

North Huron Police Services Board

By-law No. 01-2020

A by-law to govern the proceedings of the Township of North Huron Police Services Board

WHEREAS Section 10(2) of the Police Services Act, R.S.O. 1990, as amended, provides that in order for a municipality to enter into a contract with the Ontario Provincial Police, the municipality must have a Police Services Board established;

AND WHEREAS Section 37 of the Police Services Act, R.S.O. 1990, as amended, states that a Board shall establish its own rules and procedures for performing its duties under the Act;

AND WHEREAS it is deemed expedient to make and establish rules governing the proceedings of the North Huron Police Services Board, the conduct of its Members and the calling of meetings, pursuant to the Police Services Act, R.S.O. 1990, as amended;

NOW THEREFORE the North Huron Police Services Board enacts as follows:

1. DEFINITIONS

1.1. In this By-law:

- a) **Act** means the Police Services Act, R.S.O. 1990 c.P.15, as amended from time to time;
- b) **Board** means the North Huron Police Services Board;
- c) **Chair** means the Chair of the Board;
- d) **Closed Session** means the portion of the meeting that is not open to the public in accordance with Section 35(4) of the Police Services Act, R.S.O. 1990, as amended;
- e) **Committee** means a Standing or ad hoc committee and any other similar entity composed of individuals of the Board pursuant to the Act;
- f) **Council** means the Council of The Corporation of the Township of North Huron;
- g) **Days** means calendar days exclusive of Saturday, Sundays and Statutory holidays;
- h) **Secretary** means the Recording Secretary of the North Huron Police Services Board;
- i) **Member** means a Member of the North Huron Police Services Board;
- j) **Municipality** means the Township of North Huron;
- k) **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;
- l) **Ontario Civilian Police Commission (OCPC)** is an independent, quasi-judicial agency that provides civilian oversight of police services in Ontario. The powers and duties come from the Police Services Act, R.S.O., c.P.15 and in particular Section 22 (1);
- m) **Vice Chair** means a member appointed by the Board to preside at the meeting of the Board, in the absence of the Chair.

- 1.2. In the interpretation of this By-law, words in the singular include the plural and vice-versa, words in one gender include all genders, and “person” includes an individual, body corporate, partnership, trust and incorporated organizations.

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 rules contained in this paragraph by a vote of the majority of the Members present:
 - (a) Rules with respect to a change in agenda order of proceedings and content;
 - (b) Rules respecting notice of delegation status;
 - (c) Rules with respect to the increase or decrease of delegation and debate limitations;
- 2.3. All points of order or procedure for which rules have not been provided in this By-law shall be decided by the Chair.

3. COMPOSITION OF THE BOARD

- 3.1. In accordance with Section 27(6) of the Act, the Board shall consist of five (5) Members, composed of:
 - (a) Two (2) Council Members appointed by by-law of the Council;
 - (b) One (1) person appointed by by-law of the Council, who is neither a Member of the Council nor an employee of the municipality; and
 - (c) Two (2) people appointed by the Lieutenant Governor in Council.

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 Secretary.
- 4.4. Any votes required under this section, shall be taken as described by the provision of Section 244 of the Municipal Act, R.S.O. 2001, as amended, which requires that each Member present indicate his/her vote openly and that no vote 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 Section 10 of the Act as applicable, and shall at all times discharge those duties in accordance with the Board's Code of Conduct (identified as Appendix “A” to this Schedule, attached hereto, and forming an integral part of this by-law) and the Oath/Affirmation of Office (identified as Appendix “B” to this Schedule, attached hereto, and forming an integral part of this by-law). Section 10 of the Police Services Act, 1990, as amended, is identified as Appendix “C” to this Schedule, attached hereto for the convenience of the Members.
- 5.2. Board Members shall advise the Chair twenty-four (24) hours in advance of a Board Meeting if they are unable to attend a meeting.
- 5.3. If any Board Member misses three (3) consecutive meetings, the Board will make a recommendation to the Council of the Township of North Huron (in the case of

a Council appointee) or to the Ministry of Community Safety and Correctional Services (in the case of a Provincial appointee) that the member be replaced unless the member can convince the Board that there are circumstances that justify his/her retention.

