



**BYLAW NO. 1 – REGIONAL BOARD PROCEDURE BYLAW 2011  
(CONSOLIDATED)**

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The following is a consolidated version of Bylaw No. 1, being Regional Board Procedure Bylaw 2011 and includes the following:

<b>BYLAW No.</b>	<b>BYLAW NAME</b>	<b>ADOPTED</b>	<b>PURPOSE</b>
SRD 1	Regional Board Procedure Bylaw 2011	November 24, 2011	To establish procedural rules for meetings of the Regional Board and its Committees.
SRD 168	Regional Board Procedure Bylaw 2011, Amendment No. 1	March 13, 2013	To add a definition and rules for associate members.
SRD 195	Regional Board Procedure Bylaw 2011, Amendment No. 2	April 9, 2014	To amend the order of proceedings by adding a management report and amending application of other provisions.
SRD 258	Regional Board Procedure Bylaw 2011, Amendment No. 3	August 25, 2016	To allow for electronic participation at meeting

**This bylaw may not be current due to pending updates or revisions and SHOULD NOT BE RELIED UPON FOR LEGAL PURPOSES. Please contact the Corporate Services Manager for the Strathcona Regional District for the most current version.**



## BYLAW NO. 1

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### A BYLAW TO ESTABLISH PROCEDURES TO GOVERN THE PROCEEDINGS OF THE REGIONAL BOARD AND ITS COMMITTEES

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**WHEREAS** the Regional District must, by bylaw enacted pursuant to the *Local Government Act*, establish the general procedures to be followed at meetings of the Regional Board and Board committees including the procedures for passing bylaws and resolutions, and for providing advance public notice of such meetings:

**AND WHEREAS** the former Comox Strathcona Regional District adopted Bylaw No. 2991, being Regional District Procedure Bylaw 2007, which bylaw continues to apply to the Strathcona Regional District until amended or repealed;

**AND WHEREAS** the Regional Board wishes to replace the aforesaid Bylaw No. 2991;

**AND WHEREAS** the Regional District desires its proceedings to be guided by principles of efficiency, accountability and procedural fairness;

**AND WHEREAS** advance notice regarding this bylaw has been provided to each director in accordance with Section 794 of the *Local Government Act*;

**NOW THEREFORE** the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

#### PART 1: INTERPRETATION

##### Definitions

1. In this Bylaw, unless the context otherwise requires:

“**absolute majority**” means a majority of all of the votes available on the entire Board or committee, as the case may be;

“**adjournment**” means the temporary suspension of proceedings until a later day;

“**appointment**” means the selection of a person to fill a position on the Board, a committee or another agency;

“**assembly**” means a duly called meeting of the Regional Board or a committee, whether or not a quorum is present;

“**associate member**” means a person, other than a director, appointed by a treaty first nation to participate in Regional District affairs in a non-voting capacity;

“**Board**” or “**Regional Board**” means the Board of Directors of the Regional District in session;

“**Chair**” means the elected Chair of the Board or, as the context requires, the person presiding at a meeting;

“**closed meeting**” includes a meeting that is closed to the public for only part of its duration;

“**committee**” means the Committee of the Whole, a standing committee, a select committee or a subcommittee;

“**consensus**” means the presumed approval of the assembly by the Chair;

“**director**” includes an alternate director;

“**election**” means the appointment of a person by ballot process;

“**electronic format**” means in written form but stored on a computer readable medium;

“**electronic participant**” means a member who is participating electronically in a meeting and who is not physically present at the meeting place;

“**electronic participation**” means participation in a meeting via telephone, computer or other device that permits the public and other members to hear, or see and hear, the electronic participant.

“**emergency**” has the meaning set out in the *Emergency Program Act*;

“**inaugural meeting**” means, with respect to the Board, the first meeting held after December 1 in each year and, with respect to a committee, the first meeting held each calendar year;

“**meeting agenda**” means an itemized list of matters that are proposed to be considered at a meeting;

“**member**” means a director who has been elected or appointed to the Regional Board, an associate member, or a person appointed to a committee;

“**motion**” means a proposal put forward by a member for consideration of the Board that the Regional District undertake an action, make a recommendation or express an opinion;

“**mover**” means the member who has made a motion;

“**negative motion**” means a motion proposing that the assembly not undertake an action, make a recommendation or express an opinion;

“**notice of meeting**” means a notice informing the public of one or more upcoming meetings of the Regional Board, a committee, a commission or other agency for which the Regional District is responsible.

