

Report to / Rapport au:

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

24 January 2022 / 24 janvier 2022

Submitted by / Soumis par:

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

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**SUBJECT: NOTICE OF MOTION: AMENDMENT TO PROCEDURE BY-LAW No. 3
OF 2014 (TO BE CONSIDERED AT 28 FEBRUARY 2022 MEETING)**

**OBJET: MODIFICATION AU RÈGLEMENT DE PROCÉDURE NO 3 DE 2014
(QUESTION À EXAMINER LORS DE LA RÉUNION DU 28 FÉVRIER
2022)**

REPORT RECOMMENDATIONS

That the Ottawa Police Services Board receive and table this report and the attached By-law No. 1 of 2022, being a By-law to amend Ottawa Police Services Board Procedure By-law No. 3 of 2014, for approval and enactment at its 28 February 2022 meeting.

RECOMMANDATIONS DU RAPPORT

Que la Commission de services policiers d'Ottawa reçoive et dépose le présent rapport et le Règlement n° 1 de 2022 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 28 février 2022.

BACKGROUND

The proceedings at meetings of the Ottawa Police Services Board (the Board) are governed by Procedure By-law No. 3 of 2014 as amended by By-law No. 1 and No. 2 of 2016 and Motion 20-01 of 2020. Periodically the Board conducts reviews of its existing policies and by-laws to ensure they are still relevant and up-to-date.

DISCUSSION

At its meeting on January 10, 2022, the Policy & Governance Committee discussed the amendments proposed in this report.

The intent of the amendments is to ensure the procedure bylaw is up to date and reflective of current practice; to assist Board staff in better managing the increased level of public participation in light of the virtual format the Board has adopted since the onset of the pandemic, as well as the new timing of the in-camera meeting prior to the public meeting; and to provide additional clarity on the rules of engagement between delegations and Board members.

The proposed amendments are detailed in Document 1 - By-law No. 1 of 2022, being a by-law to amend the Board Procedure By-law No. 3 of 2014 (as amended by By-law No. 1 and No. 2 of 2016 and Motion 20-01 of 2020).

Document 2 outlines the changes in more detail, in the context of the previous Procedure By-law, using track changes. This supporting document can be used to review the amendments and compare them to the previous version.

CONSULTATION

The amendments were discussed at a public meeting of the Policy and Governance Committee.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

SUPPORTING DOCUMENTATION

Document 1 - By-law No. 1 of 2022

Document 2 – PSB Procedure By-law #3 of 2014 with amendments in track changes

CONCLUSION

These amendments are submitted by the Policy & Governance Committee for the Board's approval. The Committee offers the proposed amendments in order to ensure the Board's procedures are up to date, as well as to assist Board staff in managing requests for delegations and to provide additional clarity on engagement between delegations and Board members.

Document 1 – Amending By-law No. 1 of 2022

OTTAWA POLICE SERVICES BOARD

BY-LAW No. 1 of 2022

Being a by-law of the Ottawa Police Services Board to amend the Police Services Board Procedure By-law No. 3 of 2014, as amended by By-law No. 1 and 2 of 2016, and Motion 20-01 of 2020.

WHEREAS the City of Ottawa Police Services Board (the “Police Services Board”) deems it desirable to enact a certain amendment 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. Paragraph (4) of Section 9 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 amended by replacing Ontario Regulation No. 421/07 with Ontario Regulation No. 421/97, so that the paragraph reads as follows:
 9. (4) Members shall conduct themselves in accordance with Ontario Regulation No. 421/97 – Members of Police Services Board Code of Conduct, and any Board Policy that may be approved.
2. Section 10 is repealed and the following substituted therefor:
 10. The Board shall deal with matters in the following order during its regular public meetings:
 - (a) Ceremonial Activities / Announcements
 - (b) Confirmation of the Agenda
 - (c) Confirmation or Correction of Minutes
 - (d) Reports from Committee Chairs & Minutes
 - (e) Declarations of Interest (*Municipal Conflict of Interest Act*)
 - (f) Delegations
 - (g) Inquiries
 - (h) Chair’s Verbal Report
 - (i) Chief’s Verbal Report
 - (j) Consideration of Reports
 - (k) Communications

(l) New Business

(m) Adjournment.

Consideration of in-camera items will occur during a separate, regular in-camera meeting of the Board.

3. Paragraph (1) of Section 11 is repealed and the following paragraph substituted therefor:

11. (1) Prior to each regular meeting, the Executive Director, under the supervision of the Chair, shall prepare an agenda of all the items in the order of business set out in section 10, and shall ensure that the agenda and the minutes of the last regular meeting are provided to every Member not less than two working days before the time appointed for the commencement of such meeting.

4. Paragraph (3) of Section 11 is repealed and the following paragraph substituted therefor:

11. (3) The Executive Director shall ensure that the minutes of the last regular meeting of the Board, together with the agenda prepared in accordance with section 11, are provided to each Member no less than two working days before the time appointed for the holding of such meeting.

5. Section 31 is repealed and the following 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.

- (3) Delegations wishing to address the Board regarding an item listed on the agenda may be heard with permission of the Board. Requests should be made to the Executive Director, preferably in writing, setting out the particulars of the matter on which the person wishes to speak. Such requests must be received no later than noon on the day of the meeting.
- (4) Should a delegation elect to address the Board regarding an item listed on the agenda by way of a written submission, the submission must be received no later than noon on the day of the meeting.
- (5) Delegations shall be restricted to presentations of five (5) minutes and shall address their remarks to the stated business. Delegations may not direct questions to the Board or the Service for a response. Notwithstanding the foregoing, the time allotted for any delegation may be extended at the discretion of the Board.
- (6) If a delegation is registered to speak and is unable to attend the meeting, the delegation can either withdraw their delegation or submit their comments to the Board in writing through the Executive Director.
- (7) 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.
- (8) No Delegation shall:
 - (a) speak disrespectfully of any person;
 - (b) use offensive words or un-parliamentary 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.
- (9) 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.

ENACTED AND PASSED this XXth day of XX, 2022.

EXECUTIVE DIRECTOR

CHAIR