



BY – LAW NUMBER 01-2024

A BY-LAW TO PROVIDE RULES GOVERNING THE PROCEEDINGS OF THE
WINDSOR POLICE SERVICE BOARD

Passed the 20th day of June, 2024

1. PREAMBLE

1.1 WHEREAS Part IV of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1 provides that a municipal board is to have policing responsibility for the municipality;

1.2 AND WHEREAS Section 37 (1) of the Act, provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the Act;

1.3 AND WHEREAS pursuant to Section 43 (1) of the Act, a board shall hold at least four meetings each year;

1.4 AND WHEREAS Section 46 of the Act provides that a Police Service Board shall establish its own rules and procedures in performing its duties under this Act and the regulations;

1.5 AND WHEREAS the Police Service Board deems it expedient to pass such a by-law to make rules and regulations governing the orders and procedures of the Board:

NOW THEREFORE THE WINDSOR POLICE SERVICE BOARD ENACTS AS
FOLLOWS:

2. INTERPRETATIONS

For the purposes of this By-law:

- 2.1 "Act" or "CSPA" means Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1 and amendments thereto;
- 2.2 "Acting Chair" means the Vice-Chair who shall act as the Chair if the Chair is absent or if the Chair's position is vacant, pursuant to Section 36 (2) of the Act or as prescribed by Section 7 of this By-law;
- 2.3 "Agenda" means the document prepared for distribution as prescribed by Section 15 of this By-law;
- 2.4 "Board" means the Windsor Police Service Board;
- 2.5 "Chair" means the Member elected as Chair of the Board by its Members pursuant to Section 36 (1) of the Act;
- 2.6 "Chief" means the Chief of Police of the Windsor Police Service;
- 2.7 "Closed Meeting" means a meeting that is closed to the public in accordance with Section 44 the Act;
- 2.8 "Committee" means a Standing or Special Committee established by the Board, pursuant to Section 42 of the Act;
- 2.9 "Deputation" means an address to the Board or its Committees at the request of a person wishing to speak;
- 2.10 "Administrative Director" means the person who has been appointed to the Administrative Director position by the Board;
- 2.11 "Majority vote" means an affirmative vote of more than one-half of the Members present and voting;
- 2.12 "Meeting" means a meeting of the Board or a Committee;
- 2.13 "Member" means a Member of the Windsor Police Service Board and includes the Chair and Vice-Chair;
- 2.14 "Motion to defer" means a motion to delay consideration of a matter until later in the same meeting or to a future meeting of the Board or a Committee;
- 2.15 "Motion to receive" means a motion to acknowledge the particular item, report or recommendation under consideration and to have it placed in the records of the Board with no additional action being taken;

2.16 "Motion to refer" means a motion to dispose of a question under consideration, with or without any proposed amendment, in order to seek consideration by, and if deemed desirable, one or more reports from the Chief of Police, Administrative Director or other official or Committee;

2.17 "Motion to table" means a motion to postpone without setting a definite date as to when the matter will be considered again;

2.18 "Notice of motion" means an oral notice or written motion received by the Administrative Director, moved by a Member, and seconded by another Member, for inclusion on an agenda of a meeting of the Board or a Committee;

2.19 "Pecuniary Interest" means a direct or indirect pecuniary interest of a Member as defined in the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50;

2.20 "Point of order" means a question by a Member with the view to calling attention to any issue relating to this By-law or the conduct of the Board's business or in order to assist the Member in understanding the Board's procedures, making an appropriate motion, or understanding the effect of a motion;

2.21 "Point of privilege or personal privilege" means a question by a Member who believes that another Member has spoken disrespectfully towards that Member or another Member who considers that their integrity or that of a Member has been impugned or questioned by a Member;

2.22 "Presentation" means an address to the Board or Committee at the request of the Board or a Committee of the Board;

2.23 "Quorum" means a majority of the Members of the Board in accordance with Section 43 (2) of the Act;

2.24 "Recorded vote" means a written record of the name and vote of every Member voting on any matter or question;

2.25 "City" means the City of Windsor;

2.26 "Resolution" means the decision of the Board on any motion;

2.27 "Service" means the Windsor Police Service;

2.28 "Special Meeting" means a meeting other than a regularly scheduled meeting, called pursuant to Section 12 of this By-law;

2.29 "Two-thirds majority vote" means an affirmative vote of at least two-thirds of the Members present and voting;

2.30 "Vice Chair" means the Member elected as the Vice Chair of the Board by its Members pursuant to Section 36 (2).