“**notice of motion**” means a written notice provided by a director advising that they intend to bring a substantive matter before the Board at the next regular meeting;

“**out of order**” means that consideration of a matter may not proceed due to conflict with this bylaw;

“**public consideration**” means a process whereby the general public is invited to provide information or make a submission directly to the Regional Board, and includes a public hearing under the *Local Government Act*;

“**public notice posting place**” means the public notice board in the main reception area of the Regional District corporate office;

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“**recess**” means the temporary suspension of proceedings until a later time on the same day;

“**Regional District**” means the Strathcona Regional District;

“**Regional District boardroom**” means the boardroom located at the Regional District corporate office;

“**Regional District website**” means the Regional District's electronic database which is accessible by the general public through the internet;

“**regular meeting**” means a meeting of the Board, other than an inaugural meeting, which has been included on the annual schedule of meetings;

“**resolution**” means a motion which has been passed by a vote of the Board;

“**schedule of meetings**” means the regular meeting schedule adopted at each inaugural meeting;

“**seating arrangements**” means the assignment of work stations to be used by members during meetings;

“**second**” means the member who has seconded a motion;

“**special meeting**” means a meeting that is not a regular or inaugural meeting;

“**termination**” means the completion of a meeting following the conclusion of its business.

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## PART 2: INAUGURAL MEETINGS

### Proceedings Generally

2. (1) At an inaugural meeting the regular business of the Regional Board shall be preceded by an election for Chair and an election for Vice Chair.
- (2) In the year of a general local election, and in other years as required, there shall be a ceremonial making of oaths of office by directors preceding the business of the Board.

### Election of Chair and Vice Chair

3. Immediately after being called to order the Board shall proceed with the election of a Chair and Vice Chair.

### Presiding Official

4. (1) The corporate officer shall administer the election process and shall preside until the elections have been completed.
- (2) The Chair shall preside immediately following the declaration of election results for the position of Vice Chair.

### Nominations for Chair

5. The selection of candidates for the position of Chair will be determined by nominations from directors in attendance. Nominations from the floor shall be called and a list of candidates compiled. The call for nominations shall be made 3 times only. In order to be confirmed as a candidate, a nominee must state their acceptance of the nomination. Candidates may withdraw from an election at any time prior to voting.

#### Restriction on Nominations

6. Nominations will not be accepted for;

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- (a) a director who is not physically present
- (b) a director who has not made an oath of office
- (c) a director for whom a successor has been elected or appointed but has yet to take office, or

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- (d) an alternate director or associate member.

#### Confirmation of Candidates

7. When no further nominations are forthcoming the corporate officer will close the nomination process. Before proceeding with voting, the corporate officer will confirm the list of candidates for the election by reading it aloud. Each candidate will be provided an opportunity to speak for not more than 3 minutes in favour of their candidacy, in the order of their nomination. If a candidate chooses not to speak to their candidacy the nominator of that candidate will be offered the same opportunity. No other debate shall be in order.

#### Declaration of Election

8. (1) If there is only one candidate that director shall be declared elected by acclamation.
- (2) If there are 2 or more candidates an election by secret ballot will be declared. In order to be elected a candidate must receive an absolute majority of votes.

#### Voting Procedure

9. (1) If an election is required, each director who is physically present will be provided with a ballot paper upon which they may cast their vote. Directors who are not physically present and seated before the ballots have been collected for counting shall not be provided with a ballot paper. Completed ballots shall be placed into a ballot box, and when all of the ballots have been collected the ballot box will be

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removed to a separate room and the votes counted. The corporate officer will be advised of the voting results.

- (2) The distribution and collection of ballots, the counting of the votes and the subsequent destruction of ballots shall be the responsibility of the corporate officer or such other person as may be designated by the corporate officer.

#### **Declaration of Election Results**

10. Immediately after reviewing the voting results the corporate officer shall declare the name of the candidate who has been elected. The number of votes received by each candidate will not be disclosed to the Board unless a resolution requiring disclosure is passed.

