (c) 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:

- (a) Any motion made after 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
- (b) Any motion made that is absurd or frivolous, or that cannot be affected.

7.20. Any Member who wishes to introduce a motion that is contrary to a motion that has been adopted shall adopt 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:

- (a) A Member has requested a Recorded Vote; or
- (b) 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 Administrative Support 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 Administrative Support 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 Administrative Support, commencing with the Member who requested the Recorded Vote, by verbally indicating in favour of or opposed to, and the Administrative Support shall record the results of the vote in the minutes.
- 7.31. A Member may request a Recorded Vote immediately prior to, or immediately after, 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:
- (a) 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;
 - (b) Is not amendable;
 - (c) 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;
 - (d) Shall be submitted in writing to the Administrative Support and form part of the Agenda, when possible; and
 - (e) 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 Board, 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:
 - (a) Any breach of the Rules and Procedures;
 - (b) A deviation from the matter under consideration noting that the current discussion is not within the scope of the motion on the table; and
 - (c) 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 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 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:

- (a) Violation of the Rules and Procedures;
- (b) Interruption of the proceedings of the Board;
- (c) Making of disruptive noise or visible gestures;
- (d) Campaigning for any political cause or outcome; or
- (e) 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, associations 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 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:
- (a) The Ontario Association of Police Services Board's (OAPSB) Annual Conference;
 - (b) The Ontario Association of Police Services Board's (OAPSB) Zone 6 Meetings;
 - (c) 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;
 - (d) Members of the Board shall review any training, education, skills or professional development offered free on the OAPSB member's only website;
 - (e) The Administrative Support will monitor the education and professional development opportunities to ensure they are equitable between members.

- 8.4. The Board shall participate in any education, training, skills and professional development as required or 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 Act.

Board Professional Association and Membership

- 8.7. The Board shall participate in the following memberships:
 - (a) The Ontario Association of Police Services Board (OAPSB); and
 - (b) Zone 6 – members (OAPSB)

Essex County OPP Detachment Board – North (Lakeshore, Essex, Tecumseh) Webpage

- 8.8. The Board's information shall be posted on the respective municipal websites.
- 8.9. The Board shall comply with the requirements of the Web Content Accessibility Guidelines 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.
- 8.10. At minimum, the following shall be posted on the respective municipal webpages:
 - (a) The names of the Members of the Board including whether they are Members of council, a council appointee or provincial appointees;
 - (b) The Board's Rules and Procedures;
 - (c) The Board's current policies and plans;
 - (d) The Windsor Essex Regional Community Safety and Well-Being Plan;
 - (e) The dates and times of all Board Meetings for the calendar year; and
 - (f) 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 Procedures to be illegal or unenforceable, that portion of the Rules and Procedures will be considered severed from the remainder of these 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; (“conflit 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).