The Corporation of the Municipality of Brockton

By-Law 2021-XXX

Being a By-Law to Govern the Proceedings of the Municipality of Brockton Police Services Board, the Conduct of its Members, and the Calling of Meetings.

Whereas the *Municipal Act, 2001, S.O. 2001, c. 25*, Section 5(1), as amended, provides that the powers of a municipal corporation are to be exercised by its council;

And Whereas the *Municipal Act, 2001, S.O. 2001, c. 25*, Section 5(3), as amended, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9; shall be exercised by By-Law;

And Whereas the Council of the Corporation of the Municipality of Brockton has entered into an Agreement with the Minister of the Solicitor General for the provision of Police Services under Section 10 of the *Police Services Act, R.S.O. 1990, c. P. 15* as amended;

And Whereas the Council of the Corporation of the Municipality of Brockton established a Police Services Board pursuant to Section 10(2) of the *Police Services Act, R.S.O. 1990, c. P. 15* as amended as per Resolution 01-29-521, and as per By-Law 2003-59;

And Whereas the Brockton Police Services Board may establish its own rules and procedures in performing its duties under the *Police Services Act, R.S.O. 1990, c. P. 15* as amended;

And Whereas the Brockton Police Services Board is responsible for the provision of adequate and effective police services in the Municipality and determining objectives and priorities for police services in consultation with the Detachment Commander or his or her designate in the Municipality of Brockton pursuant to the *Police Services Act, R.S.O. 1990.*

Now Therefore the Council of the Corporation of the Municipality of Brockton **Enacts as Follows:**

1.0 That the Council of the Corporation of the Municipality of Brockton hereby adopts the Brockton Police Services Board Governance By-Law attached as Schedule "A" hereto and forming a part of this By-Law;

2.0 That this By-Law shall come into effect upon final passage.

3.0 This By-Law may be cited as the "Brockton Police Services Board Governance By-Law".

Read, Enacted, Signed and Sealed this _____ day of _____, 2021.

_____ _____

Mayor – Chris Peabody Clerk – Fiona Hamilton

DRAFT

Schedule "A" to By-Law 2021-XXX
Brockton Police Services Board Governance By-Law

Part 1: Definitions

1.1 In this By-law:

(A) "Act" means the Police Services Act, R.S.O. 1990 c.P.15, as amended;

(B) "Agenda" means the document prepared for distribution as prescribed by Part 14 of this by-law

(C) "Board" means the Municipality of Brockton Police Services Board and shall be composed of such members appointed under Part III of the Act;

(D) "Chair" means the member elected as Chair of the Municipality of Brockton Police Services Board pursuant to the Act;

(E) "Closed Meeting" means a meeting or part of a meeting that is closed to the public in accordance with the Act.

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

(G) "Council" means the Council of The Corporation of the Municipality of Brockton;

(H) "Days" means calendar days exclusive of Saturday, Sundays and statutory holidays;

(I) "Delegation" means an address to the Board at the request of a person wishing to speak;

(J) "Detachment Commander" means an Ontario Provincial Police Detachment Commander reporting to the Municipality of Brockton Police Services Board;

(K) "Member" means a member of the Municipality of Brockton Police Services Board and includes the Chair;

(L) "Municipality" means the Corporation of the Municipality of Brockton.

(M) "Quorum" means a majority of the Members of the Board

(N) "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;

(O) "Resolution" means the decision of the Board on any motion, duly passed in accordance with this By-law.

(P) "Secretary" means the Secretary of the Municipality of Brockton Police Services Board which shall be the Clerk or his or her designate;

(Q) "Special Meeting" means a meeting called other than a regularly scheduled meeting called pursuant to the Act or the Provisions of this By-law.

(R) "Vice Chair" means the Member elected by the Board required to act from time to time in the place of the Chair, pursuant to section 6 of this by-law;

Part 2: Application

2.1 The proceedings of the Board and its Committees, the conduct of the members and the calling of meetings will be governed by the provisions of the Act and the rules and regulations contained in this by-law.

DRAFT

2.2 Notwithstanding Part 2 (2.1), the rules and regulations contained in this by- law may be suspended by a majority vote of the Board Members.