3. APPLICATION

3.1 The rules of procedure contained in this By-law shall be observed in all proceedings and shall be the rule for the order and dispatch of business before the Windsor Police Service Board.

3.2 The rules of procedure contained in this By-law shall be observed, with necessary modifications, in proceedings of all Committees of the Board.

3.3 The rules of procedure may be suspended at such time or times and upon such conditions as may be deemed appropriate by an affirmative vote of at least two-thirds (2/3) of the Members of the Board.

3.4 All points of order or procedure for which rules have not been provided in this By-law shall be decided by the Chair in accordance, as far as reasonably practicable, with the rules of parliamentary procedure as contained in BOURINOT'S Rules of Order.

3.5 Should any provision of this By-law be or become in contravention of any legislation of the Province of Ontario, the provincial legislation shall prevail.

3.6 Notwithstanding anything in this By-law, where the Board or a Committee convenes for the purpose of holding a hearing as required by any statute, the provisions of the statute and the *Statutory Powers of Procedure Act* shall govern the proceedings.

3.7 This By-law shall not be amended or repealed except by the concurring votes of at least two-thirds (2/3) of the Members of the Board and a notice of motion to amend this By-law must be delivered to each Board Member and the Administrative Director at least two weeks prior to the meeting at which the motion to amend is to be considered.

4. ELECTION OF THE CHAIR AND VICE-CHAIR

4.1 Pursuant to Section 36 (1) of the Act, the Board shall elect a Chair and Vice-Chair at its first meeting in each year.

4.2 The election of the Chair and Vice-Chair shall only be held at a meeting where all Members of the Board are present, and an election may be deferred until such meeting.

4.3 The Chair and Vice-Chair of the Board shall hold office for a one-year term until their successors are elected in accordance with the Act and this By-Law.

4.4 The Chair and Vice-Chair may be elected for more than one term.

4.6 The Administrative Director shall act as presiding officer at the first meeting of the Board in each year until the Chair and Vice-Chair are elected and shall call for nominations.

4.7 Each nomination shall be made openly and shall have the consent of the nominee and be seconded by a Member.

4.8 A nominee is a person whose candidacy for the position of Chair or Vice-Chair has been moved and seconded by Members present at the first meeting of the Board in each year. For greater clarity, the nominee is not eligible to act as mover or seconder for their own nomination.

4.9 Where it appears to the Administrative Director, by asking for further nominations that there are no further nominations, the Administrative Director shall call for a motion declaring nominations closed.

4.10 A nominee may withdraw their name at any time prior to the vote being called.

4.11 When voting is completed, the Administrative Director shall announce the new Chair.

4.12 The election of the Vice-Chair shall follow the procedure set out for the election of the Chair.

5. DUTIES OF THE CHAIR

5.1 It is the duty of the Chair to:

- (a) preside at all meetings of the Board so that its business can be carried out efficiently and effectively;
- (b) be the spokesperson for the Board;
- (c) to represent the Board at official functions;
- (d) commence the meetings of the Board by taking the Chair and calling the meeting to order, as soon as a quorum is present;
- (e) announce the business before the Board and the order in which it is to be acted upon;
- (f) receive and submit, in proper manner, all motions presented by the Members;

- (g) put to a vote all motions which are moved or which necessarily arise in the course of the proceedings, and to announce the result;
- (h) announce the results of the vote on any motions presented for a vote;
- (i) sit as ex-officio as a Member of all Committees of the Board and be entitled to participate and vote at the meetings;
- (j) decline to put to a vote on motions which do not comply with this Bylaw or which are not within the jurisdiction of the Board;
- (k) maintain order and preserve the decorum of the meeting;
- (l) where it is not possible to maintain order, to adjourn or suspend the meeting to a time specified by the Chair, without any motion being put;
- (m) to permit any question to be asked through the Chair or any employee of the Windsor Police Service in order to provide information to assist in any debate when the Chair deems it proper;
- (n) adjourn the meeting when business is concluded or upon a motion to adjourn or to recess the meeting as required.

