



GUELPH POLICE SERVICES BOARD

By-law No. 136 (2009)

[amended by By-law No. 152 (2014); By-law No. 154 (2014); By-law No. 156 (2015); By-law No. 159 (2017); By-law No. 161 (2018); By-law No. 163 (2019); By-law No. 166 (2020); By-law No. 167 (2020); By-law No. 169 (2020)]

Being a By-law to Govern the Proceedings of the Guelph Police Services Board, the Conduct of its Members and the Calling of Meetings, and to repeal By-law 116 (2003).

WHEREAS, a Police Services Board may, by By-Law, make rules for the effective management of the police service under section 31(6) of the *Police Services Act*, R.S.O. 1990 c.P.15 and amendments;

AND WHEREAS, it is deemed appropriate to make and establish rules governing the proceedings of the Guelph Police Services Board, the conduct of its Members and the calling of meetings, pursuant to the *Police Services Act* R.S.O. 1990 c.P.15 and amendments;

THEREFORE, the Guelph 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) “Executive Assistant” means the individual functioning in the capacity of Secretary of the Board;
 - (c) “Acting 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;
 - (d) “Board” means the Guelph Police Services Board and shall be composed of such members appointed under Part III of the Act;
 - (e) “Chair” means Chair of the Board;
 - (f) “Chief of Police” means the Chief of the Guelph Police Service;
 - (g) “City” means the City of Guelph;
 - (h) “Committee” means a Standing or Ad Hoc Committee and any other similar entity composed of individuals of the Board pursuant to the Act;
 - (i) “Council” means the Council of the City of Guelph;
 - (j) “Days” mean calendar days exclusive of Saturdays, Sundays and Statutory holidays, except as otherwise provided;
 - (k) “Member” means a member of the Guelph Police Service;
 - (l) “Motion” and question shall be deemed to be the same;
 - (m) “Motion to Amend” shall be relevant to the question to be decided, and shall not be received if it in essence constitutes a rejection of the main questions;
 - (n) “Motion to Defer” shall be made only if the postponement is until a fixed date or until some specific and known event has occurred;
 - (o) “Motion to Refer” shall include the name of the Committee, other body or official to whom the question is to be referred; and the terms upon which the question is to be referred;
 - (p) “Part V” shall refer to Part V- Complaints of the Police Services Act, R.S.O. 1990 c.P.15;
 - (q) “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;
 - (r) “Senior Member of the Board” shall be defined by length of tenure on the Board.

- 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 [amended by By-Law 159 (2017)]

- 2.1 Each board member should be knowledgeable of the contents of this Procedural By-law 136 (2009) and the other Guelph Police Services Board By-laws; currently By-law 118 (2004) (Retention By-law) and By-law 149 (2013) (Fees and Charges) and the internal policies of the Guelph Police Services Board, namely BD01-001 (Financial Policy); BD01-002 (Community Account Policy); BD01-004 (Reimbursement of Expenses and Legal Costs to Former Board Members and Former Staff); BD01-005 (Board Member and Board Staff Reimbursement of Expenses) and BD01-006 (Board Communication With the Public) and any other By-laws and internal policies that may be enacted in the future.
- 2.2 The rules or procedures contained in this By-Law, unless exempted herein, shall be observed in all proceedings of the Board and shall be the rules for the order and dispatch of business before the Board, and with necessary modifications, in a committee of the Board.
- 2.3 Except as provided elsewhere in this By-Law, the Board may, by a vote of the majority of the members present, temporarily suspend one or more of the following rules:
- (a) rules with respect to a change in agenda order of proceedings and content;
 - (b) rules respecting notice of delegation status;
 - (c) rules with respect to the increase or decrease of delegation and debate limitations.
- 2.4 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(5) of the Act, the Board will consist of five (5) members, composed of;
- (a) the head of the municipal council or, if the head chooses not to be a member of the board, another member of the council appointed by resolution of the council;
 - (b) one member of the council appointed by resolution of the council;

