A BY-LAW TO REGULATE THE PROCEEDINGS AND CONDUCT OF THE POLICE SERVICES BOARD AND COMMITTEES OF THE BOARD

BYLAW 01-2026

WHEREAS, a Police Services Board may, by By-Law, make rules for the effective management of the police service under the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, as amended**;**

AND WHEREAS, it is deemed appropriate to make and establish rules governing the proceedings of the Smiths Falls Police Services Board and Committees, the conduct of its Members and the calling of meetings, pursuant to the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, as amended;

Therefore, the Smiths Falls Police Services Board enacts as follows:

DEFINITIONS

"Act" means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, as amended from time to time;

"Acting Chair" means a Member required to act from time to time in the place and instead of the Chair;

"Board" means the Smiths Falls Police Services Board and shall be composed of such Members appointed under the Act;

"Chair" means Chair of the Board;

"Chief of Police" means the Chief of the Smiths Falls Police Service and includes an acting Chief of Police;

"Committee" means a Standing or Ad-Hoc Committee and any other similar entity composed of individuals of the Board pursuant to the Act;

"Days" means calendar days;

"Delegation" means an address to the Board or its Committees at the request of a person wishing to speak;

"Secretary" means Secretary to the Board;

"Member" means a Member of the Smiths Falls Police Services Board;

"Motion" means an oral notice or written motion received by the Secretary, moved by a Member and seconded by another Member;

“Notice of Motion” means an oral notice or written motion received by the Executive Assistant, moved by a Member and seconded by another Member, for inclusion on an agenda of a meeting of the Board or a Committee;

“Point of Order” means a question by a Member with the view to calling attention to any issue relating to this bylaw 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;

"Quorum" shall be a majority of the Board Members;

"Recorded Vote" means the making of a written record of the name and vote of each Member present who votes in a question and of each Member present who does not vote.

“Vice Chair” shall act as the chair if the chair is absent or if the chair’s position is vacant.

APPLICATION

The rules or procedures contained in this By-Law, unless exempted herein, shall be observed in all proceedings of the Board and shall be the rules for the order and dispatch of business before the Board, and with necessary modification in a Committee of the Board.

Except as provided elsewhere in this By-Law, the Board may, by a vote of 3/5 of the Members present, temporarily suspend one or more of the following rules:

a) Rules with respect to a change in agenda order of proceedings and content;
b) Rules respecting notice of delegation status; and
c) Rules with respect to the increase or decrease of delegation and debate limitations.

All points of order or procedure for which rules have not been provided in this By-Law shall be decided by the Chair.

The Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, as amended, and amended from time to time, shall take precedence over this By-Law and any other such By-Laws and policies established by the Board.

COMPOSITION OF THE BOARD

In accordance with Section 31(4) of the Act, the Board will consist of five (5) Members, composed of:

(a) the head of the municipal council or, if the head chooses not to be or is ineligible to be a member of the board, another member of the municipal council appointed by resolution of the municipality;

(b) one member of the municipal council appointed by resolution of the municipality;

(c) one person appointed by resolution of the municipality, who is neither a member of the municipal council nor an employee of the municipality; and

(d) two persons appointed by the Lieutenant Governor in Council.

SELECTION OF THE CHAIR AND VICE CHAIR

In accordance with Section 36(1) and (2) of the Act, the Members of the Board shall, in the first meeting held in January of each year, select from among its Members, a Chair and Vice-Chair for the year.

- The election of the Chair and Vice-Chair shall be conducted by the Chief of Police;
- Nominations shall require a mover and seconder, both of whom shall be Members of the Board;
- The Nominee will confirm acceptance of the nomination and willingness to perform the duties required of the Chair or Vice-Chair;
- Where more than one nominee stands for election, a vote shall be taken;

If the nominees are tied on the first vote, a ten (10) minute recess shall be held and a second vote shall be taken. If on the second vote, the nominees remain tied, a further ten-minute recess shall be held and a third vote shall be taken. If nominees remain tied after the third vote, the election of the Chair or Vice-Chair shall be decided by lot drawn by the Secretary or designate.