5.2 The Chair and Administrative Director shall authenticate by their signature, as required, all documentation for and on behalf of the Board including but not limited to By-laws, agreements, resolutions, and minutes, which have been approved by the Board.

6. DUTIES OF VICE-CHAIR

6.1 The duties of the Vice-Chair shall be: Duties

- (a) The Vice-Chair shall act in the absence of the Chair and shall have the same authority as the Chair would have if present.
- (b) In the absence of both the Chair and the Vice-Chair at a meeting, the Members present shall elect a chair for the purpose of presiding over the meeting.

7. ACTING CHAIR

7.1 In case the Chair does not attend within fifteen (15) minutes of the time a quorum is present after the scheduled commencement time for a meeting of the Board, or after the resumption after an adjournment or recess, the Vice-Chair shall serve as Acting Chair. In the absence of the Chair and the Vice Chair, the

Administrative Director shall call the Members to order, and an Acting Chair shall be appointed from among the Members present and they shall preside until the arrival of the Chair or the Vice-Chair.

7.2 The Chair may designate the Vice-Chair, or in the absence of the Vice-Chair, another Member as Acting Chair during any part of a Board meeting when they leave the Chair for any reason.

7.3 The Acting Chair shall have and may exercise all the rights, power, and authority of the Chair under this By-law.

8. CONDUCT OF MEMBERS

8.1 Pursuant to Section 35 (6) of the Act, every Member of a Board shall comply with the prescribed code of conduct as outlined in Ontario Regulation 408/23, made under the Act, set out in Appendix "A" to this By-law.

9. DUTIES OF THE ADMINISTRATIVE DIRECTOR

9.1 The duties of the Administrative Director pertaining to meetings of the Board shall be:

- (a) Serve as the administrative link between the Board, the Chief, the Board's legal counsel and labour negotiator, Committees of the Board, the media and members of the community;
- (b) Organize meetings, prepare agendas for the meetings, in consultation with the Chair, and ensure their timely distribution;
- (c) Attends all Board meetings and Committee meetings;
- (d) Record the minutes of the proceedings at meetings of the Board and Committees of the Board;
- (e) Receive all communications addressed to the Board;
- (f) Prepare and issue all communications arising from the proceedings of the Board, unless otherwise directed by the Board;
- (g) Maintain a current record of Board resolutions requiring further or future actions and to keep the Board informed of these matters;
- (h) Organize and maintain an annual calendar of monitoring and other reports to be received by the Board; and
- (i) Report on the performance indicators and annual activities of the Board.

10. MEETINGS OF THE BOARD

10.1 The regular meetings of the Board shall be held at least four times each year pursuant to Section 43 (1) of the Act.

10.2 The Board shall hold its regular meetings at 12:00 p.m. on the fourth Thursday of the month, in the 4th Floor Boardroom, of the Windsor Police Service – Headquarters Building, 150 Goyeau Street, Windsor, Ontario in accordance with the schedule adopted annually by the Board; or at such place, time or manner, such as audio or video conferencing, as may be determined by the Board.

10.3 The Board may cancel the next regular meeting or may change any one or more of its dates, its time, or its place, upon the concurring votes of a majority of the Members.

10.4 Notice to Members of all meetings, agendas, agenda items, cancellations and Members postponements shall be provided by the Administrative Director to Members by email. It may also be provided by telephone or personal contact in the case of an emergency.

10.5 Notice of all public meetings, agendas, cancellations, and postponements shall be provided to the public and the media by issuing a media release and posting on the Internet at least seven (7) days before the meeting is to be held and updated as required, except in extraordinary circumstances, pursuant to Section 43 (5), (6), (7) of the Act.

10.6 Public meetings may be video and audiotaped, televised, or otherwise electronically or mechanically recorded as long as the recording does not interfere with the proceedings of the meeting.

10.7 Electronic participation through audio or video conferencing is permitted for regular Board meetings, committee meetings and any special or emergency meetings. The Board members who are participating electronically are deemed present for the purposes of quorum when participating in meetings and are permitted to vote accordingly.

10.8 A Member may make a request of the Chair, at least 24 hours before the scheduled commencement of an in-person meeting, that the Member be permitted to participate in the meeting by means of audio or video conferencing. The Chair may grant permission if the Member can be connected to the meeting by such means. If the Member participates in the meeting by such means, the Member shall be deemed to have been present at the meeting for the purposes of the Act.