- (c) one person appointed by resolution of the council, who is neither a member of the council nor an employee of the municipality; and
- (d) two persons 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 meeting held in December of each year, select from amongst its members, a Chair and Vice-Chair which shall be effective January first of the succeeding year, in the following manner:

- (a) The election of the Chair and Vice-Chair shall be conducted by the incumbent Chair, or, if unavailable, the incumbent Vice-Chair or the Mayor;
- (b) Nominations shall require a mover and seconder, both of whom shall be members of the Board;
- (c) Where more than one nominee stands for election, a vote shall be taken;
- (d) Prior to the vote being taken, each nominee shall be given five minutes to speak to the nomination. Candidates shall be called upon in alphabetical order of their surname;
- (e) After the nominees have completed their speeches, a vote shall be taken;
- (f) If the nominees are tied on the first vote, a ten minutes recess shall be held and a second vote shall be taken. If on the second vote the nominees remain tied, a further ten minutes recess shall be held and a third vote shall be taken. If nominees remain tied after the third vote, the election of the Chair or Vice-Chair shall be decided by lot drawn by the Mayor or their designate;
- (g) Any votes required under this section, shall be taken as described by the provision of Section 61(1) and (2) of the *Municipal Act, R.S.O. 1990* as amended, which requires that each member present indicate their vote openly and that no vote be taken by ballot or any other method of secret voting.

4.2 In the event of the position of Chair or Vice-Chair becoming vacant for any reason, a new Chair or Vice-Chair as the case may be, will be elected.

5. DUTIES AND RESPONSIBILITIES OF THE BOARD

5.1 The Board shall be responsible for those duties pursuant to the Act.

6. DUTIES OF THE CHAIR

6.1 It shall be the duty of the Chair to:

- (a) act as the sole spokesperson for the major policy decisions of the Board;
- (b) represent and support the Board, declaring its will and implicitly obeying its decision in all things;
- (c) set the agenda for all meetings;
- (d) open the meeting of the Board by taking the chair and calling the Members to order; receive and submit, in the proper manner, all motions presented by the Members;
- (e) vote only to break a tie with the other Members of the Board;
- (f) speak to all business of the Board as a member;
- (g) put to vote all questions which are duly moved, and to announce the result thereof;
- (h) decline to put to 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 of procedure and to order them 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 meeting without a question being put, or suspend or recess the meeting for a time to be specified by the Chair, if considered necessary;
- (o) sign all documents and affix seals 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;
- (p) perform any and all other duties when directed to do so by motion of the Board;
- (q) sit ex-officio as a member of all committees of the Board, with the entitlement to participate in and vote at any committee meetings.

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 the Chair's place and stead and while so acting, shall have the same authority, rights and powers of the Chair.

8. DUTIES OF THE EXECUTIVE ASSISTANT

- 8.1 The Executive Assistant will:

- (a) Organize meetings, prepare agendas for the meetings in conjunction with the Chair and ensure their timely distribution;
- (b) attend all open, closed and special meetings of the Board and record the minutes, orders and requests of all such meetings. If the Executive Assistant is unable to attend, an alternate shall be sought, and if not possible, the meeting shall be electronically recorded;
- (c) furnish the Chief of Police with copies of all resolutions and enactments and orders of the Board as soon as possible after the meetings of the Board;
- (d) cause the minutes of the Board to be printed after meetings and to include a copy of said minutes with agenda packages for the next regular meeting of the Board;
- (e) after minutes of a previous meeting have been confirmed or approved as amended by the Board, the Chair and Executive Assistant shall sign them.

9. COMMITTEES OF THE BOARD [amended by By-law 154 (2014); By-law 166 (2020); By-law 167 (2020)]

- 9.1 The Board will appoint by motion at its December meeting one or more Members to the Committees of the Board.
- 9.2 The Guelph Police Services Board has the following Standing Committees: Collective Bargaining, Policy, Performance Appraisal and Finance.
- 9.3 From time to time the Board may determine a need for other Ad Hoc Committees to inquire into any matter within the jurisdiction of the Board, and will appoint by motion at that time one or more Members to the Ad Hoc Committee of the Board.
- 9.4 Membership, statutory authority and responsibility of the Committees are determined in the Terms of Reference of the Committee as set out by the Board.