Part 3: Composition of the Board

3.1 In accordance with Section 27(4) and 27(6) of the Act, the Board shall consist of such members as prescribed in the Act composed of:

(A) the Head of the Council or, another Council member appointed by resolution of the Council;

(B) one (1) person appointed by resolution of Council, who is neither a member of Council nor an employee of the Municipality; and

(C) two (2) persons appointed by the Lieutenant Governor in Council;

Part 4: Selection of Chair and Vice-Chair

4.1 In accordance with Section 28 (1) and (2) of the Act, the members of the Board shall, at the first meeting held each year, select from amongst its members, a Chair and Vice Chair for one year.

4.2 The election of Chair shall be conducted by the Secretary.

4.3 The election of the Vice Chair shall be conducted by the Chair.

Part 5: Duties of the Chair

5.1 It shall be the duty of the Chair to:

(A) preside at all meetings of the Board;

(B) set and approve the agenda for all meetings of the Board;

(C) act as the spokesperson for the Board and represent the Board at official functions;

(D) report on the activities of the Municipality of Brockton Police Service Board, to Municipality of Brockton Council as requested;

(E) to commence the meetings of the Board by taking the Chair and calling the meeting to order,

(F) to announce the business before the Board and the order in which it is to be acted upon;

(G) to receive and submit, in proper manner, all motions presented by the Members;

(H) to put to a vote all motions, which are moved and seconded, or necessarily arise in the course of the proceedings, and to announce the result;

(I) to sit as ex-officio as a member of all Committees of the Board and be entitled to participate and vote at the meetings;

(J) to decline to put to a vote motions which do not comply with this By- law or which are not within the jurisdiction of the Board;

(K) to enforce the Rules of Procedure, maintain order and preserve the decorum of the meeting;

(L) where it is not possible to maintain order, to adjourn or suspend the meeting to a time specified by the Chair, without any motion being put;

DRAFT

(M) to rule on any points of order raised by Members;

(N) sign all documents for and on behalf of the Board including but not limited to by-laws, resolutions, minutes, orders and agreements which have been approved by the Board;

(O) to adjourn the meeting when business is concluded or upon a motion to adjourn or to recess the meeting as required.

Part 6: Duties of the Vice-Chair

6.1 The duties of the Vice-Chair shall be:

(A) The Vice-Chair shall act in the absence of the Chair and shall have the same authority as the Chair would have if present.

Part 7: Duties of the Secretary

7.1 The duties of the Secretary shall be:

(A) Organize meetings, prepare agendas for the meeting in consultation with the Chair, and ensure their timely distribution.

(B) Attend all Board meetings and Committee meetings;

(C) Record the minutes of the proceedings at the meetings of the Board and Committees of the Board;

(D) Receive and circulate all communication addressed to the Board.

Part 8: Duties and Responsibilities of the Board

8.1 The Board shall be responsible for those duties as set out in Section 10 and Section 31 (1) of the Act as applicable, and shall at all times discharge those duties in accordance with the Board's Code of Conduct (attached as Appendix A-O. Reg. 421/97)

Part 9: Committees of the Board

9.1 The Board may at any time by motion appoint one or more members to a Committee of the Board to inquire into any matter within the jurisdiction of the Board.

9.2 The Committee shall report upon its work to the Board at the meeting of the Board next following the date of the Committee meeting.

Part 10: Regular Meetings of the Board

10.1 The Board shall hold its regular meetings at least four times a year pursuant to the Act and more frequently as required at the direction of the Board. The day, time and place of regular meetings may be set or altered by resolution of the board or at the discretion of the Chair.

10.2 Notice of regular meetings of the Board shall be published on the Municipality of Brockton website at least 72 hours in advance of the meeting.

10.3 The Chair shall preside at all meetings. In the absence of the Chair, the Vice Chair, shall preside at the meeting.

10.4 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.

DRAFT

Part 11: Special Meeting of the Board

11.1 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.

11.2 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 by telephone or electronic mail, or other means deemed appropriate by the Secretary.

11.3 No special meeting of the Board may be held with less than 24 hours notice to the Members.

11.4 Notification of the public will be deemed complete with online posting of the Agenda on the Municipality's website made 24 hours in advance of a meeting called under Section 11.1.

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

Part 12: Calling the Meeting to Order

12.1 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.

12.2 Members of the public or Members of the Board nor the media will not be permitted the use of mechanical or electronic devices or devices similar in nature used explicitly for transcribing or recording proceedings by auditory or visual means without the permitted advanced notice and approval from the Secretary and/or Chair.