10.9 The Administrative Director shall use best efforts to satisfy the notice provisions set out in this section. Failure of the Administrative Director to satisfy any of the notice provisions contained in this section does not invalidate the meeting or any proceeding at the meeting.

10.10 Every person attending the Board meeting, except for Board Members and Board staff, authorized police staff and others authorized by the Chair or the Board, shall remain in the audience portion of the boardroom before, during and after any meeting.

10.11 The Chair may cause to be expelled and exclude any member of the public who creates any disturbance or acts improperly during a meeting of the Board.

11. LIVE-STREAMED/VIDEO RECORDED MEETINGS

11.1 In the event the Board live streams and/or video records its meeting(s) the following shall apply:

11.2 Opinions of delegates are their own and the Board is not responsible for delegates comments, or any materials delegates choose to provide.

11.3 The Board will post, as soon as practicable following the meeting, the archived live stream video.

11.4 A recorded video of a Board and/or Committee meeting is not an official record of that meeting. The official record of the Board and/or Committee meeting shall consist solely of the Minutes approved by the Board. The video is available for details and content.

12. SPECIAL MEETINGS OF THE BOARD

12.1 The Chair may at any time, summon a special meeting.

12.2 The Administrative Director may summon a special meeting on the request of the majority of the Members of the Board.

12.3 Special meetings will take place in a location or manner such as audio or video and conferencing or as deemed most appropriate by the Chair, or Administrative Director as the case may be.

12.4 Written notice of special meetings of the Board or its Committees, other than one summoned by verbal notice, setting out the time and place of the meeting and detailing the matters to be considered, shall be delivered to all Members not less than 24 hours prior to the meeting in accordance with Section 10.4 of this By-law. Notice of all special public meetings shall be provided in accordance with Section 10.5 of this By-law.

12.5 A special meeting may be summoned by verbal notice provided that at least two-thirds (2/3) of the Members of the Board consent to the time, the place, the manner, and the matter to be considered and that the decision to summon the meeting is later ratified by the Board.

12.6 At special meetings of the Board, the Board shall not decide upon any matter unless the matter has been specified in the notice calling the special meeting. This provision may be waived only where all Members are present to vote upon a motion to waive it and only with a two-thirds majority vote.

12.7 The lack of receipt of a notice of, or an agenda for, a special meeting by any Member shall not affect the validity of the special meeting or any action taken thereat.

13. EMERGENCY MEETINGS

13.1 Notwithstanding any other provision of this By-law, an emergency meeting may be called by the Chair without written notice to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Administrative Director to notify the Members about the meeting as soon as possible and in the most expedient manner available.

13.2 The only business to be dealt with at an emergency meeting shall be business dealing with the emergency or extraordinary situation.

13.3 At the discretion of the Chair and with the consent of the majority of the Members of the Board, an emergency or extraordinary situation may be dealt with by means of telephone or electronic polling, or other communication method as to permit all persons participating to communicate adequately with each other. The Board's decision must be reported back at the next regularly scheduled meeting for ratification.

13.4 The lack of receipt of a notice of, or an agenda for, an emergency meeting by any Member shall not affect the validity of the emergency meeting or any action taken thereat.

14. QUORUM

14.1 A majority of the Members of the Board constitutes a quorum.

14.2 As soon after the hour of the meeting as a quorum is present, the Chair shall call the meeting to order.

14.3 If a quorum is not present within thirty (30) minutes after the scheduled time of a meeting, the Administrative Director shall record the names of the Members

of the Board present, and the meeting shall stand adjourned until the date of the next meeting of the Board.

14.4 If a quorum is lost during a meeting of the Board, then the Chair shall, upon determining that a quorum is not present, request the Administrative Director to call for a quorum for a period of fifteen (15) minutes, or until a quorum is present, whichever is sooner.

14.5 If there is still no quorum of the Board after fifteen (15) minutes, the meeting shall stand adjourned, and the Administrative Director shall record the names of the Members present. In this case, all unfinished business shall be carried forward to the next meeting of the Board.