Any votes required under this section, shall be taken as described by the provision of Section 243 and 244, 244, 245, 246(1) and 246(2) of the Municipal Act, R.S.O. 1990 as amended, which states:

- Except as otherwise provided, every member of a council shall have one vote.
- No vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect. Each Member present must indicate their vote openly.
- Any question on which there is a tie vote shall be deemed to be lost, except where otherwise provided by any Act.
- If a member present at a meeting at the time of a vote requests immediately before or after the taking of the vote that the vote be recorded, each member present, except a member who is disqualified from voting by any Act, shall announce his or her vote openly and the Secretary shall record each vote.

- A failure to vote under subsection (1) by a member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.

The Vice-Chair shall act as the Chair if the Chair is absent or if the Chair's position is vacant as per section 28 (2) of the Act.

DUTIES AND RESPONSIBILITIES OF THE BOARD

As per the Act Section 37(1);

The police service board shall,

(a) ensure that adequate and effective policing is provided in the area for which it has policing responsibility as required by section 10;

(b) employ members of the police service;

(c) appoint members of the police service as police officers;

(d) recruit and appoint the chief of police and any deputy chief of police and determine their remuneration and working conditions, taking their submissions into account;

(e) prepare and adopt a diversity plan to ensure that the members of the police service reflect the diversity of the area for which the board has policing responsibility;

(f) monitor the chief of police's performance;

(g) conduct a review of the chief of police's performance at least annually in accordance with the regulations made by the Minister, if any;

(h) monitor the chief of police's decisions regarding the restrictions on secondary activities set out in section 89 and review the reports from the chief of police on those decisions;

(i) monitor the chief of police's handling of discipline within the police service;

(j) ensure that any police facilities, including police lock-ups, used by the board comply with the prescribed standards, if any; and

(k) perform such other duties as are assigned to it by or under this or any other Act, including any prescribed duties.

The Members of the police service, whether they were appointed by the Board or not, are under the Board's jurisdiction.

The Board may give orders and directions to the Chief of Police, but not to other Members of the police service, and no individual Member of the Board shall give orders or directions to any Member of the police service or the Chief of Police.

The Board shall not direct the Chief of Police with respect to specific operational decisions or with respect to the day-to-day operation of the police service.

The Board shall not direct the Chief of Police with respect to specific operational decisions or with respect to the day-to-day operation of the police force.

The Board shall ensure that its Members undergo any training provided by the Solicitor General or required in the Act. A member of a police service board or of a committee of the board shall successfully complete the following training:

1. The training approved by the Minister with respect to the role of a police service board and the responsibilities of members of a board or committee.
2. The training approved by the Minister with respect to human rights and systemic racism.
3. The training approved by the Minister that promotes recognition of and respect for,
   i. the diverse, multiracial and multicultural character of Ontario society, and
   ii. the rights and cultures of First Nation, Inuit and Métis Peoples.
4. Any other training prescribed by the Minister.

As per the Act, the police service board shall establish policies respecting,

- the administration of the police service;
- the provision of adequate and effective policing in accordance with the needs of the population of the area for which it has policing responsibility;
- disclosure by the chief of police of personal information about individuals;
- disclosure of secondary activities under section 89 and decisions under that section;
- the handling of discipline within the police service;
- subject to subsection (4) of Section 38 of the Act, the indemnification of members of the police service for legal costs; and
- any other prescribed matters.

In addition to the policies listed above , a police service board may establish policies respecting any other matters related to the police service or the provision of policing.

DUTIES OF THE CHAIR

It shall be the duty of the Chair to:

Act as the sole spokesperson for the Board;

Represent and support the Board, declaring its will and implicitly obeying its decision in all things;

Approve the agenda for all meetings;

Open the meeting of the Board by taking the chair and calling the Members to order as soon as a quorum is present;

Announce the business before the Board and the order in which it is to be acted upon;

Vote with the other Members of the Board upon all matters;

Speak to all business of the Board as a Member;

Put to a vote all motions that are moved and seconded or that necessarily arise in the course of the proceedings and to announce the result thereof;

Sit ex-officio as a Member of all Committees of the Board and be entitled to participate and vote at the meetings;

Decline to put to vote motions that infringe upon the rules of procedure or that are beyond the jurisdiction of the Board;

Enforce on all occasions the rules of procedure and the observance of order and decorum among the Members;

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;

Permit any question to be asked through the Chair or the Chief of Police, or a person designated by the Chief of Police, in order to provide information to assist any debate when the Chair deems it proper;

Adjourn the meeting when the business is completed or upon a motion to adjourn.