Part 13: Quorum

13.1 If no quorum is present to enable a meeting to commence fifteen (15) minutes after the time appointment for a meeting of the Board, the Secretary will, at the request of those members present, call the roll and record the names of the members present and the members will stand discharged from waiting further.

13.2 If a meeting does not take place because of a lack of quorum the Chair may announce a rescheduled date, time and place for such a meeting to occur.

13.3 The Secretary will attempt to give notice of any meeting so rescheduled by telephone or electronic mail as is otherwise practical within the time available.

Part 14: Board Agenda

14.1 The Secretary shall cause an agenda to be prepared, in the following order, for the use of the Members at the regular meetings of the Board:

(A) Call to Order and Acceptance of Agenda
(B) Declarations of Pecuniary Interest and the General Nature Thereof
(C) Delegations
(D) Adoption of Minutes
(E) Business Arising from the Minutes
(E) Accounts
(F) Items Carried Forward
(G) Information/Correspondence;
(H) New Business;
(I) O.P.P. Detachment Commander's Report
(J) Other Business
(K) Closed Session (if required)
(K) Next Meeting
(K) Adjournment

DRAFT

14.2 The Secretary shall correspond with the Detachment Commander or his/her designate and request all reports and supporting materials for the agenda five (5) business days prior to the date for the Board Meeting and shall consult with the Chair. 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, unless such item is deemed to be of significant urgency by the Chair or Detachment Commander in which case it may be included as an extra item on the agenda.

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

14.3.1 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;

14.3.2 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 Service, shall refer it to the Detachment Commander for necessary action and a report presented at the next Board meeting if required.

14.4 The Secretary shall post electronically the agenda for each regular meeting for each Member of the Board not less than 72 hours prior to the hour appointed for holding of the meeting via the Municipality's website.

Part 15: Conflict of Interest Disclosure

15.1 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 as defined by the *Municipal Conflict of Interest Act* and/or the Code of Conduct as applicable.

15.2 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 whether before, during or after the meeting to influence the voting on any such question.

15.3 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.

15.4 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.

15.5 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.

DRAFT

Part 16: Hearing of Delegations

16.1 Any person desiring to be heard as a delegation shall submit a written request to the Secretary which includes the general nature of the delegation.

16.2 The request must be received by the Secretary not later than noon on the Wednesday of the week preceding the day of the meeting and must supply supporting documents by 1:00 PM on the Thursday of the week preceding the day of the meeting.

16.3 Delegations addressing the Board shall confine their remarks to the business stated in their request to be heard and shall present same in a respectful and temperate manner.

16.4 The Board may at its discretion, expressed by a show of hands of the majority present permit a delegation to speak in attendance at a meeting.

16.5 Delegations shall be limited to a maximum of ten (10) minutes of presentation time. A delegation will be permitted a maximum of two spokespeople to address the Board during the permitted time.

16.6 Should there be more than one delegation requested representing the same topic position at any meeting, the person requesting same shall be advised of the earlier request. The second and any additional requests for a delegation on the same meeting representing the same topic position shall be denied. If a delegation is requested representing a different position on the same issue the delegation will be permitted.

16.7 A delegation, once heard, shall not be entitled to be heard on substantially the same matter for a period of six (6) months from the date of first being heard, unless new information is being provided to assist the Board in its decision making. It will be determined by the Chair and or Secretary if the information being provided shall be deemed to be new.

16.8 Refusal of a request to appear as a delegation may be appealed to the Chair. The ruling of the Chair shall be final.

16.9 Delegations will not be scheduled whose subject relates to a matter currently before the courts or administrative tribunals. No appeal to the Chair will be heard for refusal of delegation requests whose subject matter is before the courts or administrative tribunals.

16.10 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 and the matter may be referred to staff or the Detachment Commander to report at a future meeting prior to taking a position.

16.11 No delegation shall:

(A) speak disrespectfully of any person;
(B) use offensive words or unparliamentary language;
(C) speak on any subject other than the subject for which they have received approval to address the Board; or
(D) disobey the rules of procedure or a decision of the Chair.

16.12 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.

16.13 Municipal audio visual equipment may be used to assist in Delegations, provide that permission had been obtained for the use of such equipment from the Secretary and

DRAFT

electronic presentations must be received by the Clerk by 1:00 p.m. on the Thursday preceding the meeting.

