

**WEST PARRY SOUND  
O.P.P. DETACHMENT BOARD**

**BY-LAW 2025-01**

**BEING A BY-LAW TO GOVERN THE PROCEEDINGS OF THE WEST PARRY SOUND O.P.P. DETACHMENT BOARD, THE CONDUCT OF ITS MEMBERS AND THE CALLING OF MEETINGS.**

**REFERENCE:** *Community Safety and Policing Act, S.O. 2019 and amendments thereto.*

**WHEREAS** *Section 67 (1) of the Community Safety and Policing Act* states that there shall be an O.P.P. detachment board for each detachment of the Ontario Provincial Police that provides policing in a municipality;

**AND WHEREAS** *Subsection 67 (2) of the Community Safety and Policing Act* states that the composition of the O.P.P. detachment board shall be as provided in regulations 135/24 made by the Minister;

**AND WHEREAS** *Table 1 of Ontario Regulations 135/24 of the Community Safety and Policing Act*

states that the composition of the West Parry Sound O.P.P. Detachment Board shall be as follows:

One member appointed by each of the following municipalities and First Nation, who is a member of the council of the municipality or band council of the First Nation, for a total of eight members: Carling Township, Henvey Inlet First Nation, Municipality of McDougall, McKellar Township, Town of Parry Sound, Seguin Township, The Archipelago Township and Municipality of Whitestone.

Two members jointly appointed by the above municipalities and First Nation who are neither members of the council or band council of, nor employees of, any of the municipalities or of the First Nation.

Two members appointed by the Minister.

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

**AND WHEREAS** it is deemed expedient to make and establish rules governing the proceedings of the West Parry Sound O.P.P. Detachment Board, the conduct of its Members and the calling of meetings, pursuant to the *Community Safety and Policing Act, S.O. 2019, as Amended*;

**NOW THEREFORE THE WEST PARRY SOUND O.P.P. DETACHMENT BOARD HEREBY ENACTS AS FOLLOWS:**

**1. DEFINITIONS**

**1.1 In this By-Law**

- (a) **“Act”** means the *Community Safety and Policing Act, S.O. 2019*, as may be amended from time to time;
- (b) **“Board”** means the West Parry Sound O.P.P. Detachment Board and shall be composed of such members appointed according to *Table 1 of Ontario Regulations 135/24 of the Act*;
- (c) **“Chair”** means the Chair of the Board;
- (d) **“Committee”** means standing or ad hoc committees and any other similar entity composed of Members of the Board pursuant to the *Act*;

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- (e) “**Detachment Commander**” means an Ontario Provincial Police Detachment Commander reporting to the West Parry Sound O.P.P. Detachment Board;
- (f) “**West Parry Sound O.P.P. Detachment Board**” means the Board governing police services pursuant to the provisions of the *Community Safety and Policing Act* including its regulations and amendments thereto for the catchment area defined as the West Parry Sound Detachment and more particularly described in *Table 1 of Ontario Regulations 135/24*;
- (g) “**Inspector**” means an Ontario Provincial Police Inspector reporting to the West Parry Sound O.P.P. Detachment Board;
- (h) “**Member**” means a Member of the West Parry Sound O.P.P. Detachment Board;
- (i) “**Recorded Vote**” means the making of a written record of the name and vote of each Member present who votes on a question and of each Member present who does not vote;
- (j) “**Secretary**,” means the Administrative Support of the West Parry Sound O.P.P. Detachment Board; and
- (k) “**Vice-Chair**” means a member required to act, from time to time, in the place and stead of the Chair, pursuant to Section 6 of this By-Law.

**1.2** In this By-Law, words importing the singular number include the plural and vice versa, and words importing the masculine gender include the feminine gender.

## **2. APPLICATION**

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

**2.2** Except as provided elsewhere in this By-Law, the Board may temporarily suspend one or more of the following rules contained in this paragraph by a vote of the majority of the Members present:

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

**2.3** The Chair shall decide all points of order or procedure for which rules have not been provided for in this By-Law.