DUTIES OF THE SECRETARY

The Secretary will:

- Serve as the Administrative link between the Board, the Chief, the Board's Legal Counsel, Committees of the Board and Members of the Community.
- Attend all public, in-camera and special meetings of the Board and record the minutes, orders and requests of all such meetings;

- Organize meetings, prepare the agenda as well as any reports or supporting documents, in consultation with the Chair and ensure the distribution of the agenda to the Board Members and publicly posting to the website.;
- Print the minutes of the meeting and include a copy with the agenda packages for the next regular meeting of the Board;
- Receive all communications addressed to the Board and deal with them as follows:
    - Acknowledge receipt and confirm that attention is being given on such items that are not general correspondence;
    - Refer them to the Chief of Police to take such action as is immediately necessary and to report to the Board at the next meeting;
    - Report to the Chair immediately if the matter is, in the opinion of the Secretary, necessary for immediate attention by the Board.
- Prepare and issue all communications and reports arising from the proceedings of the Board, unless otherwise directed by the Board.

COMMITTEES OF THE BOARD

The Board may determine the need for an Ad-Hoc Committee(s) and will appoint at that time no more than two Members to the Ad-Hoc Committee.

Committee Members shall deal directly with the Chief of Police or a designate person, or in their absence, the Deputy Chief or a designated person, when services are required from Members of the Smiths Falls Police Service to assist the Committee.

Membership, statutory authority and responsibility of the Committees are determined in the Terms of Reference of the Committee as set out by the Board.

When a Committee meeting is open to the public, the date, time, location, Agenda and Minutes will be made available on the web site.

The Committee shall report on its work to the Board at the regular meeting of the Board.

MEETINGS OF THE BOARD

Subject to section 44 of the Act, meetings conducted by the police service board, or by a committee of the board, shall be open to the public. Notice of Meetings shall comply with the Act

Regular Meetings

The Board shall hold its first regular meeting in January following the election of the Chair and Vice-Chair in the Council Chambers, Town Hall (77 Beckwith Street North, Smiths Falls).

Changes to the date, time or location of the meeting shall be posted with the agenda package. Notice of the change shall also be posted on the website, social media and Council Chamber door at the Town Hall.

The Board shall hold regular public meetings at 8:00 a.m. in the Council Chambers, Town Hall (77 Beckwith Street North, Smiths Falls) or at such other place or time as may be determined by the Board. Meeting dates, times and locations shall be posted on the Police Service (Board) website.

The Secretary, in consultation with the Chair may re- locate the meeting due to a special or extraordinary circumstance. The location of the meeting must be included on the agenda and posted by giving forty eight (48) hours (not including weekends or holidays) prior to the meeting. The location of the meeting must be advertised on social media, the website and through the regular agenda release procedure. Notice will also be posted on the public door to the Council Chambers.

The Chair of the Board, at any time, may call a Special Meeting of Board to deal with time sensitive or emergent issues, that is in addition to the published Meeting Schedule approved annually by the Board.

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

Emergency Meetings/Extraordinary Circumstances

The Chair at any time may, in the event of an Emergency, call an Emergency Meeting of the Board without giving forty-eight (48) hours' notice of the Meeting, provided that the Secretary has diligently attempted to advise all Members immediately upon being advised of the intention of the Chair to hold an Emergency Meeting.

The only business to be dealt with at an Emergency Meeting of Council shall be with respect to that Emergency.

In the case of an Emergency Meeting, the Board may hold its Meeting(s) and keep its public office at any convenient location within or outside of the Municipality.