15. BOARD AGENDAS

15.1 The Administrative Director shall prepare the agenda, under the direction of the Chair, for distribution with the routine order of business for regular meetings of the Board to be as follows:

- (a) Call to Order;
- (b) Declarations of Conflict & Pecuniary Interest by Members;
- (c) Approval of Agenda;
- (d) Adoption of Minutes of Previous Meeting(s);
- (e) Business Arriving from the Minutes;
- (f) Presentations and/or Delegations;
- (g) General Reports;
- (h) Policy Items;
- (i) Financial Matters;
- (j) Human Resources
- (k) Communications;
- (l) New Business;
- (m) Adjournment.

15.4 The Administrative Director shall cause to be delivered to each Member at least seven (7) days before the scheduled time for a meeting the agenda and copies of related materials.

15.5 The business of the Board shall, in all cases, be taken up in the order in which it appears on the agenda, unless otherwise decided by the Board. Any matter on the agenda not decided by the Board shall be placed on the agenda of the next regular meeting of the Board.

15.6 As soon as agenda information is published and distributed by the Administrative Director to the Members, the information may be made available to the public.

15.7 Every communication intended to be presented to the Board or its Committees must be legibly written or emailed and must contain the signature or e-signature and contact address of at least one person and preferably the addresses and contacts of all signatories. For all communications submitted, there shall be designated a contact person to whom the Administrative Director can communicate on behalf of the Board or a Committee.

15.8 No business shall be introduced at a meeting which has not been included on the agenda for such meeting unless the person seeking to introduce the business obtains the approval of a majority of the Members of the Board present at the meeting.

16. BOARD MINUTES

16.1 The Administrative Director shall cause minutes to be taken of each meeting of the Board, which shall include:

- (a) the place, date and time of the meeting;
- (b) the name of the Chair and the attendance of the Members, the Administrative Director, senior staff of the Windsor Police Service, names of presenters and external delegations;
- (c) the confirmation and correction of the minutes of the previous meeting;
- (d) declarations of conflict of interest or pecuniary interest;
- (e) all other proceedings of the Board without note or comment.

16.3 After the Board Minutes have been approved by the Board, they shall be signed by the Chair and the Administrative Director, and sealed.

16.4 The approved public minutes of the Board shall be posted on the Board's web page.

17. DISCLOSURES OF CONFLICT/ PECUNIARY INTEREST

17.1 Where a Member has any pecuniary interest in any matter and is present at a Board meeting or Committee meeting at which the matter is the subject of consideration, the Member shall;

(a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;

(b) not take part in the discussion of, or vote on, any question in respect of the matter; and

(c) not attempt in any way, whether before, during or after the meeting, to influence the voting on any such question.

17.2 Where a meeting is not open to the public, in addition to complying with the requirements set out above, the Member shall forthwith leave the meeting for that part during which the matter is under consideration.

17.3 Where the interest of a Member has not been disclosed by reason of their absence from the particular meeting, the Member shall disclose their interest at the next meeting at which such Member attends.

17.4 The Administrative Director shall record in reasonable detail the particulars of any Disclosure of pecuniary interest made by a Member, and this record shall appear in the Minutes of that particular meeting of the Board or of Committee.

18. RULES OF DEBATE

18.1 No Member shall be deemed to have precedence or seniority over any other Member.

18.2 No Member shall speak to a question or motion until the Member has been recognized by the Chair.

18.3 When a Member is speaking, no other Member shall interrupt that member except to raise a point of order or personal privilege.

18.4 Every Board Member, prior to speaking, must address the Chair, and all remarks must be directed through the Chair.

18.5 All remarks and comments must be relevant to the question under consideration and the Chair shall be the judge of such relevancy.

18.6 A 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 who is speaking.

18.9 If a Member considers that their integrity or the integrity of the Board has been impugned, the Member may, as a matter of personal privilege and with leave of the Chair, draw the attention of the Board to the matter by way of a point of personal privilege. When a point of personal privilege is raised, it shall be considered and decided by the Chair immediately. The decision of the Chair on a point of privilege may be appealed to the Board as the case may be.

18.10 If no member appeals, the decision of the Chair is final. The Board's decision is final if the Chair is challenged.

19. RULES OF VOTING

19.1 All voting, except with respect to the election of the Chair and Vice-Chair, shall be conducted in the manner prescribed by the rules in this section.

