Sudbury East OPP Detachment Board

PROCEDURAL BY-LAW 2024-01

A BY-LAW OF THE SUDBURY EAST OPP DETACHMENT BOARD TO ESTABLISH THE RULES GOVERNING THE ORDER AND PROCEEDINGS OF THE BOARD AND ANY COMMITTEES ESTABLISHED BY THE BOARD.

WHEREAS Section 46 (1) of the Community Safety and Policing Act, 2019 provides that subject to the regulations made by the Minister, if any, a police service board shall establish its own rules and procedures in performing its duties under this Act and the regulations;

AND WHEREAS Section 67 (6) of the Community Safety and Policing Act, 2019 states that the following provision apply to OPP detachment boards, with necessary modifications, as if they were police service boards and include 8. Section 46 (Rules and procedures);

AND WHEREAS the Sudbury East OPP Detachment Board deems it advisable to enact a by law to govern the proceedings of the Board and the calling of Meetings and to provide for procedures and statutory requirements in accordance with the Act;

NOW THEREFORE the Sudbury East OPP Detachment Board enacts as follows:

1. DEFINITIONS

In this By-law:

- **1.1.** **Act** shall mean the Community Safety and Policing Act, 2019, as amended or replaced from time to time.
- **1.2.** **Agenda** shall mean the written and published order of proceedings for a meeting, setting out the business to be considered at the meeting.
- **1.3.** **Advisory Committee** shall mean a Committee created by the Board to report to the Board on a specific matter on an ongoing basis.
- **1.4.** **Board** shall mean the Sudbury East OPP Detachment Board.
- **1.5.** **By-law** shall mean a local law that has been enacted by the Board in order to exercise a power provided by legislation.
- **1.6.** **Chair** shall mean the Member who presides at the Board or Committee meeting.
- **1.7.** **Closed Session** shall mean a meeting or part of a meeting that is closed to the public in accordance with Section 44 of the Act.
- **1.8.** **Conflict of Interest** shall mean a pecuniary interest as defined in Ontario Regulation 409/23 Code of Conduct for OPP Detachment Board Members.
- **1.9.** **Delegation** shall mean any person, group of persons, firm, or organization, including staff, consultants retained by the Board, or representatives from another level of government, who is addressing the Board or a Committee, either in person or electronically. This shall also include ceremonial presentations, or information requested by or of interest to the Board or Committee.
- **1.10.** **Electronic Participation** or **Virtual Participation** shall mean a Member of the Board who participates remotely in any open or closed Board or Committee meeting via electronic means whereby the Member is able to fully participate in the meeting

despite not being physically present. The Member(s) participating electronically shall have the same rights and responsibilities as if they were in physical attendance, including the right to vote, and shall be included as being present in determining Quorum.

1.11. **Emergency Meeting** shall mean a meeting of the Board called without notice to address the circumstances of an Emergency.

1.12. **Majority Vote** shall mean a vote where over half of the Members present, and eligible to participate vote in the same manner.

1.13. **Meeting** shall mean any regular, Special, or Emergency Meetings of the Board or Committee, where Quorum is present in person and/or virtually and Members discuss or otherwise deal with any matter in a way that materially advances the business or decision making.

1.14. **Member** shall mean a Member of the Sudbury East OPP Detachment Board, including a Member of a Committee, including the Chair.

1.15. **Notice of Motion** shall mean written notice from a Member provided in advance of a meeting to the Secretary, advising the Board that the Motion described therein shall be brought forward to the next Board meeting unless otherwise specified.

1.16. **Point of Order** shall mean a Motion introduced by a Member with the view to calling attention to any departure from this By-law or in the practiced conduct during a meeting.

1.17. **Point of Privilege** shall mean a Motion introduced by a Member who is concerned that a matter affects the credibility, reputation, integrity, or dignity of a Member individually or as a group of Members.

1.18. **Point of Procedure** shall mean a Motion introduced to obtain information on a matter of procedure where the rules of this By-law bearing on the business at hand in order to assist a Member to make an appropriate Motion or understand the parliamentary situation or the effect of a Motion.

1.19. **Quorum** shall mean a majority of the total voting Members of the Board or a Committee. Four (4) Members shall constitute a Quorum of the Board. Those attending virtually shall count towards Quorum.

1.20. **Recorded Vote** shall mean documenting in the minutes, the name and vote of each Member present any matter or question where any Member requests that the vote be recorded.

1.21. **Secretary** shall mean the Secretary or designate duly appointed by the Board.

1.22. **Two-thirds Vote** shall mean a vote where at least two-thirds of the Members present and eligible to vote in the same manner.

2. PRINCIPLES AND RULES

2.1. General Principles

2.1.1. Each Member has the right to:

a) One vote per Motion, subject to the declaration of pecuniary interest.
b) Information to help make decisions, unless otherwise prevented by law.
c) Efficient Meetings.
d) To be treated with respect, dignity and courtesy.

2.2. General Rules

2.2.1. The Board and all Committees created by the Board shall observe the rules of procedure contained in this By-law in all Meetings.

2.2.2. This By-law shall be used to guide the order and dispatch of business of the Board or any Committee Meetings wherever possible.

2.2.3. Modifications may be necessary for Advisory Committees unless otherwise provided.

2.2.4. All Meetings shall be open to the public.

2.2.5. Notwithstanding the above, a meeting or part of a meeting may be closed to the public in accordance with Section 44 of the Act.

2.2.6. No item shall be placed on an Agenda with respect to a matter which is not within the jurisdiction of the Board or Committee. The Chair, in consultation with the Secretary, shall determine if a matter is within the jurisdiction of the Board or Committee.