#### **No Candidate Elected**

11. (1) If the voting results confirm that no candidate has received a sufficient number of votes to be elected, the candidate receiving the fewest votes will be removed from the list of candidates and second voting process will be conducted. In the case of a tie between two or more candidates receiving the fewest votes, all candidates shall be eligible to proceed to the next ballot. The voting process will be repeated until a candidate receives a sufficient number of votes to be elected or a declaration under section 12(2) is made.
  - (2) As an exception to subsection (1) if there are only 2 candidates in an election for which no winner can be declared, both of them shall be eligible to proceed to the next round of voting.

#### **Subsequent Ballots**

12. (1) If none of the candidates has been declared elected after the third ballot the meeting shall be recessed for 5 minutes, following which a final ballot will be held.
  - (2) Following the fourth ballot the corporate officer shall either declare that:
    - (a) one of the candidates has been elected because they have received the required minimum number of votes, or
    - (b) an election by lot draw will be made in accordance with Section 13 (*Tie Votes and Deadlocks*).

#### **Tie Votes and Deadlocks**

13. At any stage in the election process after the second ballot the corporate officer may declare that a deadlock exists and that it will be resolved by drawing lots, utilizing the procedure outlined in Section 141 of the *Local Government Act*.

#### **Destruction of Ballots**

14. Following the declaration of election results the ballots used in the election shall be destroyed.

#### **Election Procedure for Vice Chair**

15. The election for the position of Vice Chair shall be subject to the same rules as, and commence immediately following, the election of the Chair.

#### **Schedule of Meetings**

16. Prior to the adjournment or termination of an inaugural meeting the Board shall adopt a schedule of meetings for the following calendar year. The schedule will identify the time, date and place for all regular meetings and the next inaugural meeting. The schedule may be amended from time to time by resolution of the Board.

### **PART 3: MEETING NOTICE AND AGENDAS**

#### **Notice of Meeting**

17. (1) A notice of meeting shall be posted at the public notice posting place at least 72 hours prior to the start of each meeting. The notice shall include the date, time and place for each meeting to which it applies. A notice under this section may be combined with other notices provided that the applicable requirements for each notice are met.
- (2) As an exception to subsection (1) the minimum period of notice for a special meeting called to deal with an emergency shall be 1 hour.

#### **Meeting Agendas**

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18. (1) At least 72 hours prior to the start time for each meeting, the corporate officer shall ensure that an agenda for the meeting is;
- (a) provided to each member, and
  - (b) published on the Regional District website.
- (2) The Chief Administrative Officer may submit a report to accompany any agenda item together with recommendations for disposition by the Regional Board

provided that no such report shall purport to express the views of any member on the matter.

- (3) Reports by members may be prepared in prescribed format or as determined by each director.



**PART 4: MEETINGS**

**Meeting Location**

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19. All meetings shall be held in the Regional District boardroom unless other arrangements have been approved by the Board. The Chair shall determine the seating arrangements for members.

**Electronic Participation by Members**

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- 19A. In order to participate electronically in a meeting a member must be connected via audio or audio/visual system when the meeting is called to order. In the event the audio or audio/visual system disconnects during the meeting the member will be deemed to have left for the remainder of the meeting and will not be permitted to re-connect. Members may not participate in person for part of a meeting and electronically for part of the same meeting.

**Chair May Disconnect Electronic Participant**

- 19B. The Chair may order that an electronic participant be disconnected if there is significant noise, interference or other disturbance that is disruptive to the proceedings, or if the quality of the connection does not permit the public or other members to hear, or see and hear, the member who is participating electronically.

**Meeting Chambers Open to Public**

20. The main doors to the meeting chambers shall remain open during meetings except when necessary to reduce the level of noise or when the Board is in closed session.

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21. (1) Provided that a quorum is present, the Chair shall call the meeting to order at the scheduled time. Electronic participants will not be counted towards a quorum.
- (1A) If the Chair is absent at the start of the meeting the Vice Chair will preside. If the Vice Chair is also absent, or if the position of Vice Chair is vacant, an election for an Acting Chair will be held. The Acting Chair shall preside until the arrival of the Chair or Vice Chair, or until the meeting is concluded, whichever first occurs. The Chair, Vice Chair or Acting Chair must be physically present at a meeting to preside. While presiding, an Acting Chair has all the authority and is subject to the same rules as the Chair. For clarity, an alternate director is permitted to fill the position of Acting Chair but may not fill the position of Chair or Vice Chair on an ex-officio basis.