6. DUTIES OF THE CHAIR

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

- (a) Report on the activities of the North Huron Police Service, and those of its Board, to North Huron Council quarterly and as requested;
- (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 things;
- (d) Collaborate with the Secretary to set the agenda for all meetings;
- (e) Open the meeting of the Board by taking the chair and calling the Members to order;
- (f) Receive and submit, in the proper manner, all motions presented by the Members;
- (g) Put to vote all questions, which are duly moved and to announce the result thereof;
- (h) Decline to put to a vote, motions which infringe upon the rules of procedure or which are beyond the jurisdiction of the Board;
- (i) Restrain the Members, when engaged in debate, within the rules of procedure;
- (j) Enforce on all occasions the observance of order and decorum among the Members;
- (k) Call by name, any Member persisting in breach of the rules and procedure and to order him or her to vacate the room in which the meeting is being held;
- (l) Inform the Board on any point of order as deemed necessary;
- (m) Adjourn the meeting upon motion duly moved when the business is concluded;
- (n) Adjourn the sitting without a question being put or suspend or recess the sitting for a time to be specified by him or her, if considered necessary;
- (o) Sign all documents for and on behalf of the Board including but not limited to by-laws, minutes, resolutions, orders and agreements which have been approved by the Board;
- (p) Perform any and all other duties when directed to do so by motion of the Board.

7. DUTIES OF THE VICE CHAIR

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, by motion, appoint 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 MEETINGS OF THE BOARD

- 9.1. Under Section 35(1) of the Police Services Act, R.S.O. 1990, as amended, the Board is required to meet at least four (4) times per year but the Board has the ability (depending on the volume of items on the Agenda for consideration) to schedule regular monthly meetings at 7:00 p.m. on the third Tuesday of the month in the Township of North Huron Council Chambers or at such other place or time as may be determined by the Board or Council from time to time.
- 9.2. The Board shall not hold regular monthly meetings during the months of July and August of each year.
- 9.3. Each year a regular meeting schedule for the year shall be approved by the Board and posted on the municipal website. Amendments to this schedule shall be approved by the Board and posted on the municipal website.
- 9.4. Notice of Regular Meetings, Special Meetings or for the cancellation of a previously scheduled meeting shall be posted on the municipal website 72-hours prior to the meeting time.
- 9.5. All meetings may be audio and/or visually recorded, broadcast and/or streamed publicly by the Board.
- 9.6. Meetings of the Board are not permitted to be conducted electronically or by email or by any other electronic means.
- 9.7. At the meetings of Board, the use of cameras, electric lighting equipment, flash bulbs, recording equipment, television cameras and any other device of a mechanical, electronic or similar nature used for transcribing or recording proceedings by auditory or visual means by members of the public, including accredited and other representatives of any news media whatsoever, will not be permitted. Only audio and/or video recording devices operated by Township Staff shall be allowed during the meetings of the Board.
- 9.8. At the meetings of the Board, the use of cellular phones, audible pagers or any other similar communication devices creating a disruption, or a nuisance will not be permitted.
- 9.9. An exception would be granted to allow members of the Board and Staff the opportunity to use electronic devices to set meeting dates when necessary;
- 9.10. The Chair shall preside at all meetings. In the absence of the Chair, the Vice Chair or in the absence of the Vice Chair, the next senior Member of the Board, shall preside at the meeting in accordance with Section 7 of this By-law.
- 9.11. 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.

10. SPECIAL MEETINGS OF THE BOARD

- 10.1. 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.
- 10.2. 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 other means deemed appropriate by the Secretary.
- 10.3. No special meeting of the Board may be held with less than 24 hours' notice to the Members.
- 10.4. Notification of the public will be deemed complete with posted notice at the Township of North Huron Municipal Office 24 hours in advance of a meeting called under Section 10.1.

- 10.5. Notwithstanding Section 10.4, a meeting deemed to be Closed Session, will not require notification of the public.
- 10.6. No business may be transacted at a special meeting of the Board other than that specified in the notice or Agenda.