2.2.7. In the event of conflict between the provisions of this By-law and the Act, or any other legislation, the provisions of the legislation shall prevail.

2.2.8. Subject to the right of appeal by a Member, the Chair shall be responsible for interpreting the rules of procedure established by this By-law with the assistance and advice of the Secretary.

2.2.9. The Secretary or designate shall be the Secretary of the Board or Committee Meetings and shall be in attendance at all Meetings either in person or virtually.

2.2.10. Where procedural matters of the Board or Committee are not provided for in this By-law, and are not governed by the Act, or any other legislation, Robert's Rules of Order shall apply.

2.2.11. Information which is to be distributed shall be supplied to the Secretary for examination and potential distribution.

2.3. Suspension of Rules

2.3.1. No provision of this By-law shall be suspended except by a two-thirds vote in the affirmative.

2.3.2. A suspension of the rules shall only apply to the specific procedure(s) or rule(s) which are stated within the Motion to suspend and only during the meeting in which such Motion was introduced.

2.3.3. No other business shall take place during a Special Meeting other than what is identified on the published Agenda.

2.3.4. Quorum requirements shall not be suspended.

2.4. Public Notice

2.4.1. Public notice shall include the date, time, location and method of participating (electronically or in person) regarding each meeting.

2.4.2. The Secretary shall give public notice of all regular open and closed Board or Committee Meetings by posting the agendas on the designated Municipal website(s) 2 business days (48 hours) prior to the meeting.

2.4.3. The Secretary shall give public notice of Special Meetings of the Board or Committee by posting the agenda(s) on the designated Municipal website(s) as soon as possible after the meeting is called and no later than 48 hours before it.

2.4.4. The Secretary shall give public notice for Emergency Meetings of the Board or Committee by posting the Agenda on the designated Municipal website as soon as possible after the meeting is called, or prior to the meeting if possible.

2.4.5. Board Agendas shall be available by 4:00 p.m. at least 48 hours before the meeting.

2.4.6. Board and Committee Meetings may be cancelled in consultation with the Chair and Secretary if insufficient business shall be before the Board or Committee. Notice of cancellation should be posted as soon as possible on the designated Municipal website.

2.4.7. Board or Committee Meetings may be cancelled or postponed due to inclement weather, other similar occurrences, or emergency situations. The Chair may direct the Secretary to postpone the meeting by contacting all Members if possible. Generally, Meetings shall be postponed by 8:00 p.m. on the day prior to a meeting and notice of any cancellations shall be posted on the designed Municipal website as soon as possible.

2.5. Annual Meeting Schedule

2.5.1. The annual meeting schedule shall outline the dates of regular Board and Committee Meetings.

2.5.2. Regular Board Meetings shall generally take place quarterly on an annual basis.

2.5.3. Special and Emergency Meetings may be called at any time.

2.5.4. Any Board or Committee meeting that takes place outside of the annual meeting schedule shall be deemed to be a Special or Emergency Meeting.

2.5.5. Rescheduled Meetings shall not be considered Special Meetings.

2.5.6. The Secretary shall prepare an annual meeting schedule for the Board's consideration and approval by November 1 of each year, for the subsequent year.

3. ROLES AND RESPONSIBILITIES

3.1. Assignment of Roles

3.1.1. The Chair shall preside over the Board Meetings unless by reason of absence, refusal, or is otherwise unable to do so.

3.1.2. The Chair and Vice-Chair shall be elected annually at the first meeting of each year by a vote of the majority of the Members.

3.1.3. All Members of the Board, except for the Board Chair, shall be eligible to serve as Vice-Chair and Committee Chair.

3.1.4. If necessary, the length of each term of Chair may be adjusted.

3.2. Responsibilities of the Chair

3.2.1. It shall be the responsibility of the Chair to:

a) Review and understand the Agenda in consultation with the Secretary.

b) Provide direction when required regarding meeting conduct and procedures with assistance from the Secretary.

c) Represent Board initiatives and decisions to the public, where appropriate.

d) Open the meeting by calling the meeting to order at the appointed time.

e) Ensure that Quorum is established and maintained throughout the meeting.

f) Announce the business in the order in which it is to be considered.

g) Manage the discussions in such a manner that all questions and comments are directed through the Chair.

h) Receive and submit, in the proper manner, all Motions which are to be read aloud.

i) Put to a vote all Motions which are moved and seconded when necessary and to announce the result of each vote.

j) Decline to put to a vote any Motion which infringes upon the rules of this by-law or the Act.

k) Provide order and decorum.

l) Vote on all Motions.

m) Ensure that Members, Secretary and attendees adhere to the rules of this By-law.

n) Undertake all matters required to ensure that the meeting proceeds in an orderly and efficient manner.

o) Authenticate By-laws and minutes by signature when required.

p) Adjourn the meeting when business is concluded or at the designated time.

q) Be a political liaison with other Board and Committee Members.

r) Be the spokesperson on behalf of the Board.

s) Maintain an appearance of impartiality on all matters. The Chair may answer questions or comment in a general way.

t) If the Chair wishes to participate in debate, make a Motion, speak to a Motion under consideration, or leave the Chair for any other reason, the Chair shall first delegate their duties to a Member of the Board or Committee in accordance with the provisions of this By-law.

u) The Chair shall not resume the position of Chair until they are finished debating the matter. Only then shall the Chair resume the position of Chair from the Acting Chair.

4. RULES OF CONDUCT FOR MEMBERS, STAFF AND ATTENDEES AT MEETINGS

4.1. Rules Specific to Members

4.1.1. Members shall give notice to the Secretary and the Chair at least 24 hours in advance of the meeting if they plan to attend the meeting virtually. Meeting attendance shall generally be in person unless due to extenuating circumstances, the members is unable to attend in person.