- (2) In the event that there is no presiding official at any time during the meeting, the proceedings will be suspended until such time as the Chair, Vice Chair or other official authorized by this bylaw is able to preside.
- (3) If the position of Chair or Vice Chair has become vacant as a result of resignation, disqualification or death an election to fill the vacancy shall be the first order of business, whether or not scheduled on the agenda.

**Order of Proceedings**

22. (1) At a regular meeting the proceedings of the Board shall, subject to section 24 (*Order of Business May be Varied*), be conducted in the following sequence:

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- (a) confirmation of quorum and electronic participants
- (b) call to order
- (c) adoption of public agenda
- (d) petitions and delegations
- (e) adoption of previous meeting minutes
- (f) business arising from the minutes
- (g) public considerations
- (h) Chair's report
- (i) committee Chair reports
- (j) staff reports
- (k) bylaws
- (l) correspondence
- (m) members' reports

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- (m.1) management report
- (n) new business
- (o) addendum items
- (p) closed session
- (q) termination

(2) The consideration of items under paragraph (1)(o) shall be subject to a prior resolution authorizing such consideration.

**Adoption of Agenda**

23. Before proceeding with its regular business the Board shall, by resolution, approve the items of business to be considered at the meeting. Once an agenda has been approved it may only be amended by a 2/3 majority vote of all of the directors on the Board.

**Order of Business May be Varied**

24. With the exception of those items for which a scheduled starting time has been provided by advance public notice, the Board may pass a resolution to adjust the order and schedule of proceedings while in session.

**Lack of Quorum**

25. If a quorum is not present within 30 minutes following the scheduled starting time of a meeting the names of the members who are physically present or participating electronically shall be recorded and the assembly dissolved.

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**Recording Devices**

26. With the exception of audio or video devices necessary for conducting the Board's business, such devices may only be used or operated during meetings in the locations approved for that purpose, or as permitted on a specific basis by the Chair.

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**Meeting May Recess or Adjourn**

27. Except when a vote is pending, the Chair may call a recess at any time during a meeting and may stipulate that the meeting will reconvene after a specific period of recess, at a specific time, or at the call of the Chair. A meeting which has been adjourned may be reconvened on another day without written notice if the details of reconvention were stipulated at the time of adjournment. When reconvened the Chair will confirm the members who are participating electronically before advising the Board of the next item of business.

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**Termination**

28. Meetings may be terminated at any time by resolution of the Board, or in the absence of a resolution, by consensus where the Chair is satisfied that all business has been concluded.

**PART 5: RULES OF CONDUCT & DEBATE****Chair is Impartial**

29. The Chair is responsible for preserving order at meetings and for ensuring that questions are decided with the benefit of fair debate and in accordance with procedural and other rules. On matters of procedure the Chair shall remain impartial.

**Meeting Decorum**

30. (1) No person shall use profanity in the meeting chambers or speak disrespectfully while the Board is in session.
- (2) Directors shall be referred to as "*Director* (surname)" or "*the director for* (area represented)". Staff shall be referred to by title or as "*Mr./Mrs./Ms.* (surname)".

**Recognition by Chair**

31. No person may address the assembly without first being recognized by the Chair. Recognition shall be confirmed when the Chair acknowledges the name or title of the person. Every director or other person addressing the assembly shall speak to the Chair. The Chair shall be addressed as "*Mr. Chairman*" or "*Madame Chairman*" depending on gender.

**Acceptance of Motion**

32. All matters to be debated shall be in the form of a motion which has been duly moved, seconded and accepted by the Chair. Before a motion may be put for debate the Chair shall state the names of the directors who have moved and seconded the motion. The Chair may not move, second or otherwise sponsor a motion except a motion made pursuant to section 36(2).

**Order of Debate**

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33. The order of debate on a motion will be determined by the Chair and those members waiting to speak shall be placed into a queue. Members wishing to participate in the debate may do so by raising their hand. The mover and seconder of a motion, or of an amending motion, shall be entitled to speak ahead of other members.

**Limit on Debate**

34. Debate shall be confined to the subject matter of the motion under consideration and no member may speak more than once to a single motion without the approval of the Chair.

For the purpose of this provision, an amending motion shall be considered a separate motion.

### Right of Participation

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35. Every member has the right to participate in debate on a motion notwithstanding that the member may not be entitled to vote on the motion. When a member is speaking in debate they shall not be interrupted except on a point of order.