11. THE CALLING OF THE MEETINGS TO ORDER

- 11.1. 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.
- 11.2. If a quorum for either the regular or special Board meeting is not present within thirty (30) 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.

12. QUORUM

A quorum shall be a majority of the Members according to Section 35(2) of the Police Services Act.

13. BOARD AGENDA

- 13.1. 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:

- 1 Call to Order;
- 2 Confirmation of the Agenda;
- 3 Disclosure of Pecuniary Interest;
- 4 Minutes of the Previous Meeting;
- 5 Delegations;
- 6 Business Arising from the Minutes;
- 7 Reports;
 - 7.1 Detachment Commander Report
 - 7.2 Staff Reports
- 8 By-laws;
- 9 Correspondence;
- 10 New Business;
- 11 Opportunity for Public Comment;
- 12 Closed Session and Reporting Out;
- 13 Next Meeting;
- 14 Adjournment.

- 13.2. The Secretary shall consult with the Detachment Commander, or designate, to receive all reports and supporting materials for the Agenda by no later than 4:30pm on the Wednesday preceding the Board Meeting;
- 13.3. An item which is not included in the agenda may not be introduced at the meeting without consent of the 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 addition to the agenda.
- 13.4. Every letter, petition and other communication addressed to the Board shall be received by the Secretary of the Board who shall:
- 13.5. 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 next regular meeting of the Board to be dealt with during such meeting;
- 13.6. The Secretary shall ensure that the agenda for regular meetings be delivered to each Member of the Board at least 72 hours prior to the meeting.

14. CONFLICT OF INTEREST DISCLOSURE

- 14.1. The Chair and Members shall be governed by the Municipal Conflict of Interest Act, 1990, and the agenda shall include a provision for Members to declare a conflict or conflicts of interest or a pecuniary interest in a matter.
- 14.2. 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.
- 14.3. 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.
- 14.4. 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.
- 14.5. The Member shall provide, in writing to the Secretary, the particulars of any disclosure and the general nature thereof to be recorded in the minutes of that meeting of the Board.

15. HEARING OF DELEGATIONS

- 15.1. Delegations will only be heard at regular meetings and provided that the person(s) requesting a delegation has provided written notice of their request by no later than 4:30pm on the Wednesday preceding the Board meeting or at the Chair's discretion. 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.
- 15.2. Upon receipt of the written notice requesting a delegation, the Secretary shall list the delegation on the next appropriate meeting agenda.
- 15.3. 15.3. 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.
- 15.4. 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.
- 15.5. 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.

16. CONDUCT OF MEMBERS DURING MEETINGS

16.1. 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 as per the Canadian Charter or Rights and Freedoms and the Ontario Human Rights Code;
- (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.

16.2. 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 Members, be permitted to retake his or her seat.

17. RULES OF DEBATE

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

17.2. 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.

17.3. 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.

17.4. 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.

17.5. 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.

17.6. 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.

17.7. Notwithstanding Section 17.6, 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.

17.8. No Member shall speak to the same question or motion, or in reply, for more than ten (10) minutes, without leave of the Chair.

17.9. 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.

17.10. 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 if the ruling of the Chair is upheld? In the event of a tie vote, the ruling is upheld. The decision of the Board under this Section is final.

18. MOTIONS

18.1. All motions, except a motion to adjourn, shall be duly moved and seconded before being discussed or being put to a vote. Motions to move "in camera" or for the passing of by-laws shall be duly moved and seconded and passed to the Chair before being discussed and voted on.

18.2. The Board Secretary will read a motion before a vote is taken if required to do so by a Member.

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

18.4. 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.

18.5. 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.

18.6. 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.

18.7. 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.

18.8. After any question, except one of indefinite deferment has been decided by the Board, any Member who was present and who voted in 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.

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

19. VOTING ON MOTIONS

19.1. 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.

19.2. 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.

19.3. 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.

19.4. 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.