4.1.2. When two or more Members wish to speak, the Chair shall name the Member who is to speak first.

4.1.3. When a Member is recognized by the Chair, the Member shall confine their remarks to the Motion under consideration.

4.1.4. When a Motion is under debate, a Member may ask a question through the Chair of another Member, Secretary or other.

4.1.5. Members shall not interrupt another Member who is speaking, except to raise a Point of Order or Point of Privilege.

4.1.6. Any Member may require the Motion under debate to be read at any time during the debate, but in doing so, shall not interrupt a Member who is speaking.

4.1.7. All Members, Secretary and delegations shall address their questions and comments through the Chair.

4.1.8. Members shall not rise from their seats or make any noise or disturbance while a vote is being taken.

4.1.9. No Member shall permanently leave the meeting without first advising the Chair or the Secretary.

4.1.10. Members shall not make detrimental comments, or speak ill, or malign the integrity of the Secretary, the public, Chair or other Members of the Board or its Committees.

4.1.11. Members shall not enter into debate or discussion with a delegation respecting a presentation, Members may ask, through the Chair, for points of clarification.

4.2. Rules Specific to Presenters and Attendees.

4.2.1. An attendee shall not participate in a meeting unless they have received confirmation from the Secretary that they have been confirmed as a delegation.

4.2.2. Attendees who have not received confirmation from the Secretary are subject to consideration of the Board or Committee. The attendee shall only be permitted to speak if their request is supported by a two-thirds vote in the affirmative.

4.2.3. No person, except for Members of the Board and the Secretary shall be permitted to come within or behind the Board Members' seating during a meeting without the permission of the Board.

4.2.4. No person shall display signs or distribute information.

4.3. Rules for all in attendance

4.3.1. No person shall:

a) engage in any activity, conduct or behaviour or make any audible noise that could disturb deliberations.
b) use profane or offensive words or insulting expressions.
c) at any time question the personal or professional integrity of the Board, Secretary or persons present.

4.3.2. Members are to be mute devices for the duration of all Meetings.

4.4. Breach of Conduct

4.4.1. In the event that a Member or attendee persists in a breach of this By-law, after having been called to order by the Chair, the Chair shall without debate call the question "Shall the Member (or attendee) be ordered to leave the meeting?".

4.4.2. If the majority of Members present vote in the affirmative, the Chair shall order the Member or attendee to leave the room, or have the person removed from the virtual meeting, for the duration of the meeting.

4.4.3. If the person refuses to leave, the Chair shall direct the Secretary to end the meeting and reschedule.

5. BOARD AND COMMITTEE MEETINGS

5.1. Inaugural meeting of the Board

5.1.1. The first meeting in the new term of the Board shall be held within thirty (30) days of the Board's establishment or at the earliest possible date following the appointment of Members.

5.2. Board Meetings

5.2.1. Board Meetings shall normally be held in the Board Chambers at the Municipality of French River Office.

5.2.2. Regular meeting dates shall be identified in the annual meeting schedule.

5.2.3. The start time for Board Meetings shall be 4:00pm

5.3. Committees

5.3.1. The Board shall determine if it requires Committees to conduct its business and its Terms of Reference that shall determine its composition, purpose, meeting schedule and terms.

5.3.2. No decision to take any action or do anything other than matters administrative in nature shall be recognized as emanating from a Committee, and all affirmative Committee recommendations shall be referred to the next regularly scheduled Board meeting for consideration or as otherwise determined by the Board.

5.4. Appointments to Committees

5.4.1. Board Members shall be appointed to the various Committees, and external organizations by Motion, unless a By-law is required by an Act or Regulation.

5.4.2. Advisory Committee Members shall be appointed to the end of the term of the Board to which they are appointed, unless otherwise determined by the Board, the Act or Regulation.

5.5. Special Meetings

5.5.1. The Chair may at any time call a Special Meeting of the Board.

5.5.2. A Committee Chair may at any time call a Special Meeting of a Committee.

5.5.3. The only business to be dealt with at a Special Meeting shall be that which is stated on the Agenda of the meeting.

5.5.4. A minimum of forty-eight (48) hours' notice shall be provided for all Special Meetings. This shall be achieved by posting the Agenda on the designated Municipal website and by emailing the notice to the Members.

5.6. Emergency Meetings

5.6.1. The Chair may call an Emergency Board or Committee meeting at any time without providing forty-eight (48) hours' notice. The Secretary shall make best attempts to advise all Members immediately upon being notified of the intention to hold an Emergency meeting.

6. ORDER OF BUSINESS

6.1. Format of Agendas

6.1.1. If an item on a regular Board or Committee Agenda does not have any associated content, that item heading may be omitted from the Agenda for that meeting. The number of items shall be adjusted as needed in this circumstance.

6.2. Inaugural Meeting

6.2.1. The Inaugural Meeting shall generally be prepared as follows:

d) **Call to Order:** the meeting shall be called by the Secretary.
e) **Welcome and Introductions:** Members introduce themselves and provide brief backgrounds.
f) **Review of Procedural By-law:** Overview of the rules and procedures governing the Board.
g) **Election of Chair and Vice-Chair:** Nominations for Chair and Vice-Chair will be received by the Secretary. Each nomination must be seconded. Voting shall occur by secret ballot or show of hands, as decided by the majority of Members present.
h) **Adoption of Schedule of Meetings:** Proposed meeting dates are reviewed and approved.
i) **Other Business:** Items relevant to the establishment and initial operations of the Board.
j) **Adjournment:** Official closure of the inaugural meeting.