## **3. COMPOSITION OF THE BOARD**

**3.1** In accordance with *Table 1 of Ontario Regulations 135/24 of the Community Safety and Policing Act*, the Board shall consist of :

One member appointed by each of the following municipalities and First Nation, who is a member of the council of the municipality or band council of the First Nation, for a total of eight members: Carling Township, Henvey Inlet First Nation, Municipality of McDougall, McKellar Township, Town of Parry Sound, Seguin Township, The Archipelago Township and Municipality of Whitestone.

Two members jointly appointed by the above municipalities and First Nation who are neither members of the council or band council of, nor employees of, any of the municipalities or of the First Nation.

Two members appointed by the Minister.

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**3.2** In accordance with *Section 35 (1)* of the *Community Safety and Policing Act*, members of the West Parry Sound O.P.P. Detachment Board shall, at the time of his or her appointment as a member of the board, take an oath or affirmation of office in the form prescribed by the Minister.

**3.3** In accordance with *Section 35 (2)* of the *Community Safety and Policing Act*, members of the West Parry Sound O.P.P. Detachment Board shall successfully complete

all training approved by the Minister with the timeline prescribed by the Minister under *Section 44 of Ontario Regulations 87/24*.

#### **4. SELECTION OF CHAIR AND VICE-CHAIR**

**4.1** In accordance with *Section 36 (1)* of the *Act*, the members of a police service board shall elect a chair at the board's first meeting in each year.

**4.2** In accordance with *Section 36 (2)* of the *Act*, the members of a police service board may also elect a vice-chair at the first meeting in each year, and the vice-chair shall act as the chair if the chair is absent or if the chair's position is vacant.

**4.3** The election of the Chair and the Vice-Chair shall be conducted by the Secretary.

**4.4** Any votes required under this Section of the By-Law shall be taken by each member present indicating his/her vote openly and that no vote shall be taken by ballot or any other method of secret voting.

#### **5. DUTIES AND RESPONSIBILITIES OF THE BOARD**

**5.1** The Board shall be responsible for those duties as set out in *Sections 37 (1) and 68 (1)* of the *Act* including any other responsibilities that may be assigned under the provisions of the *Act* including its regulations thereto, as it may be applicable, and the Board shall at all times discharge those duties in accordance with the Board's Code of Conduct under the provisions of the *Ontario Regulation 409/23, as amended* shall prevail.

#### **6. DUTIES OF THE CHAIR**

**6.1** It shall be the duty of the Chair to:

(a) Preside over West Parry Sound O.P.P. Detachment Board meetings so that its business can be carried out efficiently and effectively

(b) Act as the sole spokesperson for the major policy decisions of the Board;

(c) Represent and support the Board, declaring its will and implicitly obeying its decision in all matters;

(d) Open the meeting of the Board by taking the Chair;

(e) Receive and submit, in the proper manner, all motions presented by the Members;

(f) Put to a vote all questions, which are duly moved and seconded and to announce the result thereof;

(g) Decline to put to a vote, motions which infringe upon the rules of procedure or which are beyond the jurisdiction of the Board;

(h) Enforce on all occasions the observance of order and decorum among the

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Members;

- (i) Call by name, any Member persisting in the breach of the rules and procedure and to order him or her to vacate the room in which the meeting is being held;
- (j) Inform the Board on any point of order as deemed necessary;
- (k) Adjourn the meeting upon a motion duly moved when the business is concluded;
- (l) Sign all documents for and on behalf of the Board including but not limited to by- laws, resolutions, orders and agreements which have been approved by the Board; and
- (m) Perform any and all other duties when directed to do so by motion of the Board.

**7. DUTIES OF THE VICE-CHAIR**

- 7.1** When the Chair is absent or refuses to act or the Chair is vacant, the Vice-Chair shall act in his or her place and stead and while so acting, shall have the same authority, rights and powers of the Chair.

**8. COMMITTEES OF THE BOARD**

- 8.1** The Board may at any time appoint by motion one or more Members to a Committee of the Board to inquire into any matter within the jurisdiction of the Board.
- 8.2** The Committee shall report upon its work to the Board at the meeting of the Board next following the date of the Committee meeting.