Notice of all Emergency Meetings of the Board shall be given to the Members and the public by posting the Meeting on the website and distributed via the newsfeed feature on the Town's website. Notice may be given after the Emergency Meeting.

CLOSED MEETING

A meeting or part of the meeting may be closed to the public if the subject matter being considered is,

(a) the security of the property of the board;

(b) personal matters about an identifiable individual, including members of the police service or any other employees of the board;

(c) a proposed or pending acquisition or disposition of land by the board;

(d) labour relations or employee negotiations;

(e) litigation or potential litigation affecting the board, including matters before administrative tribunals;

(f) advice that would be inadmissible in a court by reason of any privilege under the law of evidence, including communications necessary for that purpose;

(g) information explicitly supplied in confidence to the board by Canada, a province or territory or a Crown agency of any of them, a municipality or a First Nation;

(h) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

(i) a trade secret or scientific, technical, commercial or financial information that belongs to the board and has monetary value or potential monetary value;

(j) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the board;

(k) information that section 8 of the *Municipal Freedom of Information and Protection of Privacy Act* would authorize a refusal to disclose if it were contained in a record; or

(l) an ongoing investigation respecting the police service board.

A meeting or part of a meeting of a police service board, or of a committee of the board, shall be closed to the public if the subject matter being considered is a request under the Municipal Freedom of Information and Protection of Privacy Act.

A meeting of a police service board, or of a committee of the board, may be closed to the public if the following conditions are both satisfied:

1. The meeting is held for the purpose of educating or training the members of the board or of the committee.

2. At the meeting, no member of the board or committee considers or otherwise deals with any matter in a way that materially advances the business or decision-making of the board.

No person other than Board Members, Secretary and invited persons will attend in-camera meetings, unless specifically invited by the Board.

Insofar as possible, in-camera meetings will precede the public meetings of the Board. In-camera meetings will normally commence at 8:00 a.m. If necessary, in-camera meetings may reconvene following the completion of the business of the public meeting.

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

VIRTUAL ATTENDANCE AT MEETINGS

Electronic participation of members in meetings taking place at the Council Chambers is permitted.

The Member shall be deemed to have been present at the meeting for the purposes of the Act and the Minutes shall reflect that the Member attended via conference call or means of video conferencing.

Quorum includes all members whether participating in person or electronically.

Members can participate in meetings electronically for an unlimited period of time.

All members participating electronically shall be responsible for maintaining their own internet connection to effectively participate in the meeting.

Members participating electronically shall remain subject to all provisions of this bylaw, legislation or policies that pertain to conduct, ethics etc during the proceeding of Board meetings.

The Member will inform the Secretary, at least 24 hours in advance of the meeting, if he/she wishes to participate by means of conference call or video conferencing. The Secretary will inform the Chair and ensure the necessary arrangements are made.

The Member must have the meeting materials in advance in order to teleconference.

Members are permitted to attend a closed session electronically.

Members participating electronically during a closed or in camera session shall ensure that they are in a private space with no opportunity for household members or others to overhear or otherwise violate the confidentiality of the information being discussed or presented.

Any members attending electronically must attest that they recognize that they will be in a closed session and are able to ensure confidentiality.

CALLING OF BOARD MEETINGS TO ORDER AND QUORUM

A Quorum shall be a majority of the Members according to Section 43(2) of the Act.

As soon as possible after the hour of the meeting, and where a quorum is present, the Chair shall take the chair and call the meeting to order.

If a quorum for either the regular, special or emergency Board meeting is not present within fifteen (15) minutes of the time fixed for the commencement of the meeting, the Secretary will record the names of the Members present, indicate that no quorum is present and the meeting shall stand adjourned until the next meeting of the Board.

If, during the course of a Meeting, quorum is lost, the Chair shall declare that the Meeting shall stand recessed temporarily or be adjourned until the date of the next Meeting called in accordance with the provisions of this by-law.

If the Chair or Vice-chair do not attend within fifteen (15) minutes after the appointed time and no notice of their imminent attendance has been received the Secretary will call the Members to order. If a quorum is present, a Chair will be chosen who will preside as the Chair until the arrival of the Chair or Vice-Chair.