### Conflict of Interest

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- 35A. If a member who is participating electronically believes that they have a conflict of interest with respect to a matter being considered by the assembly, they shall advise the assembly and their ability to see, hear or otherwise participate in debate on the matter shall be curtailed for the duration of consideration of that matter.

### Chair May Not Debate While Presiding

36. (1) The Chair may not participate in the debate on a motion while presiding, but may:
- (a) recommend procedural actions to enhance the efficiency of proceedings
  - (b) note procedural implications of a motion being considered
  - (c) provide guidance to the assembly by clarifying the intent of a motion
  - (d) summarize the debate of the assembly prior to the vote being called, and
  - (e) advise the assembly whether the Chair will be voting for or against the motion.
- (2) In order to participate in debate on a motion the Chair must first allow the Vice Chair or another director to temporarily preside over the meeting. While participating in debate the Chair may not move or second a motion other than a motion to amend the motion currently under debate. At the conclusion of debate the Chair shall preside over the meeting for the purpose of administering the voting process.

### Conclusion of Debate

37. When debate on a motion has concluded the Chair shall immediately put the matter to a vote. The Chair shall be the final authority in determining when debate has concluded.

## PART 6: MOTIONS & PROCEDURAL RULES

### Motion in Writing

38. Wherever practical motions shall be clear, concise and in writing. It shall be acceptable for a director to refer to a staff recommendation or other written recommendation which has been provided to the Board as the basis for a motion, in which case a verbatim restating of the motion by the mover shall not be required.

**Restrictions on Motions**

39. (1) Any director may move a motion unless the director would not be entitled to vote on the motion. Any director may second a motion.
- (2) No motion, except a procedural motion, may be introduced while another motion is pending before the Board.
- (3) The Chair may refuse to accept for debate any motion considered frivolous, rhetorical, argumentative or disrespectful, or which proposes that an illegal action be taken.

**Effective Time**

40. Subject to the *Interpretation Act* motions shall come into effect upon adoption unless a later date or time is specified in the resolution.

**Amending Current Motions**

41. (1) Any director may move an amendment to a motion then under consideration which, upon being duly seconded and accepted for debate, shall be immediately put to the assembly. An amendment may propose adding, removing or substituting text of the motion under consideration but may not propose a change which would frustrate the intent of the original motion.
- (2) An amending motion may itself be amended any number of times before being voted on, but no director may move more than one amendment to an amending motion.
- (3) The Chair shall put the original motion and its amendments in the following order for voting:
- (a) firstly, any amendments to an amending motion
  - (b) secondly, the amending motion as amended, and
  - (c) finally, the original motion as amended by the amending motion.
- (4) An amending motion shall be provided in writing if so requested by the Chair.

**Amending Past Motions**

42. An amendment to a resolution previously adopted by the Board shall be subject to the same procedural rules as amendments to current motions except that, if the amendment is approved, there shall be no vote on the resolution as amended.

**Reconsideration of a Motion**

43. (1) In addition to the authority of the Chair to return a matter for reconsideration pursuant to section 219 of the *Local Government Act* a director may, unless otherwise prohibited, propose that a motion which has been previously decided be reconsidered in accordance with the following:
- (a) the motion to reconsider must be made at the same meeting at which the subject motion was decided or at the next meeting and, once accepted for debate, the reconsideration motion must be decided before the consideration of other business
  - (b) the director making the motion to reconsider must have voted with the majority on the original motion
  - (c) there has been no action initiated which is binding on the Regional District as a result of the original motion, and
  - (d) the matter cannot be dealt with by other parliamentary means.
- (2) Immediately following the adoption of a motion to reconsider a previous motion, the Chair shall place the previous motion before the assembly for debate and, notwithstanding section 33 (*Order of Debate*), the mover and seconder of the reconsideration motion shall have priority in the speakers queue.
- (3) A motion to reconsider shall require the affirmative vote of 2/3 of all the directors on the Board for its passage.
- (4) No motion to reconsider a previous motion shall be in order if the previous motion has already been reconsidered.
- (5) A motion to reconsider a previous motion may not be combined with any other proposition.

**Withdrawal of Motions**

44. Subject to the concurrence of the seconder, and at the Board's discretion, the mover of a motion may withdraw the motion at any time prior to the vote being taken. A motion

which has been withdrawn may be re-introduced at the same meeting only by a different director.