19.2 When the Chair is putting a question to vote, no member of the Board may leave the room or cause any disturbance.

19.3 Every Member of the Board, including the Chair, who is present when a question is put shall vote thereon, unless disqualified by a conflict of interest.

19.4 The failure to vote by a Member who is not disqualified by a conflict of interest shall be deemed to be a negative vote.

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

19.6 Where there is an equality of votes on any decision, the question shall be deemed to be lost.

20. MOTIONS AND NOTICES OF MOTIONS

20.1 A motion or Notice of Motion in respect of a matter which is not within the jurisdiction of the Board, shall not be in order and shall not be considered by the Board.

20.2 No member shall introduce any item to the Board for its consideration unless:

- (a) the item relates to a matter on the agenda for that meeting;
- (b) the matter is of an urgent nature; or
- (c) leave is granted on a two-thirds majority vote.

20.3 The following may be introduced orally without written notice and without leave of the Board:

- (a) a point of order or privilege;

- (b) presentation of petitions;
- (c) a motion to waive or suspend the rules of procedure;
- (d) any other procedural motion;
- (e) a motion to recess;
- (f) a motion to adjourn;
- (g) a motion to call the question;
- (h) a motion to retire into a confidential session;
- (i) a motion to receive an item;
- (j) a motion to table an item;
- (k) a motion to refer;
- (l) a motion to defer;
- (m) a simple amendment;
- (n) a motion to adopt a recommendation; or
- (o) the motion relates to a report which was distributed with the agenda.

20.4 Except as provided in 20.3 of this By-Law, all motions and Notices of Motion shall be in writing at least 10 days in advance of the scheduled meeting. The Chair may require that any amendment be signed by the mover and the seconder.

20.5 A motion shall be moved and seconded before the Chair shall put the question and the motion is recorded in the minutes of the meeting.

20.6 All motions or notice of motions shall be worded in the affirmative, where possible, and shall express fully and unambiguously the intention of the mover.

20.7 Notwithstanding the above, any motion may be introduced for consideration by the Board in a situation deemed to be an emergency by the Chair.

20.8 There may be only one substantive motion before the Board at any time.

20.9 A motion may be amended during debate provided that the motion to amend is relevant and not in direct opposition to the main question.

20.10 Only one motion to amend an amendment to the question shall be allowed.

20.11 After a motion has been seconded, it may be withdrawn by the mover and the seconder at any time before a vote is taken.

20.12 A motion to refer a question shall include the name of the committee, body or official to whom the question is to be referred.

20.13 A direction to the Chief of Police by the Board shall be authorized by resolution of the majority of the Members present.

20.14 The motions referred to in 20.3, (f), (g), (j) and (l) are not debatable.

20.15 A motion is deemed carried where a majority of the quorum votes in the affirmative.

20.16 The procedure on a motion is as follows:

(a) the Chair shall read, state or verbally acknowledge each motion presented, whereupon the motion shall be deemed to be in the possession of the Board;

(b) the motion shall be seconded;

(c) the Chair shall restate the motion and open debate;

(d) the motion shall be debated in accordance with this By-Law;

(e) the question shall be put to the Board by the Chair;

(f) vote shall be taken in accordance with this By-Law;

(g) the motion shall be declared carried or lost.

20.16 The Chair shall refrain from moving motions.

20.17 A motion to reconsider a matter previously decided by the Board shall be permitted within 12 months of the original motion where a Board Member, who voted in the majority, gives notice in writing which is included in the agenda that he or she will move at the next meeting that a matter be reconsidered.

20.18 A motion to reconsider is not required after the expiration of 12 months from the date the matter was previously decided, or if new material facts respecting the previously decided arise. In those cases, the motion procedures of 20.16 apply.

20.19 A motion to reconsider requires an affirmative vote of at least two-thirds (2/3) of the Members of the Board to pass.

21. OUTSTANDING INQUIRIES AND MOTIONS

21.1 Inquiries made at a meeting of the Board may be introduced orally or in writing and shall be recorded in the Minutes of the meeting.

21.2 Following each Board meeting, the Administrative Director will forward in writing any inquiries or motions requiring action or a subsequent report to the Chief of Police or other person assigned responsibility for responding.

21.3 The response shall be submitted in writing to the Administrative Director for inclusion in an upcoming Board agenda.