Absences – Every effort shall be made to attend however absences time to time are inevitable physical attendance is not possible every effort shall be made to attend remotely, if possible. If a member constantly fails to attend, the Chair will inform sponsoring body to appoint a replacement member.

BOARD AGENDA

The Secretary shall, in consultation with the Chair, prepare an agenda with related attachments to be prepared in the following order for meetings of the Board:

CALL TO ORDER AND LAND ACKNOWLEDGEMENT

CHAIR'S REMARKS

APPROVAL OF THE AGENDA

DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST AND GENERAL NATURE THEREOF
IN CAMERA/CLOSED SESSION

CORRESPONDENCE

APPROVAL OF MINUTES

BUSINESS ARISING FROM THE PREVIOUS MEETING

NEW BUSINESS

OPERATIONAL REPORT

DATE AND TIME NEXT MEETING

ADJOURNMENT

Members wishing to discuss a matter may request that it be placed on the agenda of the upcoming meeting by contacting the Secretary.

Items not included on the print agenda cannot be introduced at meetings without the consent of a majority of the Members present.

The agenda and/or Notice of Meetings shall posted on the website in accordance with the Act and this bylaw

Upon request to the Secretary copies of the public meeting package will be made available.

CORRESPONDENCE

Every letter, petition and other communication addressed to the Board shall be received by the Secretary who, in consultation with the Chair shall either:

- place it on the Agenda; or
- refer to the Chief for necessary action.

CONFLICT OF INTEREST DISCLOSURE

The Chair and Members shall be governed by the Municipal Conflict of Interest Act, RSO 1990 and amendments thereto, and regulations hereunder, and the agenda shall include a provision for Members to declare conflict(s) of interest or a pecuniary interest in a matter.

Prior to a particular matter being addressed, Members shall declare any pecuniary interests they may have, and the general nature thereof, in connection with that matter pursuant to the *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50*, as amended. Such Members shall then be precluded from participating in any way regarding the matter in question.

A Member shall declare a direct or indirect pecuniary interest or a conflict of interest to any consideration of a matter where the Member has a pecuniary interest or conflict of interest and shall declare and the Secretary to make note.

If the declared pecuniary interest or conflict of interest is with respect to an item on a Closed Session Agenda, in addition to complying with the requirements of this subsection, the Member shall forthwith leave the Closed Session, or that part of the Closed Session during which the matter is under consideration.

Where the interest of a Member has not been disclosed as required above, by reason of the Member's absence from the Meeting, the Member shall disclose the interest at the first subsequent Meeting thereafter.

If the item is on the public agenda, the Member may remain but will not participate in the discussion or vote. The Member shall not attempt, in any way, to influence the Board's decision on that matter.

MINUTES

The Secretary shall include the following in the Minutes of the Board meetings:

1. Date, time the meeting commences and ended, location
2. Who was in attendance
3. Motions
4. Verbal and written reports
5. The Chair's remarks
6. If a decision is deferred or only part of a motion is decided, the reason why.
7. Reasons for any deviation should the Board make a decision that is materially different from what is recommended or proposed in a committee report or other report.
8. When the Board is not unanimous in its decision. If a Member asks for their dissent to be noted and what the point of contention is.
9. Any direction the Board gives that is not captured in a motion.
10. Any information the Chief or Secretary are to provide later or at a subsequent meeting.
11. The substance of any verbal reports.

HEARING OF DELEGATIONS

When delegations desire to be present at meetings to address the Board, such individuals will be permitted to do so at the discretion of the Chair, provided that the matter(s) to be addressed falls within the jurisdiction of the Board, every attempt will be made to direct the delegation to the appropriate venue.

Delegations appearing before the Board are subject to the following:

Person(s) wishing to address the Smiths Falls Police Services Board must submit a written request to the Secretary to the Board at least one week prior to the meeting they wish to attend.

Upon receipt of written notice requesting a delegation, the Secretary shall list

the delegation(s) on the next appropriate meeting agenda at the discretion of the chair.