**9. REGULAR MEETING OF THE BOARD**

- 9.1** The Board shall hold at least four (4) meetings each year in accordance with *Section 43(1)* of the *Community Safety and Policing Act*. The meeting location is to be determined by the Board.
- 9.2** The Chair shall preside at all meetings. In the absence of the Chair, the Vice-Chair shall preside at the meeting in accordance with Section 7 of this By-Law.
- 9.3** The Chair or in the absence of the Chair, the Vice-Chair as the case may be, may cancel a regular meeting of the Board, where the Chair or Vice-Chair deems such meeting is not warranted.
- 9.4** The Chair, or in his or her absence the Vice-Chair, may at any time summon a special meeting of the Board and shall do so whenever requested by a majority of the Members of the Board.
- 9.5** The Secretary shall give notice to the Members of the Board of all special meetings of the Board whenever required by competent authority to do so. Such notice shall be sent by electronic invitation or any other means deemed appropriate by the Secretary.
- 9.6** No special meeting of the Board may be held with less than twenty-four (24) hours advance notice to the Members.
- 9.7** In accordance with *Section 43 (6)* of the Act, public notification will be deemed complete when posted on the website of the Board seven (7) days in advance of a meeting called by the Board, except in extraordinary circumstances.

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**9.8** Notwithstanding Section 9.7 of this By-Law, a meeting deemed to be in “Closed Session” will not require notification of the public.

**9.9** No business may be transacted at a special meeting of the Board other than that specified in the notice or agenda.

**10. CALLING OF THE MEETING TO ORDER**

**10.1** 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.

**10.2** If a quorum for either the regular or special Board meeting is not present within twenty (20) minutes of the time fixed for the commencement of the meeting, the Secretary shall indicate that no quorum was present and the meeting shall stand adjourned until the next regular meeting of the Board.

**11. QUORUM**

**11.1** A quorum shall be a majority of the Members according to *Section 43(2)* of the *Community Safety and Policing Act*.

**12. BOARD AGENDA**

**12.1** The Secretary shall cause an agenda to be prepared with the following headings, for the use of Members at the regular meetings of the Board:

1. Land Acknowledgement
2. Call to Order
3. Approval of Agenda
4. Declaration of Conflict of Interest
5. Previous Minutes
6. Public Meetings/Deputations/Presentation
7. Staff Reports
8. Correspondence
9. Other Business
10. Closed Session
11. Adjournment

**12.2** The Secretary shall receive all reports and supporting materials for the agenda Ten (10) days prior to the date for the Board meeting. An item, which is not included in the agenda, may not be introduced at the meeting, without the consent of a majority of the Members present.

**12.3** Every letter, petition and other communication addressed to the Board shall be received by the Secretary of the Board who shall:

- (a) Where, in the opinion of the Secretary, the subject matter of any communication is properly within the jurisdiction of the Board, place it upon the Agenda for the new regular meeting of the Board to be dealt with during such meeting;
- (b) Where, in the opinion of the Secretary and confirmed by the Chair, the subject matter of any communication is properly within the jurisdiction of the Police Services, it shall be referred to the Inspector for necessary action and a report presented at the next Board meeting, if required.

**12.4** The Secretary shall electronically send the agenda and all other supporting material for each regular meeting to each Member of the Board not less than seven (7) days prior to the hour appointed for holding of the meeting.

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**13. CONFLICT OF INTEREST DISCLOSURE**

- 13.1** The Chair and Members shall be governed by the *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50, as amended*, and the Agenda shall include a provision for Members to declare a conflict or conflicts of interest or a pecuniary interest in a matter.
- 13.2** Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Board at which the matter is the subject of consideration, the member shall:
- (a) Prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
  - (b) Not take part in the discussion of, or vote on any question in respect of the matter; and
  - (c) Not attempt in any way either before, during or after the meeting to influence the voting on any such question.
- 13.3** Where a meeting is not open to the public, in addition to complying with the requirements, the member shall forthwith leave the meeting for the part of the meeting during which the matter is under consideration.
- 13.4** Where the interest of a member has not been disclosed by reason of his or her absence from the particular meeting, the member shall disclose his or her interest and otherwise comply at the first meeting of the Board attended by him or her after the particular meeting.
- 13.5** The Secretary shall record in reasonable detail, the particulars of any disclosure of conflict of interest, and the particulars shall appear in the minutes of that meeting of the Board.

