

Report to / Rapport au:

**OTTAWA POLICE SERVICES BOARD
LA COMMISSION DE SERVICES POLICIERS D'OTTAWA**

25 January 2016 / 25 janvier 2016

Submitted by / Soumis par:

Policy and Governance Committee / Comité des politiques et de la gouvernance

Contact Person / Personne ressource:

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**SUBJECT: NOTICE OF MOTION: AMENDMENT TO PROCEDURE BY-LAW #3 OF
2014 (TO BE CONSIDERED AT 21 MARCH 2016 MEETING)**

**OBJET: MODIFICATION AU RÈGLEMENT DE PROCÉDURE NO 3 DE 2014
(QUESTION À EXAMINER LORS DE LA RÉUNION DU 21 MARS 2016)**

REPORT RECOMMENDATIONS

That the Ottawa Police Services Board receive and table this report and the attached By-law #1 of 2016, being a By-law to amend Ottawa Police Services Board Procedure By-law #3 of 2014, for approval and enactment at its 21 March 2016 meeting.

RECOMMANDATIONS DU RAPPORT

Que la Commission de services policiers d'Ottawa reçoive et dépose le présent rapport et le Règlement n° 1 de 2016 ci-joint, un règlement destiné à modifier le Règlement de procédure n° 3 de 2014 de la Commission de services policiers d'Ottawa, aux fins d'approbation et de promulgation lors de sa réunion du 21 mars 2016.

BACKGROUND

The proceedings at meetings of the Ottawa Police Services Board (the Board) are governed by Procedure By-law #3 of 2014. Periodically the Board conducts reviews of its existing policies and by-laws to ensure they are still relevant and up-to-date.

At meetings on September 21, 2015 and January 11, 2016, the Policy & Governance (P&G) Committee discussed the amendments proposed in this report to section 31 (1) of the Board Procedure By-law, which deals with the hearing of delegations. The intent of the amendments is to provide greater clarity and guidance on the hearing of delegations at Board meetings on topics that are not listed on the agenda, and to ensure that the topics are within the jurisdiction of the Board.

DISCUSSION

The existing section 31 is as follows:

31. (1) Delegations wishing to address the Board regarding an item not on the agenda will only be heard at regular meetings and provided that the person(s) requesting a delegation has provided written notice of their request at least five (5) working days before the date of the Board meeting. The request shall include the subject matter and a list of person(s) who will be appearing before the Board and a copy of the materials that will be presented.
- (2) Upon receipt of the written notice requesting a delegation, the request shall be listed on the next appropriate meeting agenda, provided the Board has jurisdiction over the subject matter outlined in the request.

The P&G Committee recommends that the section be amended as follows (new language is bolded):

31. (1) Delegations wishing to address the Board regarding an item not on the agenda will only be heard at regular meetings, provided that: the person(s) requesting a delegation has provided written notice of their request **to the Board's Executive Director** at least five (5) working days before the date of the Board meeting; **the matter is within the jurisdiction of the Board; and the request has been approved by the Board Chair.** The request shall include the subject matter and a list of person(s) who will be appearing before the Board and a copy of the materials that will be presented. **The**

Chair will advise all Board members should a request to speak be declined and the rationale for declining the request.

- (2) **Upon approval of the request by the Board Chair**, the delegation shall be listed on the next appropriate meeting agenda.

The proposed amendments will ensure that the Board does not consider matters outside of its jurisdiction, and that due consideration is given to requests to appear before the Board on issues that are not listed on the agenda for the meeting in question. At the same time, by requiring the Board Chair to advise all members of his/her decision and the rationale for it, the new language provides, in effect, a form of review.

CONSULTATION

The Board Solicitor and other legal counsel in the City of Ottawa Legal Branch who specialize in the preparation of by-laws were consulted in the drafting of the amendments, and the amending by-law.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

SUPPORTING DOCUMENTATION

Attached as Document 1 is By-law No.1 of 2016, being a by-law to amend the Board Procedure By-law No. 3 of 2014.

CONCLUSION

These amendments are submitted by the Policy & Governance Committee for the Board's approval. The Committee believes the proposed amendments will help ensure that the Board does not consider matters outside its jurisdiction and that requests to appear before the board are properly considered.

Document 1 – Amending By-law No. 1 of 2016

OTTAWA POLICE SERVICES BOARD

BY-LAW No. 1 of 2016

Being a by-law of the Ottawa Police Services Board to amend the Police Services Board Procedure By-law No. 3 of 2014.

WHEREAS the City of Ottawa Police Services Board (the “Police Services Board”) deems it desirable to enact certain amendments to the Police Services Board Procedure By-law adopted on September 22, 2014 as By-law No. 3 of 2014;

THEREFORE the Police Services Board enacts as follows:

1. Paragraphs (1) and (2) of Section 31 of By-law No. 3 of 2014 of the City of Ottawa Police Services Board entitled “A by-law to govern the proceedings of the Ottawa Police Services Board” is repealed and the following paragraphs substituted therefor:
 31. (1) Delegations wishing to address the Board regarding an item not on the agenda will only be heard at regular meetings, provided that the person(s) requesting a delegation has provided written notice of their request to the Board’s Executive Director at least five (5) working days before the date of the Board meeting; the matter is within the jurisdiction of the Board; and the request has been approved by the Board Chair. The request shall include the subject matter and a list of person(s) who will be appearing before the Board and a copy of the materials that will be presented. The Chair will advise all Board members should a request to speak be declined and the rationale for declining the request.
 - (2) Upon approval of the request by the Board Chair, the delegation shall be listed on the next appropriate meeting agenda.

ENACTED AND PASSED this 21st day of March, 2016.

EXECUTIVE DIRECTOR

CHAIR