Part 17: Conduct of Members (See also Appendix "A")

17.1 No member shall:

(A) use offensive words or unparliamentary language in meetings of the Board or against any Member;

(B) speak on any subject other than the subject in debate;

(C) criticize any decision of the Board except for the purpose of moving that the question be reconsidered;

(D) speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability;

(E) disobey the rules as set out in this by-law or a decision of the Chair, on questions of order or procedure as set out in this by-law or resolution of the Board, or upon the interpretation of the rules of the Board.

17.2 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, he or she may, by vote of the majority of members present, be permitted to retake his or her seat.

Part 18: Rules of Debate

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

18.2 When a Member wishes to speak to any question, motion or item, they shall, in an orderly fashion, raise their hand in an 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.

18.3 When two 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 members may speak to the question or motion first.

18.4 When a Member is speaking no other Member shall pass information between any Member or the Chair, or interrupt that Member except to raise a point of order.

18.5 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.

18.6 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.

18.7 Notwithstanding Section 18.6, 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.

18.8 No Member shall speak to the same question or motion, or in reply, for more than ten minutes, without leave of the Chair.

DRAFT

18.9 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.

18.10 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?" and a vote shall be held. The decision of the Board under this Section is final.

Part 19: Motions

19.1 All motions, except a motion to adjourn, shall be verbal and recorded in writing in the Minutes, duly moved and seconded before being discussed or being put to a vote.

19.2 The Board Chair shall read a motion before a vote is taken if required to do so by a Member.

19.3 After a motion has been moved, it may be withdrawn by the mover at any time before a vote is taken.

19.4 A motion properly before the Board for decision must receive disposition before any other motion can be received, except motions:

(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.

19.5 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 conducted further proceedings.

19.6 A motion to amend:

(A) shall be relevant to the question to be decided;
(B) shall not be received if it in essence constitutes a rejection of the main questions;

And only one motion to amend such amendment shall be permitted, and any further amendment shall be made to the main questions.

19.7 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; and
(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 an amendment thereto shall be allowed until after its disposition.

19.8 No question shall be reconsidered more than once at a meeting of the Board.

DRAFT

Part 20: Voting on Motions

20.1 A motion shall be deemed to have been carried when a majority of the members present and voting have expressed their agreement with the questions.

20.2 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.

20.3 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.

20.4 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.

20.5 When a Recorded Vote is permitted and required the Secretary shall conduct the vote in a counter-clock wise direction, starting on the Chair's right hand, asking the members in favour to indicate with "yes", asking the Members opposed to indicate with "no", and recording each vote as it is cast.

20.6 The Secretary will advise the Chair of the count of the vote, and the Chair will announce the results.

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

Part 21: Closed Meetings

21.1 Meetings of the Board shall be open to the public except as provided for in Section 35(4) of the *Police Services Act, R.S.O. 1990* which states that a meeting or part of a meeting may be closed to the public if the Board is of the opinion that:

(A) matters involving public security may be disclosed and, having regard to the circumstances, the desirability of avoiding their disclosure in the public interest outweighs the desirability of adhering to the principle that the proceedings be open to the public; or;

(B) intimate financial or personal matters or other matters may be disclosed of such a nature, having regard to the circumstances, that the desirability of avoiding their disclosure in the interest of a person affected or in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public.

21.2 Notwithstanding Subsection 21.1, a meeting or part of a meeting shall be closed to the public if the subject matter to be considered cannot be publically disclosed pursuant to the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990. C. M.56 as amended.

Part 22: Availability of Information

22.1 Information relating to matters described in Section 21 of this by-law shall be marked "Confidential" and shall only be provided to the Members at the meeting of the Police Services Board which shall be collected at the end of the meeting by the Secretary.

22.2 All the public agenda materials will be posted on the Municipality's website and may be made available to the Members and the media and to any other members of the public requesting such information, provided the disclosure of such information does not relate to matters described in section 21 herein.

DRAFT

Part 23: By-laws

23.1 Every by-law shall be introduced upon written 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-law.

23.2 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.

23.3 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 in the Municipality of Brockton Municipal Office, in secure and proper facilities provided by the Clerk.

Part 24: General

24.1 The procedures for the investigation of complaints concerning the policies of the Municipality of Brockton Police Services Board shall be in accordance with the Act.

24.2 The procedures for the investigation of complaints against members of the South Bruce Detachment of the Ontario Provincial Police shall be in accordance with the provisions of the Act.