**14. HEARING OF DELEGATIONS**

- 14.1** Delegations will only be heard at regular meetings and provided that the person(s) requesting a delegation has provided written notice of their request at least seven (7) days before the date of the Board meeting. The request shall also include a list of person(s) who will be appearing before the Board and a copy of the materials that will be presented. Delegations shall be restricted to presentations of ten (10) minutes and shall address their remarks to the stated business. Notwithstanding the foregoing the time allotted for any delegation may be extended an additional five (5) minutes at the discretion of the Chair.
- 14.2** Upon receipt of the written notice requesting a delegation, the Secretary shall list the delegation on the next appropriate meeting agenda.
- 14.3** Upon the completion of a presentation to the Board by a delegation, any discourse between Members of the Board and the delegation shall be limited to Members asking questions for clarification and obtaining additional, relevant information only. Members of the Board shall not enter into debate with the delegation respecting the presentation.
- 14.4** No delegation shall:
- (a) Speak disrespectfully of any person(s);
  - (b) Use offensive words or unparliamentary language;
  - (c) Speak on any subject other than the subject for which they have received approval to address the Board; or
  - (d) Disobey the rules of procedure or a decision of the Chair.

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

**15. CONDUCT OF MEMBERS**

- 15.1** The members of the Board are subject to the Code of Conduct for O.P.P. Detachment Board Members set out in *Ontario Regulations 409/23, as amended*

**16. RULES OF DEBATE**

- 16.1** Every member, before speaking to a question or motion, shall first receive recognition from the Chair and then the member shall address the Chair.
- 16.2** When a member wishes to speak to any question, motion or item, they shall in an orderly fashion attempt to obtain the Chair's attention to indicate that such member wishes to speak and the Chair shall keep a list of those Members who have so indicated a desire to speak. The Chair shall then recognize the Members who wish to speak in the order in which their intentions have come to the Chair's attention and appear on the list.
- 16.3** When two (2) or more Members indicate their intention to speak, the Chair shall recognize the member who, in his or her opinion, first indicated their intention to speak and that Member may speak to the question or motion first.
- 16.4** A member may require the question or motion under discussion to be read at any time during the debate but so as not to interrupt a member who is speaking.
- 16.5** No member shall speak more than twice to the same question or motion without leave of the Chair, except to explain a part of his or her speech, which the member feels may have been misunderstood but in no instance shall the member be permitted to introduce any new matter.
- 16.6** Notwithstanding Subsection 16.5, a reply may be made by the member who has presented a motion to the Board following the conclusion of the speeches of the other Members.
- 16.7** After a question is put by the Chair no member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.
- 16.8** 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 ***"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.

**17. MOTIONS**

- 17.1** All motions, except a motion to adjourn, shall be duly moved and seconded before being discussed or being put to a vote.
- 17.2** The Board Chair shall repeat a motion before a vote is taken if required to do so by a member.
- 17.3** After a motion has been moved, it may be withdrawn by the mover at any time before a vote is taken.
- 17.4** A motion properly before the Board for decision must receive disposition before any other motion can be received, except motions:

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- (a) To adjourn;
- (b) To amend;
- (c) To refer;
- (d) To suspend the rules of procedure;
- (e) To table the question;
- (f) To vote on the question.

**17.5** A motion to adjourn the meeting may be made at any time except:

- (a) When a Member is speaking or during the taking of a vote;
- (b) When the question has been called;
- (c) When a Member has already indicated to the Chair that he or she desires to speak on the question;

and, when resolved in the negative, cannot be made again until the Board has concluded the item currently under discussion.

**17.6** A motion to amend:

- (a) Shall be relevant to the question to be decided;
- (b) Shall not be received if, in essence, it constitutes a rejection of the main

question; and, only one motion to amend such amendment shall be permitted.

**17.7** A motion to refer the question shall include:

- (a) The name of the Committee or other body or official to whom the question is to be referred;
- (b) The terms upon which the question is to be referred; and

any debate will only be permitted with respect to the desirability of referring the question and the terms of the referral, and no discussion of the main question or any amendment thereto, shall be allowed until after its disposition.