- 9.5 Committee members shall deal directly with the Chief of Police or a designated person, or in their absence, the Deputy Chief or a designated person, when services are required from a member of the Guelph Police Service to assist the Committee.
- 9.6 The Committee shall report upon its work to the Board at the next meeting of the Board where delegations are permitted.
10. REGULAR MEETINGS OF THE BOARD [amended by By-law 156 (2015) and By-law 163 (2019)]
- 10.1 The Board shall hold its regular open meetings at the hour of 1430 hours on the third Thursday of each month in the third floor Boardroom at Police Headquarters or at such other place or time as may be determined by the Board from time to time. The day, time and place of these meetings will be set or altered by resolution of the Board or at the discretion of the Chair.
- 10.2 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 (with respect to tenure) member of the Board shall preside at the meeting in accordance with Section 7 of this by-law.
- 10.3 Meetings of the Board will be open to the public, subject to the following exceptions which will be discussed in closed meeting;
- (a) Situations in which 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 proceedings be open to the public;
 - (b) Situations in which intimate financial or personal matters or other matters may be disclosed, having regard to the circumstances, that the desirability of avoiding their disclosure in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public;
 - (c) Personnel matters, where a named employee or prospective employee is involved, or where employee relations or reputations could be damaged, unless the individual(s) involved have requested that the matter be discussed in a meeting open to the public and the majority of the Board concurs;
 - (d) Negotiations on salaries or working conditions of employees, and matters arising out of the administration of collective agreements;
 - (e) Property matters, including the investigation or negotiation of the

- acquisition or sale of property;
 - (f) Consideration of awards, senior staff appointments and disciplinary actions;
 - (g) Criminal and other police investigations in which premature public disclosure could prejudice the successful completion of the investigation, or interfere with the right of an accused person to a fair and impartial trial or hearing;
 - (h) Matters in which public discussion could prejudice the Board's legal or financial position or could be detrimental to the Board in proceedings before any court or tribunal.
- 10.4 No person other than Board members and invited persons will attend closed meetings.
- 10.5 Insofar as possible, closed meetings will precede the regular meetings of the Board. If necessary, due to time constraints regarding the published start of the open meeting, closed meetings may recommence following the completion of the business of open meetings.
- 10.6 Members of the public who constitute the audience in the Board's chamber during a meeting:
- (a) May not address the Board without permission of the Chair;
 - (b) Will maintain order and quiet;
 - (c) Will not interrupt any speech or action of the Members of the Board, or any other person addressing the Board; and
 - (d) Will not display or have in their possession, picket signs or placards in the Board chambers or meeting rooms.
- 10.7 The Chair may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting.

11. SPECIAL MEETINGS OF THE BOARD

- 11.1 The Chair, or in their 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 Executive Assistant 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, delivery of mail/fax or e-mail to each Member so as to be received at the residence or place of business of each Member, at least

forty-eight hours before the time fixed for such a meeting. In the event of an emergency situation, the forty-eight hour time period may be waived by the Chair or their designate.

- 11.3 No business may be transacted at a special meeting of the Board other than that specified in the notice or Agenda.
- 11.4 The Chair may determine the need for special called meetings of the Board via telephone conferencing or other acceptable means of communication.

12. THE CALLING OF BOARD MEETINGS TO ORDER AND QUORUM

- 12.1 A quorum shall be a majority of the Members according to Section 35(2) of the Act.
- 12.2 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.
- 12.3 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 Executive Assistant shall indicate that no quorum was present and the meeting shall stand adjourned until the next meeting of the Board.
- 12.4 If there is not a quorum at the beginning of the meetings or at any time during the meetings after they have been called to order with a quorum, business will be discussed and approved in principle, subject to ratification by a quorum of the members at the next regularly scheduled meeting.
- 12.5 When a quorum is no longer in attendance at meeting, no business can be legally transacted and it is the responsibility of the Chair and the Executive Assistant to note the lack of quorum, and, have the fact recorded in the Minutes.
- 12.6 In case the Chair or Vice-Chair do not attend within ten minutes after the time appointed, and no notice of their imminent attendance has been received, the Executive Assistant will call the members to order, and if a quorum is present, a Chair will be chosen, who will preside during meetings as the Chair until the arrival of the Chair or Vice-Chair.
- 12.7 A declaration of pecuniary interest does not constitute Lost Quorum. In situations of pecuniary interest, the individual will not vote on the issue under discussion.