All materials to be considered by the Board will be submitted with the written submission.

Speakers are allotted ten (10) minutes to make their presentation.

The Secretary shall confirm with the delegation(s) the time and place at which the delegation(s) will address the Board, and will also inform them of the provisions relating to the delegations.

Delegations shall address the Board through one speaker and shall address their remarks to the stated business. The time allotted for any delegation may be extended an additional five (5) minutes at the discretion of the Chair;

Upon completion of a presentation to the Board by a delegation, any discussion between Members of the Board and the delegation shall be limited to Members asking questions for clarification and obtaining additional and relevant information. Members of the Board shall not enter into debate with the delegation respecting the presentation.

The number of Delegations per Agenda shall be limited to two (2) unless otherwise approved by the Chair.

The role of Delegations is to provide information and not enter into debate with Committee or Staff.

Delegations shall be limited to appearing once per year on the same subject matter.

Questions directed to Staff by any delegate shall be received through the Chair.

Delegations requesting to appear at a Meeting may be declined if they have failed to follow established by-laws, policies, procedures or protocols or as prescribed in an applicable governing statute

Delegations requesting to appear at a Meeting regarding operational matters may be declined in order that the matter be referred to the Chief or designate.

No delegation shall:

- Speak disrespectfully of any person;
- Use offensive words or unparliamentarily language;
- Speak on any subject other than the subject for which they have received approval to address the Board;

- Challenge the rules of procedure or a decision of the Chair.

The Chair may curtail any delegation, any questions of a delegation or debate during a delegation for disorder or any other breach of this policy and, where the Chair rules that the delegation is concluded, the person or persons appearing shall immediately withdraw.

CONDUCT OF BOARD MEMBERS

All Members of the Board shall abide by the Code of Conduct as set out in the Act (0. Reg. 408/23). Attached as Appendix A and forming part of this bylaw.

No Board Members shall:

- Use offensive words or unparliamentarily language in the meetings of the Board or against any fellow Member, Staff Member or Member of the Public;
- Speak on any subject other than the subject in debate;
- Criticize any decision of the Board except for the purpose of moving that the question be reconsidered;
- Disobey the provisions within this policy or a decision of the Chair on questions of order or procedure as set out in this policy or resolution of the Board, or upon the interpretation of the rules of the Board.
- When the Chair is putting the motion, no Member shall leave or make a disturbance.

If a member persists in disobedience after having been called to order by the Chair, the Chair shall move to order the Member to leave their seat for the duration of the meeting. No amendment, adjournment or debate will be allowed. If a Member who has been ordered to leave apologizes to the Chair and the other Members, he/she may, by vote of the Members, be permitted to retake his/her seat.

If a Member persists in disobedience after having been called to order by the Chair, the Chair shall forthwith put the question, no amendment, adjournment or debate being allowed: "That [such Member] be ordered to leave his or her seat for the duration of the meeting of the Board". If a Member who has been ordered to leave his or her seat apologizes to the Chair and the other Members,

RULES OF DEBATE

Every Member, before speaking to a question or motion shall first receive recognition from the Chair and then the Member shall address the Chair.

When a Member wishes to speak to any question, motion or items, he/she shall, in an orderly fashion, attempt to obtain the Chair's attention to indicate that he/she wishes to speak. The Chair shall then recognize the Member(s)

who wish to speak in order in which his/her intention have come to the Chair's attention.

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

When a Member is speaking, no other Member may interrupt that Member except to raise a point of order.

A Member may request the question or motion under discussion to be read at any time during the debate.

No Member shall speak for more than five (5) minutes without the leave of the Chair.

If a Member considers that a ruling by the Chair is not in order an appeal may be made. When challenged, the Chair may give a brief explanation of the ruling and ask the Members by way of motion: "Is the ruling of the Chair upheld?" In the event of a tie vote, the ruling is upheld. The decision of the Board under this section is final.

MOTIONS

Motions may be proposed for any or all items on the Agenda and may be proposed by the Chair or by any Member of the Board. A motion shall be moved and seconded prior to discussion taking place. Motions will be disposed of only by a vote of the Board unless the mover and seconder, by permission of the assembly, withdraw said motions.