21.4 The Administrative Director shall keep a record of all inquiries and motions requiring a response and shall submit a list of outstanding inquiries and motions to the Board on a quarterly basis.

22. PUBLIC AND CLOSED MEETINGS

22.1 Meetings of the Board shall be open to the public except as provided for in Section 44 of the Act and this Section of the By-law and no person shall be excluded from a meeting open to the public except for improper conduct.

22.2 The public shall be allowed access 15 minutes before the scheduled start time of the meeting.

22.3 The use of cameras, recording equipment, television cameras and any other device of a mechanical, electronic, or similar nature used for recording the proceedings of a meeting by members of the public, including the news media, may be permitted and shall be subject to the approval and/or direction of the Chair unless otherwise decided by the Board.

22.4 A meeting, or part of a meeting, may be conducted in Closed Session pursuant to Section 44 of the Act, if the subject matter being considered is:

- a) the security of the property of the Board;
- (b) personal matters about an identifiable individual, including Windsor Police Service employees 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, including matters before administrative tribunals, affecting the Board or Police Service;
- (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;
- (l) an ongoing investigation respecting the Police Service Board; or
- (m) education or training session for the benefit of Members.

23. DELEGATIONS/DEPUTATIONS AND PUBLIC PRESENTATIONS

23.1 Any person, group of persons or organization wishing to address the Board regarding a matter within the Board's jurisdiction shall make a written request to the Administrative Director at least ten (10) days prior to the date of the meeting at which the deputation is to be made, such written request to include:

- (a) The name of the presenter;
- (b) An outline of the deputations to be made;
- (c) The names of the other persons who will be appearing with the presenter;

(d) A copy of any materials to be provided to the Board as part of the deputation.

23.2 Criteria for deputations to the Board: Delegations and Presentations

(a) Individual complaints are not considered at Board meetings as there is a legislated public complaints process to deal with such matters that must be followed, and the Board must not intervene in that process.

(b) Individual vendors will not be permitted to present to the Board as there is a City of Windsor policy that deals with procurement processes.

23.3 Delegations shall only be heard upon the consent of the Board.

23.4 A delegation shall address the Board through one (1) spokesperson for a period not exceeding five (5) minutes, unless approval to extend the speaking time is obtained from the Chair.

23.5 All presenters shall address the Chair from the designated area and shall state their name and whom they represent.

23.6 No person shall:

(a) Speak disrespectfully of any person;

(b) Use offensive words or language;

(c) Speak on any subject other than that which has received approval by the Board;

(d) Disobey the rules of procedure or a decision of the Chair or the Board.

23.7 The Chair may curtail any presentation, questions, or debate during a Breach presentation for disorder or any other breach of this By-law, and if the Chair rules that the presentation is concluded, the person(s) appearing shall immediately withdraw.

23.8 Following the presentation, the Board may ask questions of the presenter for the purpose of clarifying information but shall not enter into a debate with the presenter.

23.9 At the conclusion of the presentation, the Board may receive the presentation, discuss it at that point or later in the meeting, or defer the matter to a subsequent meeting for the purpose of receiving further information.

23.10 Members of the public who constitute the audience at a meeting shall respect the decorum of the Board and not:

- (a) Address the Board without permission of the Chair;
- (b) Interrupt any speech or action of the Members of the Board or any other person addressing the Board; and
- (c) Bring signage, placards, or banners into such meetings.

24. MEDIA RELATIONS

24.1 Unless otherwise specified, the spokesperson for the Board is the Chair of the Board. Should the Chair be unavailable, the Vice-Chair shall be the spokesperson for the Board.

24.2 On matters of factual information, administration of the Board, or communicating a decision of the Board in response to an enquiry, the Administrative Director may act as a resource person on behalf of the Board.

24.3 In special circumstances, such as labour relations, or where a Board Committee has been established on a specific issue, the Board may designate the member leading the negotiations, or the Chair of the Committee, to act as spokesperson for the Board.

24.4 Board Members may communicate a position of the Board; however, should a Board Member publicly disagree with a position of the Board, or should a Board Member comment upon a matter not yet before the Board, they will clearly identify they are speaking as an individual and not on behalf of the Board. Nor shall a Board Member state the Board has taken a position on a matter, until the matter has been voted upon.