13. BOARD AGENDA [amended by By-law No. 152 (2014)]

- 13.1 The Executive Assistant shall, in consultation with the Chair and the Chief, cause an agenda with related attachments to be prepared, for the use of the Members at the regular meetings of the Board.

- 13.2 Members wishing to discuss a matter may request that it be placed on the agenda of the upcoming meeting by contacting the Chair.
- 13.3 Items not included on the agenda cannot be introduced at meetings without the consent of a majority of the Members present.
- 13.4 The Chief of Police shall give to the Executive Assistant all reports and supporting materials for the agenda at least seven (7) 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.
- 13.5 The Executive Assistant shall disseminate the agenda and relevant materials seven (7) days prior to the regular meeting date.

14. COMMUNICATIONS

- 14.1 Letters, petition and other communication addressed to the Board, where appropriate, shall be received by the Executive Assistant of the Board who shall:
 - (a) where, in the opinion of the Executive Assistant, and confirmed by the Chair, the subject matter of any communication is properly within the jurisdiction of the Board, place it upon the Agenda in compliance with Section 10 (3) for the next regular meeting of the Board to be dealt with during such meeting;
 - (b) where, in the opinion of the Executive Assistant, 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 Chief for necessary action and a report presented at the next Board meeting if required.

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* and amendments thereto and regulations there under, and the agenda shall include a provision for Members to declare conflict or conflicts of interest or a pecuniary interest in a matter.
- 15.2 To fulfill the Board's quasi-judicial function pursuant to Part V of the *Act*, Members should not take part in the administration of Part V matters if they have a personal interest or where they may be perceived as having a personal interest or bias. Where there is uncertainty as to whether a conflict may exist, the issue should be raised. The decision in regard to the conflict shall be determined by the Member.

16. HEARING OF DELEGATIONS [amended by By-law No. 152 (2014); By-law No. 156 (2015) and By-law No. 169 (2020)]

16.1 When delegations desire to be present at meetings to address the Board, such individuals will be permitted to do so at the discretion of the Chair, provided that the matter(s) to be addressed fall within the jurisdiction of the Board. In matters that do not fall within the jurisdiction of the Board, every attempt will be made to direct the delegation to the appropriate venue; i.e. operational matters will be referred to the Chief. Complaints, where appropriate, will be referred to the Public Complaints Process. Delegations appearing before the Board are subject to the following:

- (a) The delegation(s) shall provide written notice of their request at least four (4) days before the date of the Board meeting subject to the time limit being waived by the Chair of the Board. The request shall also include a list of person(s) who will be appearing before the Board and a copy of the materials to be presented;
- (b) Upon receipt of the written notice requesting a delegation, the Executive Assistant shall list the delegation(s) on the next appropriate meeting agenda at the discretion of the Chair;
- (c) The Executive Assistant shall confirm with the delegation(s) the time and place at which the delegation(s) will address the Board, and will also inform them of the provisions relating to delegations;
- (d) Delegations shall address the Board through one speaker, 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;
- (e) Members shall not ask any questions until all delegations and the Chief/designate have been heard, either in support of, or in opposition to, the specific matters on the agenda or before the Board;
- (f) Upon 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;