6.3. Board Agendas

6.3.1. Board Agendas shall generally be prepared as follows:

a) Call to Order
b) Land Acknowledgement
c) Approval of Agenda
d) Disclosure of Pecuniary Interest
e) Approval of Minutes
f) Delegations
g) Reports
h) External Organization Updates
i) Motions
j) Announcements
k) Closed Session
l) Confirmatory By-law
m) Adjournment

6.4. Committee Agendas

6.4.1. Committee Agendas shall generally be prepared as follows:

a) Call to Order
b) Land Acknowledgement
c) Approval of Agenda
d) Disclosure of Pecuniary Interest
e) Approval of Minutes
f) Delegations
g) Reports
h) Closed Session
i) Adjournment

6.5. Special and Emergency Agendas

6.5.1. Special and Emergency Agendas shall generally be prepared as follows:

a) Call to Order
b) Disclosure of Pecuniary Interest
c) Business
d) Closed Session

6.6. Agenda Items – General Rules

6.6.1. The Secretary shall determine the appropriate meeting at which items of business shall be considered in accordance with this By-law.

6.6.2. The Secretary or their designate shall attend Board and Committee Meetings (both open and Closed Session) unless otherwise excluded.

6.6.3. All meeting materials shall be distributed through and by the Secretary or their designate.

6.7. Call to Order and Quorum

6.7.1. The Chair shall call the Members to order as soon as there is quorum after the time set for the start of the meeting. Once the Chair has called the meeting to order, the Secretary shall record in the minutes those Members who were present, and those Members absent. If a member arrives after the roll call, the Secretary shall note the time of arrival in the minutes.

6.7.2. If no quorum is present fifteen (15) minutes after the time appointed for a meeting of the Board or Committee, the Secretary shall record the names of the Members present and the meeting shall stand adjourned until the date of the next meeting; regular, special or Emergency.

6.7.3. When Quorum is lost as a result of declarations of pecuniary interest by one or more Members, the remaining Members shall be deemed to constitute Quorum, provided the number of Members is not fewer than two (2).

6.7.4. In the absence of the Chair at a meeting, the Vice-Chair shall conduct the meeting until the arrival of the Chair.

6.7.5. In the absence of both the Chair and Vice-Chair at a meeting, an Acting Chair shall be selected at the beginning of the meeting for the duration of that meeting. The Secretary shall preside over the selection process at the meeting and invite nominations from Members present.

6.7.6. Members shall notify the Secretary when intending to be absent from a Board, Committee, Special or Emergency meeting for the purpose of ensuring Quorum at the meeting.

6.7.7. When a Quorum is lost, the meeting shall stand recessed, and no further action shall be taken. If a Quorum is regained within ten (10) minutes the meeting shall proceed.

6.7.8. If Quorum is not regained within ten (10) minutes, the meeting shall stand adjourned.

6.8. Approval of the Agenda

6.8.1. After the Agenda has been posted, substantive amendments (additions or deletions) shall require a vote of at least two-thirds in the affirmative of the amending Motion. Clerical changes may be made at the discretion of the Secretary.

6.8.2. Additions or Deletions to the Agenda shall only be made during the Approval of the Agenda portion of the meeting. Amendments to the Agenda are to be made by Motion. Additions shall only be made to an Agenda if the matter is of a timely nature.

6.8.3. Amendments to the Agenda may be initiated by either Members of the Board or the Secretary.

6.8.4. The Chair may change the order in which business on the Agenda is dealt with through the consensus of the majority of the Members participating in the meeting. This action does not require a formal Motion.

6.9. Disclosure of Pecuniary Interest

6.9.1. Where a Member has any pecuniary interest, direct or indirect, in any matter and is present at a meeting at which the matter is the subject of consideration, the Member shall, in accordance with Regulation 409/23, disclose the Member's interest and the general nature thereof, prior to any consideration of the matter at the meeting.

6.9.2. Where a Member has declared an interest, the Member shall not take part in the discussion of or vote on any question in respect of the matter; and not attempt in any way before, during or after the meeting to influence the voting on the matter.

6.9.3. Where a meeting is not open to the public, in addition to complying with the requirements of Regulation 409/23, the Member shall leave the meeting (physically or virtually) or the part of the meeting during which the matter is under consideration.

6.9.4. Where the interest of a Member has not been disclosed because of the Member's absence from a particular meeting, the Member shall disclose the Member's interest and otherwise comply at the first meeting of the Board or Committee (as the case may be), attended by the Member after the particular meeting.

6.9.5. The Secretary 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 meeting.

6.10. Delegations

6.10.1. General Provisions

a) Delegations shall be permitted at Board meetings, subject to the following conditions:

- Each delegation is limited to one (1) agenda item per meeting.
- The subject matter must fall within the jurisdiction of the Board or its Committees.
- The presentation must remain focused on the agenda item.

b) Delegations shall be heard prior to Board discussion or debate on the relevant agenda item.

- If the agenda item is removed or deferred, the delegation shall be automatically cancelled and may be rescheduled at the discretion of the Chair.

c) Repeat Delegations: A delegation on the same agenda item shall not be permitted at future meetings during the remainder of the Board's term unless:

- New and substantive information is provided; or
- The Board, by resolution, agrees to hear the matter again.

d) A maximum of two (2) delegations per meeting shall be permitted.

e) The Board shall not hear promotional or commercial presentations.

- Ceremonial or celebratory presentations may be scheduled at Board meetings at the discretion of the Chair.