**17.8** After any question put or voted upon, any member who was present and who voted with the majority may, at a subsequent meeting of the Board, move for the reconsideration thereof, provided due notice of such intention is given as required by this By-Law, but no discussion of the main question by any person shall be allowed unless the motion to reconsider has first been adopted.

## **18. VOTING ON MOTIONS**

**18.1** A motion shall be deemed to have been carried when a majority of the Members present and voting have expressed their agreement with the question(s).

**18.2** When the Chair is satisfied that a question contains distinct proposals, he or she may divide the question or upon the request of a member, shall divide the question, and the vote upon each proposal shall be taken separately.

**18.3** Every member present at a meeting of the Board when a question is put shall vote thereon unless prohibited by statute, in which case the Secretary shall record the name of the member and the reason that he or she is prohibited from voting.

**18.4** If a member present does not vote when a question is put, he or she shall be deemed to have voted in the negative, except where the member is prohibited from voting by statute.



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**18.5** When a recorded vote is permitted and required, except during the “In-Closed” Session portion of the meeting, the Secretary shall conduct the vote.

**18.6** The Secretary will advise the Chair of the count of the vote, and the Chair will announce the results. The vote of each member shall be recorded in the minutes of the Board.

**18.7** Where on any question on which there is a tie vote, the motion shall be deemed to have been lost.

**19. PUBLIC AND CLOSED MEETINGS**

**19.1** Subject to Subsection 19.2 of this By-Law, all meetings of the Board shall be open to the public.

**19.2** The following subject matters may be discussed in a closed meeting of the Board, unless prohibited by law including:

- (a) Intimate financial and personal matters, where a named or identifiable employee or prospective employee is involved, or where employee relations or reputations could be damaged, unless the employee or employees involved have requested that the matter be discussed in a meeting open to the public and the majority of the Board Members concurs;
- (b) Labour relations or employee negotiations matters arising out of the administration of collective agreements;
- (c) A proposed or pending acquisition of land for Board purposes;
- (d) Litigation or potential litigation or matters in which public discussion could prejudice the Board’s legal position or be detrimental to the Board in proceedings before any Court or Administrative Tribunals;
- (e) Consideration of promotions;
- (f) Matters that are specifically restricted by legislation regarding the protection of privacy;
- (g) Matters relating to the consideration of a request under the *Freedom of Information and Protection of Privacy Act*;
- (h) Matters involving public security, the revelation of which would endanger the security of the Board’s property, or the operations of the policing services.

**19.3** No person other than Board Members, Secretary, Inspector, and other persons invited by the Chair, shall attend closed meetings of the Board, and persons other than the Board Members shall vacate the meetings if requested to do so by the Chair.

**20. AVAILABILITY OF INFORMATION**

**20.1** Information relating to matters described in Subsection 19.2 of this By-Law, shall be marked “**Confidential**”.

**20.2** Immediately following the distribution of the agenda information to all Members of the Board, the public agenda materials may be made available to the media and to any other member of the public requesting such information, provided the disclosure of such information do not relate to matters described in Section 19.2 of this By-Law.

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**21. BY-LAWS**

- 21.1** Every by-law shall be introduced upon a motion by a member, and any number of by-laws may be introduced together in one motion, but the Chair may, at the request of a member, deal separately with any by-laws.
- 21.2** Every by-law when introduced, shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with the provisions of any Act, and shall be complete with the exception of the number and the date of the by-law.
- 21.3** Every by-law which has been passed by the Board shall be numbered, dated and signed by the Chair and Secretary, and shall be filed by the Secretary.

**22. GENERAL**

- 22.1** The procedures for the investigation of complaints against the West Parry Sound O.P.P. Detachment Board shall be in accordance with the *Community Safety and Policing Act* and its regulations thereto, as amended.

**23. ADMINISTRATION**

- 23.1** This By-Law shall come into force and effect upon the day it is passed. Any other policies or by-laws of the Board inconsistent with this By-Law are hereby revoked.

**24. EFFECTIVE DATE**

**THIS BY-LAW is hereby enacted by the West Parry Sound O.P.P. Detachment Board on this 16<sup>th</sup> day of January 2025, and shall take into effect on this date.**

*Bonnie Keith*

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**Chair**



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**Secretary**