16.2 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) challenge the rules of procedure or a decision of the Chair.
- 16.3 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.
- 16.4 Members of the public who appear as delegation(s) in the Board's chamber during a meeting:
- (a) May not address the Board without permission of the Chair;
 - (b) Will maintain order and quiet;
 - (c) Will not interrupt any speech or action of the Members of the Board, or any other person addressing the Board; and
 - (d) Will not display or have in their possession, picket signs or placards in the Board chambers or meeting rooms.
- 16.5 The Chair may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting.
17. CONDUCT OF BOARD MEMBERS [amended by By-law No. 152 (2014)]
- 17.1 No Board Members shall:
- (a) use offensive words or unparliamentary language in meetings of the Board or against any fellow Member, Staff Member or Member of the Public;
 - (b) disobey the provisions within 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: *A) That such Member be ordered to leave their seat for the duration of the meeting of the Board.* (If a Member who has been ordered to leave their seat apologizes to the Chair and the other Members, they may, by vote of the Members, be permitted to retake their seat.)
- 17.3 No property or material belonging to the Board shall be delivered to or used by any member of the Board for personal or private use.
- 17.4 Each Member shall not miss more than six (6) meetings per year, and not more than three (3) consecutive meetings without the permission of the Chair. Any

member in violation of this provision is subject to sanction by the Board within the Board's legal purview.

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 attempt to obtain the Chair's attention to indicate that such Member wishes 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 the Chair's opinion, first indicated their intention to speak, and that Member may speak to the question or motion first.
- 18.4 All members shall speak only on the subject in debate.
- 18.5 When a Member is speaking, no other Member may interrupt that Member except to raise a point of order.
- 18.6 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.
- 18.7 No Member shall speak to the same question or motion, or in reply, for more than five (5) minutes, without the leave of the Chair.
- 18.8 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.

19. MOTIONS

- 19.1 Members may make motions and before they are seconded, speak to them.
- 19.2 Motions will be seconded and disposed of only by a vote of the Board unless the mover and seconder, by permission of the Chair, withdraw said motions.
- 19.3 When motions are under debate, motions of procedure may be put with precedence in the order listed below:
- (a) To defer
 - (b) To refer
 - (c) To amend

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- 19.4 After motions have been moved and seconded, amendments to the motions may be moved and amendments to the amendments may be made. Before second amendments to the amendments can be made, the first amendments must be resolved.
- 19.5 After all amendments to the amendments have been resolved; the amendments are to be resolved prior to the introduction of second amendments to the motion.
- 19.6 After all amendments have been resolved, the Board will vote on motions as amended.
20. VOTING ON MOTIONS [amended by By-Law 159 (2017) and By-Law 161 (2018)]
- 20.1 Motions made at any meeting will be decided by a majority of votes.
- 20.2 Members are entitled to only one vote on any motions before the Board.
- 20.3 Members will indicate their vote by clearly upraised hands by voting in the affirmative, negative or abstaining.
- 20.4 The yeas, nays and abstentions, if any, will not be recorded upon motions unless requested by at least one Member, and such requests must be made before the Chair calls upon the Members to vote upon the motions.
- 20.5 In all cases where there is a tie, and the Chair has voted, the motions or amendments as the case may be shall be declared lost.
- 20.6 **Electronic Voting Outside a Regular Board Meeting**
- (a) When it is necessary to proceed with an action between scheduled Board meetings due to urgency, and it is impractical to call a special meeting, the Chair can authorize the Executive Assistant to conduct a vote electronically via e-mail. The Chair will ensure that all Board members are provided with sufficient background materials and adequate documentation to support the request for a decision. Unless it is a 'Board Only' matter, the information will be copied to the Chief of Police, the Deputy Chief of Police and Guelph Police Service Legal Counsel.
- (b) These provisions are not meant to encourage the use of email polling and should only be used in time-limited or exceptional circumstances.
- (c) A quorum for electronic voting is defined as the same as for in-person board meeting votes set out in Section 12.1 of the By-Law. A majority of votes will decide the outcome of the motion pursuant to Section 20.1 of the By-Law.