Part 25: Administration

25.1 This by-law shall come into force upon final passage.

Part 26: Effective Date

26.1 This by-law is hereby enacted by the Municipality of Brockton Police Services Board on this _____ day of _____, 2021 and shall take effect on this date.

Read, Enacted, Signed and Sealed this _____ day of _____, 2021.

_____ _____

Chair – Brian Read Secretary – Sarah Johnson

DRAFT

Appendix "A" to By-Law 2021-XXX
Members Code of Conduct O. Reg. 421/97

1. Board members shall attend and actively participate in all board meetings.

2. Board members shall not interfere with the police service's operational decisions and responsibilities or with the day-to-day operation of the police service, including the recruitment and promotion of police officers, excluding the selection and review of the Detachment Commander's performance in accordance with Section 10(9) of the *Police Services Act.*

3. Board members shall undergo any training that may be provided or required for them by the Ministry of the Solicitor General.

4. Board members shall keep confidential any information disclosed or discussed at a meeting of the board, or part of a meeting of the board, that was closed to the public.

5. No board member shall purport to speak on behalf of the board unless he or she is authorized by the board to do so.

6. A board member who expresses disagreement with a decision of the board shall make it clear that he or she is expressing a personal opinion.

7. Board members shall discharge their duties loyally, faithfully, impartially and according to the Act, any other Act and any regulation, rule or by-law, as provided in their oath or affirmation of office.

8. Board members shall uphold the letter and spirit of the Code of Conduct as set out in this Regulation and shall discharge their duties in a manner that will inspire public confidence in the abilities and integrity of the board.

9. Board members shall discharge their duties in a manner that respects the dignity of individuals and in accordance with the *Human Rights Code* and the Canadian Charter of Rights and Freedoms.

10. Board members shall not use their office to advance their interests or the interests of any person or organization with whom or with which they are associated.

11. (1) Board members shall not use their office to obtain employment with the board or the police service for themselves or their family members.

    (2) For the purpose of subsection (1), "family member" means the parent, spouse or child of the person, as those terms are defined in Section 1 of the *Municipal Conflict of Interest Act*.

12. A board member who applies for employment with the police service, including employment on contract or on fee for service, shall immediately resign from the board.

13. Board members shall refrain from engaging in conduct that would discredit or compromise the integrity of the board or the police service.

14. (1) A board member whose conduct or performance is being investigated or inquired into by the Commission under section 25 of the Act or is the subject of a hearing before the Commission under that section shall decline to exercise his or her duties as a member of the board for the duration of the investigation or inquiry and hearing.

    (2) If the application of subsection (1) results in a board not having enough members able to exercise their duties in order to constitute a quorum during an investigation, inquiry or hearing under section 25 of the Act, the chair of the Commission may appoint that number of persons necessary to constitute a quorum, who shall act in the place of the members who are unable to exercise their duties.

DRAFT

(3) The chair of the Commission,

(a) shall specify in an appointment made under subsection (2) that the appointee may only exercise such duties as are necessary for the effective operation of the board during the investigation, inquiry or hearing and, for such purpose, may specify the duties the appointee may or may not exercise; and

(b) shall cancel an appointment made under subsection (2) as soon as a member of the board who declined to exercise his or her duties under subsection (1) resumes exercising his or her duties or is replaced under subsection 25 (8) of the Act.

15. If the board determines that a board member has breached the Code of Conduct set out in this Regulation, the board shall record that determination in its minutes and may,

(a) require the member to appear before the board and be reprimanded;

(b) request that the Ministry of the Solicitor General conduct an investigation into the member's conduct; or,

(c) request that the Commission conduct an investigation into the member's conduct under Section 25 of the Act.

DRAFT

Appendix "B" to By-Law 2021-XXX
Municipality of Brockton Police Services Board Reporting Protocol

1. The Municipality of Brockton Police Services Board shall report to the Corporation of the Municipality of Brockton Council by placing the minutes of the meeting on the Council Agenda for the next available council meeting.

2. The Business Plan of the O.P.P. will be provided to the Council of the Municipality of Brockton and will renew said plan at least every three years thereafter.

3. Any Business Plan produced in accordance with article 2, will be made available for inspection by the public in the Municipal Office in Brockton other locations as the Board may direct from time to time, from the time it is approved by the Municipality of Brockton Police Services Board until it is replaced, no later than three years after its approval by the Board.

4. During the development of any Business Plan produced in accordance with article 2, the O.P.P. will consult with Municipality of Brockton Council and members of the general public.

DRAFT