19.5. The Chair shall require a recorded vote to be taken on any question upon request of a Member if such request is made prior to commencement of the voting or immediately thereafter. When a Member present requests a recorded vote, all Members present at the meeting shall vote, unless otherwise prohibited by statute. The Secretary shall call the vote in a manner that provides for a random order and the Members shall respond YES or NO when called upon. The names of those who voted for and those who voted against shall be noted in the minutes.

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

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

20. PUBLIC AND CLOSED SESSION MEETINGS

20.1. All meetings of the Board shall be open to the public, except (in accordance with Section 35(4) of the Police Services Act) to address:

Matters involving public security that the desirability of avoiding their disclosure in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public; or

Intimate financial or personal matters or other matters of such a nature, having regard to the circumstances, that the desirability of avoiding disclosure in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that the proceedings be open to the public

20.2. No person other than Board Members, Secretary and Detachment Commander (or designate) 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.

20.3. The proceedings of a Board Closed Session shall be audio/video recorded with all recordings kept in a secure location in the Township of North Huron Municipal Office.

21. AVAILABILITY OF INFORMATION

21.1. Information relating to matters described in Section 20.1 of this By-law, shall be marked Confidential.

21.2. 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 subsection 20.1 herein. Such materials shall be made available at the Municipal Office no earlier than 72 hours prior to the meeting being held.

22. BY-LAWS

- 22.1. Every By-law shall be introduced upon motion by a Member, and any number of By-laws may be introduced together in one motion, but the Chair may, at the request of a Member, deal separately with any By-law.
- 22.2. 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.

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 Township Municipal Office, in secure and proper facilities provided by the Municipal Clerk.

23. ADMINISTRATION

1. This By-law shall come into force and take effect on the final passing thereof.
2. This By-law will rescind By-law No. 01-2019.

24. EFFECTIVE DATE

This By-law is hereby enacted by the North Huron Police Services Board on this 15th day of December, 2020, and shall take effect on this date.

Trevor Seip, Chair

Carson Lamb, Secretary

**NORTH HURON POLICE SERVICES BOARD
BY-LAW 01-2019**

**APPENDIX “A”
MEMBER OF POLICE SERVICE BOARD – CODE OF CONDUCT
O.Reg. 421/97**

1. Board members shall attend and actively participate in all board meetings. O. Reg. 421/97, s. 1.
2. Board members shall not interfere with the police force’s operational decisions and responsibilities or with the day-to-day operation of the police force, including the recruitment and promotion of police officers. O. Reg. 421/97, s. 2.
3. Board members shall undergo any training that may be provided or required for them by the Minister of Community Safety and Correctional Services. O. Reg. 421/97, s. 3; O. Reg. 100/18, s. 1.
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. O. Reg. 421/97, s. 4.
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. O. Reg. 421/97, s. 5.
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. O. Reg. 421/97, s. 6.
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. O. Reg. 421/97, s. 7.
8. Board members shall uphold the letter and spirit of the Code of Conduct 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. O. Reg. 421/97, s. 8.
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. O. Reg. 421/97, s. 9; O. Reg. 100/18, s. 2.
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. O. Reg. 421/97, s. 10.
11. (1) Board members shall not use their office to obtain employment with the board or the police force for themselves or their family member. O. Reg. 298/05, s. 1.

(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. O. Reg. 421/97, s. 11 (2).
12. A board member who applies for employment with the police force, including employment on contract or on fee for service, shall immediately resign from the board. O. Reg. 421/97, s. 12.
13. Board members shall refrain from engaging in conduct that would discredit or compromise the integrity of the board or the police force. O. Reg. 421/97, s. 13.
14. (1) A board member whose conduct or performance is being investigated or inquired into by the Ontario Civilian Police Commission under section 25 of the Act or is the subject of a hearing before the Ontario Civilian Police 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. O. Reg. 277/00, s. 1.

(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 Ontario Civilian Police 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. O. Reg. 277/00, s. 1.

(3) The chair of the Ontario Civilian Police 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. O. Reg. 277/00, s. 1.

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 Community Safety and Correctional Services conduct an investigation into the member's conduct; or

(c) request that the Ontario Civilian Police Commission conduct an investigation into the member's conduct under section 25 of the Act. O. Reg. 421/97, s. 15; O. Reg. 100/18, s. 3.