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- (d) The background information and stated motion shall be emailed by the Executive Assistant to all Board Members and copied to Guelph Police Service Executive members named in Section 1 at email addresses that members have identified and approved for this use. The subject line of the email message shall include the words “Decision Required”. In the same email, the Executive Assistant will request a Mover and a Secunder to the motion, and list the schedule for open discussion and voting.
 - (e) All communication will be shared, with all members copied on correspondence, including questions, responses and general commentary. Members will select “reply all” when providing comments and when casting an e-vote ballot, so that all other Board members may see how they have voted, unless there is a request for a secret ballot. When voting, each member should respond as follows:

“MOTION ON xxxx.” YES/NO/ABSTAIN
 - (f) If a Board Member wishes the motion to be discussed in person at the next Board meeting, he/she must state so explicitly before the deadline for a response. If the motion to postpone is seconded, the members must then immediately vote on this motion. A simple majority vote carries.
 - (g) Amendments to the original motion should be handled by the Chair during the discussion and the same protocol as would be used in an in-person meeting should be used to make them part of the final motion on which the vote is to be taken.
 - (h) Upon expiry of the specified time, the Executive Assistant shall verify that all votes came from the email addresses identified by the Members, and will then count the ballots and advise the Chair of the outcome of the vote. Any Board member that participated in discussion but does not vote is deemed to have cast an Abstained ballot. When the Chair is satisfied that the Board’s requirements for voting have been met, the Executive Assistant shall advise all Board Members of the outcome of the vote by email.
 - (i) If a motion is defeated because too few Board Members have cast ballots, the motion may be either re-introduced at the earliest opportunity for another e-vote, or at the next Board meeting, at the Chair’s discretion.
 - (j) The Chair will then authorize the Executive Assistant to act in accordance with the result of the vote.
 - (k) The Motion, regardless of the outcome of the email vote, will be brought forward at the next meeting of the Board for ratification. At that time, the motion will be formally moved and seconded. Copies of all correspondence related to the vote will be retained in the Board’s records

for a period that complies with the Retention By-Law, By-Law 118 (2004).

20.7 Voting When Not Physically present at a Board Meeting

- (a) When it is imperative that a Board Member be in attendance at a meeting of the Board, and the member is unable to be physically present, the Member will electronically connect to the meeting at a pre-arranged time and this will be noted in the minutes.
- (b) A Board member may attend a meeting through electronic conferencing if his or her physical presence at the meeting is prevented due to i) personal illness or disability; ii) employment purposes or the business of the Board; or iii) a family or other emergency; iv) or at the discretion of the Chair.
- (c) The Board member must provide reasonable notice to the Executive Assistant prior to the meeting, unless such advanced notice is impracticable. Reasonable notice will be at the discretion of the Chair.
- (d) A Member who is not physically present, but is electronically connected to the meeting, will be counted in for quorum.
- (e) When a vote is called on a Motion, the Chair will ensure that the members have had an opportunity to speak to the Motion and are prepared to vote. The Member who is participating electronically will indicate their vote only after all other Members have voted. The Chair shall state this Member's vote for all to hear before declaring the Motion carried or defeated.

21. AVAILABILITY OF INFORMATION [amended by By-law No. 152 (2014)]

- 21.1 Information relating to matters described in Section 10.3 of this by-law, shall be marked "Confidential".
- 21.2 Seven (7) days' notice will be given to the public and the media before regular meetings of the Board. At least 72 hours as much as is possible will be given to the public and the media before Special Open Board meetings.
- 21.3 Copies of the full open meeting package will be made available electronically on the Tuesday prior to the meeting.

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 printed form and shall be complete with the exception of the number and the date of the by-law.
- 22.3 Every by-law which has been passed by the Board shall be numbered, dated and signed by the Chair and the Executive Assistant. An original copy of the by-law will be filed by the Executive Assistant in the Board office. Current copies of all by-laws will be provided to the Clerk at the City of Guelph, Chief of Police and all Board members.

23. ADMINISTRATION [amended by By-law No. 152 (2014)]

- 23.1 That this by-law shall be reviewed at least every five years, commencing five years after the date of its enactment.
- 23.2 That this by-law is hereby enacted by the Guelph Police Services Board on this 16th day of July, 2009, and shall take effect on that date.
- 23.3 That distribution of this by-law be unrestricted.

“J. Sorbara”

“C. Parton”

“Original signed by J. Sorbara, Chair”

*“Original signed by C. Parton,
Executive Assistant”*