6.10.2. Time Limits and Speaking Procedures

a) Delegations shall be limited to ten (10) minutes, followed by a five (5) minute question period for Board Members.

b) Public presentations for informational purposes shall be limited to ten (10) minutes and shall not include a question period unless permitted by the Chair.

c) A delegation may only present once per agenda item, even if multiple speakers are listed. The total presentation time remains ten (10) minutes unless extended by the Board.

d) Members may ask clarifying questions only following a delegation's presentation. Debate is not permitted during the delegation period.

e) Delegations may not directly question or debate Board Members or staff.

6.10.3. Submission and Approval Process

a) Submission Deadline:

- Requests to appear as a delegation must be submitted in writing (Appendix A) to the Secretary by 12:00 p.m. two (2) business days prior to the meeting.
- The request must include**:**
  - Full name(s) of speaker(s)
  - Affiliation or organization (if applicable)
  - Agenda item being addressed
  - Brief summary of the presentation
  - Any supporting materials to be included in the agenda package

- Requested outcome, if applicable

b) Delegations on Matters Not on the Agenda:

- Individuals wishing to speak on matters not listed on the agenda must submit a written request to the Secretary, outlining:
  - The subject matter; and
  - The requested outcome (e.g., requesting a report, policy change, or referral to a committee).
- The Secretary shall advise the Chair, who may:
  - Determine an appropriate future meeting for the item to be considered; or
  - Decline the request if it falls outside the Board's jurisdiction.

c) Late Requests & Additions to the Agenda:

- Individuals who fail to meet the submission deadline may submit a late request to speak.
- The Board may, by a two-thirds majority vote, permit the delegation to be added to the agenda and heard at the meeting.

d) Chair's Discretion:

- The Chair, in consultation with the Secretary, reserves the right to decline a delegation that:
  - Falls outside the jurisdiction of the Board;
  - Has been previously addressed without new and substantive information;
  - Contains defamatory, offensive, or inappropriate content; or
  - Is determined to be a repetitive or frivolous request.

e) Board Action on Delegations:

- The Board shall not make an immediate decision on matters raised by delegations unless the item is already on the agenda.
- The Board may:
  - Refer the matter to staff for review and a future report;
  - Refer the matter to a committee for further discussion; or
  - Take no further action if deemed unnecessary.

6.11. Reports

6.11.1. The Secretary shall provide reports under this section of the Agenda.

6.12. External Organization Updates (OPP Reports)

6.12.1. Updates by other organizations and the Detachment Commander shall occur under this section of the Agenda.

6.12.2. Minutes and summaries received from external organizations shall be received under this section of the Agenda.

6.13. New/Other Business

6.13.1. This section shall include proposed Motions which have appeared on a previous Agenda under the Notice of Motion category. The Member that brought forward the Motion shall be the first to speak to the proposed Motion before it is debated.

6.13.2. This section shall also include items that have been approved by a two- thirds vote to be added to the Agenda.

6.14. Information Listing

6.14.1. Information items on an Agenda are matters that are principally for the information of the Board or Committee and may not require any action or response from the Board.

6.14.2. Any Member may request that an item of information be pulled for discussion at the next meeting.

6.15. Notice of Motion

6.15.1. A Member must submit a Notice of Motion in writing to the Secretary four (4) business days prior to the scheduled meeting for inclusion on the agenda.

6.15.2. The motion will be introduced, debated, and voted on at the same meeting where it appears on the agenda.

6.15.3. No motion shall be introduced without prior notice, unless the Board waives the notice requirement by a two-thirds vote.

6.16. Closed Session

6.16.1. All Meetings shall be open to the public except as provided for in Section 2.2.5 and no person shall be excluded from a meeting open to the public except for improper conduct or for breach of this By-Law or applicable statute.

6.16.2. The Secretary or their designate shall remain in the room for all Closed Sessions or in the virtual session.

6.16.3. A meeting may be conducted in Closed Session in accordance with Section 44 of the Act.

6.16.4. Before moving into a Closed Session, it shall be established by Motion that a Closed Session is being held, the general nature of the matter(s) to be considered and the specific provision under the Act under which each item is permitted to be considered in Closed Session.

6.16.5. Prior to moving into Closed Session, any Declarations of Pecuniary Interest and/or Conflict of Interest, shall be made by Members.

6.16.6. Closed Meetings are to be listed on the Agenda in such a way as to provide the most information possible without compromising confidentiality or adversely affecting the Board's or Committee's position.

6.16.7. A meeting shall not be closed to the public during the taking of a vote except where the vote is for a procedural matter or giving directions or instructions to officers, the Secretary or agents of the Board or its Committee or persons retained by or under contract with the Board.

6.16.8. Confidential discussion during a Closed Session shall be limited to the issue described in the authorizing public resolution/Motion and nothing in this By-law confers the power of any Board or Committee Member(s) to make any decision or take any action unless, or until such action is presented and decided upon at an open meeting of the Board.

6.16.9. No Member, the Secretary or other person present during a Closed Session shall in any way, notify, distribute or make available to any person or other body, by any means, any reports or items, or disclose the nature or content of any documents or of discussions regarding any matters that are confidential or that have been obtained or considered in a Closed Session without approval of such release by the Board or Committee or unless authorized under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

6.16.10. Upon returning to open session, a statement resulting from the Closed Session shall be provided regarding what took place including any declarations of pecuniary interest and/or conflict of interest during the Closed Session.

6.16.11. The Secretary shall be responsible for securing and maintaining a confidential record of all original documentation distributed or presented relating to Closed Sessions.

6.16.12. A separate set of Closed Session minutes shall be kept for each Closed Session which shall be kept in a secure and confidential location under the control of the Secretary and shall only be open to those in attendance at the meeting, to others approved by the Board or Committee or as legislated.