When a motion is under debate, motions of procedure may be put as listed below:

"Motion to Amend" shall be relevant to the question to be decided and shall not be received if it in essence constitutes a rejection of the main question.

"Motion to Postpone to a Certain Time" shall be made only if the postponement is until a fixed date or until some specific and known event has occurred.

"Motion to Refer" shall include the name of the Committee, other body or official to whom the question is to be referred, and the terms upon which the question is to be referred.

"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.

"Motion to Receive" means a motion to acknowledge a particular item, report

or recommendation under consideration and to have it placed under the records of the Board with no additional action being taken.

After a motion has been moved and seconded, it can be amended "primary amendment". The primary amendment may also be amended by moving a secondary amendment (an amendment to the amendment). The secondary amendment is resolved first and then the primary amendment is resolved.

When one or both amendments have been resolved, a further primary amendment or a secondary amendment, as the case may be, can be entertained by the Chair. After all amendments have been resolved, the Board will vote on the main motion as amended.

A motion shall be deemed "as carried" when a majority of the Members present are in agreement with the resolution.

VOTING ON MOTIONS

Motions made at any meeting will be decided by a majority of votes. All Members of the Board, including the Chair, shall vote as follows: yeah, nay, abstain.

As per the, the Municipal Act, 2001, s. 246(2) which provides that when a recorded vote is requested, a member who is present and qualified to vote but fails to vote is deemed to have voted in the negative.

Members are entitled to only one vote on any motion before the Board.

Votes will not be recorded unless requested by at least one Member, and such requests must be made before the Chair calls upon the Members to vote upon the Motions.

In all cases where there is a tie, motions or amendments shall be declared lost.

BYLAWS

A new or amended By-Law shall be introduced by motion and multiple By-Laws may be introduced together in one motion. The Chair may, at the request of a Member, deal separately with any By-Law.

When introduced, Bylaws shall be in printed form and shall be complete with the exception of the number and date of the By-Law.

By-Laws shall have three readings prior to being passed.

Every By-Law which has been passed by the Board shall be numbered, dated and signed by the Chair and an original copy of the By-Law will be filed by the Secretary.

NOW THEREFORE the Smiths Falls Police Services Board enacts as follows:

1. That all other Procedural Bylaws enacted by the Smiths Falls Police Services Board be repealed.
2. THAT The provisions of this by-law shall come into force and take effect on the passing thereof.

Read a first, second time and third time 29th day of September, 2026

_____
Chair

_____
Secretary

ONTARIO REGULATION 408/23

APPENDIX A
SMITHS FALLS POLICE SERVICES BOARD
PROCEDURAL BYLAW

CODE OF CONDUCT FOR BOARD MEMBERS

made under the

COMMUNITY SAFETY AND POLICING ACT, 2019

Made: December 14, 2023
Filed: December 18, 2023
Published on e-Laws: December 18, 2023
Published in *The Ontario Gazette*: January 6, 2024

CODE OF CONDUCT FOR POLICE SERVICE BOARD MEMBERS

Application and Interpretation

1. (1) This Regulation sets out the code of conduct with which every member of a police service board must comply.

(2) For greater certainty, the existence of a good faith exception in this code of conduct does not limit the grounds on which it may be determined that a member of a police service board has not contravened this code of conduct.

2. In this Regulation,

"conflict of interest" means a situation in which a member of a police service board's private interests or personal relationships place, or may reasonably be perceived to place, the member in conflict with their duties as a member of the police service board; ("conflit d'intérêts")

"personal relationship" includes, but is not limited to, a relationship with any of the following persons:

1. A current or former spouse or common-law partner of the board member.
2. A current or former intimate partner of the board member.
3. The board member's children, including biological and adoptive children and stepchildren.
4. The legal dependants of the board member.
5. A child in the board member's care.
6. The board member's grandparents, parents or siblings, including grandparents-in-law, parents-in-law and siblings-in-law. ("rapports personnels")

Conduct Becoming of a Board Member

3. (1) A member of a police service board shall not conduct themselves in a manner that undermines or is likely to undermine the public's trust in the police service board or the police service maintained by the police service board.