**NORTH HURON POLICE SERVICES BOARD
BY-LAW 01-2019**

**APPENDIX "B"
MEMBER OF POLICE SERVICES BOARD - OATH/AFFIRMATION OF
OFFICE
O.Reg. 144/91**

The oath or affirmation of office to be taken by a Member of the Board shall be in one of the following forms:

I _____ solemnly swear (affirm) that I will be loyal to Her Majesty the Queen and to Canada, and that I will uphold the Constitution of Canada and that I will, to the best of my ability, discharge my duties as a member of the (insert name of municipality) Police Services Board faithfully, impartially and according to the Police Services Act, any other Act, and any regulation, rule or by-law.

So help me God. *(Omit this line in an affirmation.)*

or

I _____ solemnly swear (affirm) that I will be loyal to Canada, and that I will uphold the Constitution of Canada and that I will, to the best of my ability, discharge my duties as a member of the (insert name of municipality) Police Services Board faithfully, impartially and according to the Police Services Act, any other Act, and any regulation, rule or by-law.

So help me God. *(Omit this line in an affirmation.)*

**NORTH HURON POLICE SERVICES BOARD
BY-LAW 01-2019**

APPENDIX "C"

**POLICE SERVICE ACT, 1990, AS AMENDED, SECTION 10
Municipal Agreements for Provision of Police Services by the O.P.P.**

10 (1) The Solicitor General may enter into an agreement with the council of a municipality or jointly with the councils of two or more municipalities for the provision of police services for the municipality or municipalities by the Ontario Provincial Police.

Board required

(2) In order for a municipality to enter into an agreement under this section, the municipality must have a board.

Same

(3) In order for two or more municipalities to enter into an agreement under this section, the municipalities must have a joint board.

Transition

(4) If an agreement under this section was entered into, before section 10 of the Police Services Amendment Act, 1997 comes into force, by a municipality that did not have a board at the time, the agreement remains valid and enforceable despite subsection (2), but the agreement may not be renewed unless the municipality has a board.

Collective bargaining

(5) No agreement shall be entered into under this section if, in the Solicitor General's opinion, a council seeks the agreement for the purpose of defeating the collective bargaining provisions of this Act.

Duties of O.P.P.

(6) When the agreement comes into effect, the Ontario Provincial Police detachment assigned to the municipality or municipalities shall provide police services for the municipality or municipalities, and shall perform any other duties, including by-law enforcement, that are specified in the agreement.

Payment into Consolidated Revenue Fund

(7) The amounts received from municipalities under agreements entered into under this section shall be paid into the Consolidated Revenue Fund.

Collection of amounts owed

(8) The amount owed by a municipality under the agreement, if not collected by other means, may be deducted from any grant payable to the municipality out of provincial funds or may be recovered by a court action, with costs, as a debt due to Her Majesty.

Role of board

(9) If one or more municipalities enters into an agreement under this section, the board or joint board shall advise the Ontario Provincial Police detachment commander assigned to the municipality or municipalities, or his or her designate, with respect to police services in the municipality or municipalities and shall,

- (a) participate in the selection of the detachment commander of the detachment assigned to the municipality or municipalities;
- (b) generally determine objectives and priorities for police services, after consultation with the detachment commander or his or her designate;
- (c) establish, after consultation with the detachment commander or his or her designate, any local policies with respect to police services (but the board or joint

board shall not establish provincial policies of the Ontario Provincial Police with respect to police services);

- (d) monitor the performance of the detachment commander;
- (e) receive regular reports from the detachment commander or his or her designate on disclosures and decisions made under section 49 (secondary activities);
- (f) review the detachment commander's administration of the complaints system under Part V and receive regular reports from the detachment commander or his or her designate on his or her administration of the complaints system.

Non-application of certain sections

(10) If one or more municipalities enters into an agreement under this section, section 31 (responsibilities of board), section 38 (municipal police force) and section 39 (estimates) do not apply to the municipality or municipalities. 1997, c. 8, s. 10.