6.16.13. Closed Session minutes shall be circulated by the Secretary at the next Closed Session meeting for adoption. The adoption of the Closed Session minutes is a procedural matter and does not affect the validity or affect the resolutions/Motions recorded in the minutes.

6.16.14. Where practical, Closed Sessions shall be scheduled at the end of the meeting.

6.16.15. The obligation to keep information confidential shall continue after the Member ceases to be a Member of the Board or a Committee or after the Secretary ceases to be appointed by the Board.

6.16.16. When Closed Sessions include advice from paid consultants hired on behalf of the Board, or the Board's solicitor, the Closed Session may be held at a time prior to the start of the regular Board meeting, and if required, may impact the regular start time of the meeting.

6.17. Recess

6.17.1. At a Board meeting, a Motion to recess shall be brought forward and shall set a time (ex. recess for 5 minutes) or state "until called to order by the Chair".

6.17.2. At a Committee meeting, the Committee may recess by majority consent and shall set a time (ex. recess for 5 minutes) or state "until called to order by the Chair".

6.18. Adjournment

6.18.1. All Meetings shall adjourn no later than 8:00 pm., unless a Motion to proceed beyond 8:00 pm. is approved by majority vote.

6.18.2. There shall be no updates, questions or discussions once a meeting has been adjourned.

7. MOTIONS

7.1. General

7.1.1. Members of Board or Committee, the Secretary and other officers may introduce matters to be dealt with by motion, subject to the notice provisions in this By-law.

7.1.2. All motions shall be moved and seconded before being read and prior to any debate on the question; when it is adopted it becomes a Resolution.

7.1.3. Any member may require a motion under discussion to be read by the Chair at any time during the debate but not so as to interrupt another member who is speaking.

7.1.4. A motion properly before the Board for consideration must receive disposition before any other motions can be received, unless it is a motion to amend, to refer, to defer indefinitely or to a specified time, to adjourn the meeting or that the vote be now taken.

7.2. Order of Precedence of Motions

7.2.1. Where a motion is under consideration, no motion shall be received except a motion having precedence, in the following order (lowest rank is 13):

(1)	Fix the time to Which to Adjourn	Privileged and Undebatable
(2)	Adjourn	Privileged and Undebatable
(3)	Recess	Privileged and Undebatable
(4)	Raise a Question of privilege	Privileged and Undebatable
(5)	Call the orders of the Day	Privileged and Undebatable
(6)	Lay on the Table	Secondary and Undebatable
(7)	Previous question	Secondary and Undebatable
(8)	Limit/extend limits of debate	Secondary and Undebatable
(9)	Postpone to a certain time	Secondary and Debatable
(10)	Refer	Secondary and Debatable
(11)	Amend	Secondary and Debatable
(12)	Postpone indefinitely	Secondary and Debatable
(13)	Main Motion	Debatable

7.3. Motions Introduced Orally

7.3.1. The following matters may be introduced orally, without written notice and without leave:

a) a point of order or personal privilege;
b) a motion to defer;
c) a motion to amend;
d) a motion to refer;
e) a motion to table the question;
f) a motion to vote on the question;
g) a motion to suspend the rules of procedure;
h) a motion to recess;
i) a motion to adjourn.

7.4. Motion to Postpone or Defer

7.4.1. A motion to defer shall;

a) include a reason for the deferral, and a fixed date to which the matter is differed.
b) takes precedence over any motion or amendment except a motion to adjourn;
c) be debated, however, the debate must be limited to the advisability of the proposed postponement;
d) only be amended to change the length of the postponement;

7.5. Motion to Amend

7.5.1. An amendment is designed to alter or vary the main motion without materially changing its intent or meaning. It may propose certain words be omitted, replaced or added. Only one amendment at a time can be presented to a main motion, and only one amendment to an amendment can be presented. A motion to amend a motion in possession of Board shall;

a) be made only to a previous question or to amend an amendment to the question;

b) be relevant to the motion not contrary to the main intention of the motion;
c) be voted on first, prior to the main motion;
d) not be in order if, in essence, it constitutes a rejection of the main question.

7.6. Motion to Refer

7.6.1. A motion to refer the question should include;

a) the name of the body, Committee or official to whom the question is to be referred;

b) instructions respecting the terms upon which the question is to be referred.

c) A motion to refer the question shall not be debatable except where instructions are included, in which case, only the instructions shall be debatable.

7.7. Motion to Postpone Indefinitely

7.7.1. The motion to "Postpone Indefinitely" allows Board to avoid making a decision on a main motion by delaying the decision to an undetermined time beyond the current meeting.

7.7.2. If the motion to "Postpone Indefinitely" is carried, the matter may not be brought back at the same meeting. If the motion is defeated, discussion on the main motion continues.

7.7.3. The motion is debatable (only to outline the reasons why the motion should or should not be dealt with immediately) but not amendable and requires a majority vote.

7.8. Motion to Reconsider

7.8.1. When a Board or Committee has decided either for or against a certain question, it shall not reconsider the same question for a period of one (1) year.

7.8.2. Notwithstanding the above paragraph, only a Member on a prevailing side can make a motion to reconsider. In the event of a resolution that was defeated due to an equality of votes, both sides shall be considered as prevailing.

7.8.3. A motion to reconsider is not amendable and debate must be confined to reasons for or against reconsideration and requires a two-thirds (2/3) vote of the Members present.

7.8.4. No discussion of the main question which is proposed for reconsideration shall be allowed until the motion to reconsider is carried.

7.8.5. A member may give notice of reconsideration of a matter at any meeting following the meeting when the matter was considered.

7.8.6. If the motion to reconsider the vote is carried, the motion being reconsidered is taken up immediately as if it had never been voted on; procedurally, it is considered a newly made main motion, and all rights of the Members are renewed with regard to debate.