24.5 Media releases shall be approved by the Chair, or the Vice-Chair prior to release. Board Members shall receive a copy of the release as soon as possible once it has been approved.

24.6 News conferences on matters within the jurisdiction of the Board shall be called at the discretion of the Chair or the Vice-Chair. Whenever possible, Board Members shall be advised of the event prior to it taking place.

25. COMMITTEES

25.1 Subject to the provisions of Section 42 of the Act, Committees may be established by the Board at any time as is deemed necessary for the consideration of matters within the jurisdiction of the Board.

25.2 The Board may establish Ad Hoc Committees of limited duration, to inquire and report on a particular matter or concern. An Ad Hoc Committee shall dissolve automatically once the matter or issue has been resolved.

25.3 The Board shall determine the appropriate number of Committees, their membership, mandate and reporting practices.

25.4 The role of the Committees shall generally be to:

(a) make recommendations to the Board on matters which are in their jurisdiction; and

(b) guide and request staff through the Chief of Police, to provide reports on the direction and nature of policy development, fact findings, analysis and generation of possible alternatives required.

25.5 Each Committee shall appoint a Chair of the Committee.

25.6 The rules governing the procedure of the Board and the conduct of Members shall be observed in all Committees so far as they are applicable.

25.7 Members shall be appointed to Committees by the Board for a specific period of time.

25.8 Members who are not Members of a specific Committee may attend meetings of that Committee and may, with the consent of the Chair of that Committee, take part in the discussion, but shall not be counted in the quorum or entitled to make motions or to vote at these meetings. The Chair, as ex-officio, is a member of every Committee.

25.9 No sub-groups of Committees shall be established without approval by the Board.

26. BY-LAWS

26.1 Every by-law shall be introduced upon motion by a Member, and any number of by-laws may be introduced together in one motion, but the Board may, at the request of a Member, deal separately with any by-law.

26.2 Every by-law, when introduced shall be in typewritten form and shall comply with the provisions of any relevant legislation.

26.3 Every by-law of the Board requires only one reading before it may be passed.

26.4 Every by-law which has been passed by the Board shall be numbered and dated and shall be sealed with the seal of the Board and signed by the Chair or

the Vice-Chair and the Administrative Director and shall be deposited in the Office of the Board.

27. SIGNING AUTHORITY AND EXPENDITURES

27.1 The Chair or the Vice-Chair is authorized to sign and seal all documents for and on behalf of the Board, including but not limited to By-Laws, resolutions, orders, and agreements which have been approved by the Board.

27.2 The Chief of Police is authorized to expend funds not previously approved by the Board to a maximum of \$10,000 on each occasion, provided that the Chief shall report thereon to the Board at its next meeting following such expenditure.

27.3 The Administrative Director is authorized to pay Board accounts not previously authorized by the Board to a maximum of \$1,000 and shall provide a summary of expenditures quarterly.

27.4 Board cheques require two signatures. All cheques shall be signed by the Administrative Director together with either the Chair or the Vice-Chair or a combination thereof.

28. PURCHASING

28.1 Purchases of goods and services for the Windsor Police Service Board and the Windsor Police Service shall be administered through the City of Windsor Purchasing Department pursuant to the City's Purchasing By-Law, as amended from time to time.

29. CONFERENCES AND CONVENTIONS

The Board shall, from time to time by resolution, determine policies for the attendance of its Members at conferences and conventions and the payment of appropriate travel and other expenses necessarily incurred.

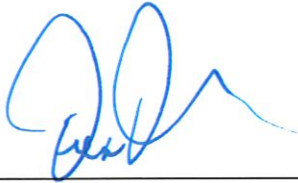
30. BUDGET

30.1 The Board shall review policy issues relating to the Budget for the coming fiscal year in the September preceding the fiscal year.

30.2 The Finance Committee shall consider the Budget proposals of the Chief of Police prior to their submission to the Board.

31. ENACTMENT

27.1 By-law Nos.01-2011, 10-2021 as amended, and all other By-laws, sections of By-laws and procedural policies of the Board inconsistent with the provisions of this By-law are hereby repealed effective June 20, 2024. This By-law shall come into force on June 20, 2024.



MAYOR DREW DILKENS
CHAIR



NORMA COLEMAN
ADMINISTRATIVE DIRECTOR