(2) A member of a police service board shall not be subject to discipline for a contravention of subsection (1) if, on a balance of probabilities, their conduct was in the good faith performance of their duties as a board member.

4. A member of a police service board shall comply with the Act and the regulations made under it.

5. A member of a police service board shall not, by act or omission, conduct themselves in a manner that is likely to cause the board to fail to comply with the Act or the regulations made under it.

6. A member of a police service board shall comply with any rules, procedures and by-laws of the police service board.

7. A member of a police service board shall not substantially interfere with the conduct of police service board meetings.

8. A member of a police service board contravenes this code of conduct if they are found guilty of an offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Cannabis Act* (Canada) that was committed after they were appointed as a member of the police service board.

9. (1) A member of a police service board shall not, in the course of their duties, treat any person in a manner that the member, at the time, knows or reasonably ought to know would contravene the *Human Rights Code*.

(2) A member of a police service board shall not be subject to discipline for a contravention of subsection (1) if, on a balance of probabilities, the member's conduct was in the good faith performance of their duties.

10. (1) A member of a police service board shall conduct themselves in a professional and respectful manner in the course of their duties including, without limitation, not using abusive or insulting language in the course of their duties.

(2) A member of a police service board shall not be subject to discipline for a contravention of subsection (1) if, on a balance of probabilities, the member's conduct

was in the good faith performance of their duties.

Statements and Attendance

11. A member of a police service board shall not knowingly make false statements pertaining to the duties of a member of a police service board.

12. A member of a police service board shall not purport to speak on behalf of the police service board unless authorized by the board to do so.

13. A member of a police service board shall clearly indicate when they are expressing a personal opinion when commenting on an action or omission of the police service board, the police service maintained by the board or a member of the police service.

14. A member of a police service board shall not access, collect, use, alter, retain, destroy or disclose to any person information that has been obtained by or made available to the member in the course of their duties if doing so would be contrary to law.

15. (1) A member of a police service board shall not disclose to the public information obtained or made available in the course of the member's duties except as authorized by the police service board or as required by law.

(2) Subsection (1) does not apply to information that was already made available to the public by a person who was authorized to do so prior to the member's disclosure.

16. A member of a police service board shall attend all police service board meetings unless able to provide a reasonable explanation for the absence.

Misconduct and Conflicts of Interest

17. A member of a police service board shall disclose any conduct of another member of the police service board that the member reasonably believes constitutes misconduct,

(a) to the chair of the board; or

(b) if the misconduct involves the chair, to the Inspector General.

18. (1) A member of a police service board shall disclose any charges laid against them under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Cannabis Act* (Canada) and any finding of guilt made in relation to those charges.

(2) Subsection (1) only applies to charges or findings that were made after the member's appointment to the police service board.

(3) The disclosure required by subsection (1) must be made to the person or body that appointed the individual as a member of the police service board or, in the case of a member appointed by the Lieutenant Governor in Council, to the Minister.

19. A member of a police service board shall not apply for employment with the police service maintained by the police service board unless they resign from the board before applying.

20. (1) A member of a police service board shall promptly disclose any conflict of interest,

(a) to the chair of the board; or

(b) if the conflict of interest involves the chair, to the Inspector General.

(2) After making the disclosure required by subsection (1), the member shall disclose the conflict at the next meeting of the police service board.

21. A member of a police service board shall not use their position as a police service board member to,

(a) benefit themselves;

(b) benefit one or more persons with whom they have a personal relationship; or

(c) interfere with the administration of justice.

22. A member of a police service board shall not participate in discussion of or voting with respect to matters at police service board meetings if the member has a conflict of interest in the matter.

COMMENCEMENT

Commencement

23. This Regulation comes into force on the later of the day subsection 35 (6) of Schedule 1 (*Community Safety and Policing Act*,

***2019*) to the *Comprehensive Ontario Police Services Act, 2019* comes into force and the day this Regulation is filed.**