7.8.7. No more than two motions to reconsider the same questions shall be permitted in the same calendar year.

7.9. Ultra Vires Motion

7.9.1. A motion in respect of a matter which is beyond the scope of power (ultra vires the jurisdiction), or legislative authority of Board shall not be in order.

7.10. Motion to Adjourn

7.10.1. A motion to adjourn the Board or to end the debate (Call the Question) shall always be in order, except:

a) when a Member is speaking;

b) during the taking of a vote;

c) immediately following the affirmative resolution of a motion that a vote on the question now be taken;

d) when a Member has already indicated to the Chair, that he or she desires to speak on the question;

e) when resolved in the negative, cannot be made again until Board has conducted further proceedings.

7.11. Request to Divide a Question

7.11.1. When the motion under consideration contains several distinct propositions, a Member may require that each proposition be voted on separately (known as 'splitting the motion'), provided the Member receives the support of a majority of the Members present.

7.11.2. If a Member objects to the division, the Chair will call the vote on the question or whether the motion should be divided; a simple majority is required to divide the question and is not debatable.

7.12. Request for permission to withdraw or modify a Motion

7.12.1. Before the motion is stated by the Chair, it belongs to the mover of the motion, and he/she can withdraw it or modify it without the permission of Board.

7.12.2. If the Member who seconds the motion withdraws his/her second from the modified form, the Chair can ask for another seconder to the motion.

7.12.3. Before the Chair opens the discussion and/or debate on the motion, another member can ask the chair if the mover of the motion will accept a change in the motion. The mover can either accept or reject the proposed change. (this may be referred to as a 'Friendly Amendment'). If the mover rejects the proposed change, the member suggesting the change can propose a formal amendment after the motion has been open for discussion and/or debate by the Chair.

7.12.4. Once a motion has been stated, it shall be deemed to be in possession of Board, but at any time, the member who moved a motion may request permission of the Board to withdraw or modify the motion before a decision or an amendment. Permission to withdraw is not debatable. If there is no objection, the motion is withdrawn with general consent. If there is an objection, anyone may second the motion to withdraw and the Chair puts it to a vote.

7.12.5. A withdrawn motion is not recorded in the minutes unless the motion has been properly moved and seconded.

8. BY-LAWS

8.1. Approval Process

8.1.1. Every By-law shall be listed on the Agenda by an identifying number, followed by a brief description of the intent of the By-law.

8.1.2. Every By-law shall be adopted in a single Motion having been given three readings simultaneously.

8.1.3. Prior to voting on the Motion, every By-law may be debated, subject to amendment, and may be deferred or referred to a Committee or the Secretary for further consideration before being voted on.

8.1.4. Upon a two-thirds' Vote of the Members present and voting, third reading of any By-law may be postponed until the next Meeting. In this instance only, the Motion shall be divided into two separate Motions.

8.1.5. Every By-law passed by the Board shall be signed by the Chair, or the Vice Chair in the absence of the Chair, and the Secretary, showing the date of all readings, be kept in a volume for the year in which it was passed and shall be recorded.

8.1.6. The Secretary shall be authorized to make minor corrections to any By-law resulting from technical, or typographical errors prior to the By- law being signed.

8.2. Confirmatory By-law

8.2.1. A Confirmation By-law shall be passed at the conclusion of each Board Meeting, confirming the actions of the Board taken at that meeting and any previous Meetings which did not have a confirmatory by-law, so that every decision of the Board at that Meeting and every Motion passed thereat, unless required by an Act, Regulation or By-law, shall have the same force and effect as if each and every one of them had been the subject-matter of a separately enacted by-law.

9. AMENDMENT OF PROCEDURAL BY-LAW

9.1. No amendment or repeal of this By-law or any part thereof shall be considered at any meeting of the Board unless:

9.1.1. Notice of intention of the proposed amendment or repeal has been given at a previous Board meeting; and

9.1.2. The waiving of this notice by the Board is prohibited.

9.1.3. The Secretary shall be responsible for reviewing this By-law at least once every term of the Board.

10. ULTRA VIRES

10.1.1. Should any sections of this By-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall remain valid and binding.

11. BY-LAWS TO BE REPEALED

11.1.1. All By-laws or parts thereof and Motions passed prior to this By-law which are in contravention of any terms of this By-law are hereby rescinded.

12. EFFECTIVE DATE

12.1.1. This By-law shall come into effect on the date of its passing.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS DAY OF______________________ , 2025.

Appendix “A”

Delegation Request Form

Instructions:

1. Complete and submit this form to the Board Secretary at [Insert Email] no later than 12:00 p.m. two (2) business days prior to the meeting.
2. A maximum of two (2) delegations per meeting will be permitted.
3. Delegations are limited to one (1) agenda item per meeting and must be within the jurisdiction of the Board.
4. Presentations shall not exceed 10 minutes, followed by a 5-minute question period for Board Members.

---

1. **Contact Information**

   Name of Presenter(s):

   ____

   Organization (if applicable):

   ____

   Mailing Address:

   ____

   Phone Number:

   ____

   Email Address:

   ____

---

2. **Meeting Details**

   Meeting Date Requested:

   ____

   Agenda Item Number or Subject Matter:

   ____

   Are you speaking on behalf of an organization?

   ☐ Yes, Name of Organization:

   ____

   ☐ No, I am speaking as an individual

---

3. **Presentation Details**

Summary of Presentation: (Provide a brief overview of the key points you will discuss.)

Requested Outcome: (What action or decision are you seeking from the Board?)

☐ I will be submitting additional supporting materials (attach with submission).

☐ I require the use of **audio/visual equipment** for my presentation (please specify):

4. **Declaration & Acknowledgment**

   I acknowledge that:

   ☐ This delegation request is subject to approval by the Chair and Board Secretary.

   ☐ My presentation must remain focused on the agenda item identified above.

   ☐ If the agenda item is removed or deferred, my delegation will be automatically cancelled.

   ☐ The Board reserves the right to limit or deny delegation requests that are repetitive, outside the Board's jurisdiction, or inappropriate.

   ☐ I will not use defamatory, offensive, or disrespectful language in my presentation.

   ☐ No decision will be made at the meeting unless the matter is already listed on the agenda.

Signature: ____

Date: ____

Submission Information:

Submit to: execcoordinator@frenchriver.ca
Deadline: 12:00 p.m. two (2) business days prior to the meeting.
For further information, contact **Carlie Bigras** at execcoordinator@frenchriver.ca**.**

Appendix "B"

Motion Submission Form

(For Board Members to propose formal motions for consideration.)

Instructions:

- This form must be completed and submitted to the **Board Secretary at least 5 business days before the meeting**.

Member Name: ____

Meeting Date: ____

Motion Title: ____

Motion Text: *(Clearly state the proposed motion.)*

____

____

____

____

____

Requested Action: *(Check one)*
☐ Approval of the Motion
☐ Referral to a Committee or Staff
☐ Deferral to a Future Meeting

Submission Information:

Submit to: execcoordinator@frenchriver.ca
Deadline: 12:00 p.m. two (2) business days prior to the meeting.
Location of Meeting: ____

For further information, contact **Carlie Bigras** at execcoordinator@frenchriver.ca**.**

Appendix "C"

Complaint Against a Board Member Form

(For individuals to file complaints regarding the conduct of a Board Member.)

Instructions:

- This form must be completed by any individual lodging a complaint regarding the conduct of a Board Member.
- The complaint will be reviewed in accordance with the Board's Code of Conduct and disciplinary policies.

Complainant Name:

____

Affiliation (if applicable):

____

Phone Number:

____

Email:

____

Nature of Complaint: *(Provide details of the incident, including date, time, and location.)*

____

____

____

____

____

Has this issue been previously reported?

☐ Yes (Provide details)

☐ No

☐ I request to remain anonymous (where possible under the Board's policy).

Signature: __________________________

Date: ______________________________

Submit to: Board Chair or Secretary

Appendix “D”

Conflict of Interest Declaration Form

(For Board Members to declare a conflict of interest regarding an agenda item.)

Instructions:

- This form must be completed when a Board Member identifies a conflict of interest regarding an agenda item.
- The Member must refrain from discussion and voting on the matter.

Board Member Name: ____

Meeting Date: ____

Agenda Item Title or Number: _______________________________

Nature of Conflict: *(Check one or more)*
☐ Financial Interest
☐ Personal Relationship (Family, Business, etc.)
☐ Employment/Business Interest
☐ Other (please specify): ____________________________

Declaration:
I, ______________________________ **[Board Member’s Name]**, declare a conflict of interest regarding the above-mentioned agenda item and will **refrain from participating in discussion and voting** on this matter.

Signature: ________________________

Date: ____________________________

Submit to: Board Secretary

Appendix "E"

Request for Addition to Agenda Form

(For Board Members requesting to add an item to the agenda.)

Instructions:

- This form must be submitted to the Board Secretary no later than 12:00 p.m. five (5) business days before the meeting.
- Requests will be reviewed and approved by the Chair before being added to the agenda.
- Emergency or time-sensitive requests may be added at the meeting by a two-thirds majority vote.

---

1. **Requestor Information**

   Name: ____

   Organization (if applicable): ____________________________________

   Phone Number: ____

   Email Address: ____

---

2. **Meeting Details**

   Meeting Date Requested: ____

   Requested Agenda Item Title: _____________________________________

   Has this item been previously discussed by the Board?

   ☐ Yes (Provide previous meeting date: ____________________)

   ☐ No

---

3. **Reason for Request** *(Provide a brief explanation of why this item should be added to the agenda.)*

   ____

   ____

Requested Outcome: *(What action or decision are you seeking?)*

____

☐ **I am submitting supporting documents with this request.**

4. Declaration & Acknowledgment

☐ I acknowledge that the Chair may accept, defer, or decline my request.
☐ If my request is not approved, I may submit it for a future meeting.
☐ If my request is denied due to jurisdictional or procedural reasons, I will receive an explanation.

Signature: ____

Date: ____

Submit to: Board Secretary

Deadline: 12:00 p.m. two (2) business days before the meeting

Appendix “F”
Member Absence Notification Form

(For Board Members to notify of an absence from a scheduled meeting.)

Instructions:

- Board Members must **submit this form at least 24 hours prior to a scheduled meeting** if unable to attend.
- If an absence is due to **illness or an emergency**, notification should be sent as soon as possible.
- Repeated unexcused absences may be subject to review under the **Board’s Code of Conduct**.

---

1. Member Information

Name: ____

Position: ____

Phone Number: ____

Email Address: ____

---

2. Meeting Absence Details

Meeting Date: ____

Reason for Absence: *(Check one that applies.)*

☐ **Illness or personal emergency**

☐ **Professional conflict (work-related absence)**

☐ **Family emergency**

☐ **Other (please specify):** ____________________________

---

3. Declaration & Acknowledgment

- I acknowledge that I will not be able to attend the meeting as scheduled.
- I understand that if quorum is affected, the meeting may be rescheduled.
- I will review the meeting minutes and relevant materials to stay informed.

Signature: _________________________

Date: _____________________________

Submit to: Board Secretary
Deadline: 24 hours before the scheduled meeting