**Negative Motions**

45. Negative motions shall not be permitted for readings or final passage of a bylaw, or with respect to any matter for which the result of such a motion could be inconclusive.

**Tabling Motions**

46. Subject to other procedural rules, a motion to table a matter while it is under debate shall always be in order. The effect of such a resolution, unless otherwise specified, shall be to put aside the matter until later in the meeting. Once accepted by the Chair the motion to table shall be debatable but the subject matter of the motion being considered for tabling shall not be debatable.

**Motions to Postpone, Refer or Defer**

47. Motions to postpone, defer, refer or commit a matter shall be subject to the same procedural rules as tabling motions.

**Calling for the Question**

48. At any time during debate on a motion a director may call for the question which, if accepted, shall permit the Chair in its absolute discretion to end further debate and call for the vote on the motion. The calling for the question shall require neither the recording of a motion in the minutes of the meeting nor the taking of a vote.

**Motions to Adjourn or Terminate**

49. A motion to adjourn or terminate the proceedings shall always be in order provided that no other motion is pending.

**Notice of Motion**

50. Any director may serve a notice of motion on the Board during the new business portion of a meeting or, with leave from the Chair, at any other time during consideration of a related matter. A copy of the motion so noted shall be given to the corporate officer for inclusion on the next regular meeting agenda.

**Motion Introduced Under New Business**

51. At the request of any director the Chair may rule that consideration of any motion introduced as new business must be postponed until the next meeting.



**Unprovided Cases**

52. In all unprovided cases Robert's Rules of Order, Newly Revised shall prevail.

**PART 7: VOTING****Decision by Voting**

53. Except as otherwise provided, all decisions of the Board shall be made by voting on a motion. The Chair is responsible for the administration of the voting process including the determination of directors who are eligible to vote and the counting of votes.

**Clarification of Motion**

54. Prior to the calling of the vote, any director may request that the motion be read aloud. The vote on a motion will be taken when the Chair is satisfied that its intent is clear to directors. If a motion contains distinct propositions any director may request, or the Chair may require, that a separate vote be held for each proposition.

**Voting Procedure**

55. (1) Voting shall be done by a show of hands from those directors in favour of the motion, followed by a show of hands from those opposed to the motion. The Chair must poll the directors if they are participating electronically or if a show of hands is inconclusive. No voting by ballot or other secret method will be permitted, except for elections.

(2) For clarity, appointments may be made by election, resolution, or a combination of those methods. Elections shall be administered in accordance with the procedure set out in Part 2: Inaugural Meetings.

(3) No director may cast a vote in absentia unless they are participating electronically.

**Abstention from Voting**

56. *[deleted]*

**Voting Rules**

57. During the voting process, directors who are physically present shall remain seated until the tally of votes has been completed and the results announced. Unless speaking to a point of order there shall be no debate during the voting process.

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#### **Voting Results**

58. The Chair shall announce the results of the vote on every motion by declaring that it has been carried or defeated, and by stating the names of the directors who voted against the motion.

#### **Voting by Chair**

59. The Chair shall vote while presiding. The Chair's vote on a motion shall be counted and included in the voting result whether declared orally or shown by hand.

### **PART 8: CLOSED MEETINGS**

#### **Closing Meeting to the Public**

60. The Board may close a meeting to the public upon adoption of a resolution pursuant to Section 92 of the *Community Charter*, following which the doors to the meeting chamber shall be closed to the general public.

#### **Attendance by Directors**

61. A director may only be excluded from a closed meeting pursuant to Section 133 of the *Community Charter*.

#### **Attendance by Others**

62. The Chair is authorized to determine the officers, employees and others permitted to be present during a closed meeting or a part of a closed meeting, and shall advise the Board verbally or in writing at the appropriate time. The Chair's determination under this provision is subject to a contrary decision by the Board.

#### **Electronic Privacy**

- 62A. If a member is participating electronically in a closed session the member must confirm that they are not using a wireless device and that there are no other persons present at their physical location such that the confidentiality of the meeting could be compromised.

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#### **Procedure in Closed Meeting**

63. While in a closed meeting the procedures set out in this bylaw shall, to the extent possible, be followed by the Board in the conduct of its business.

**Release of Information**

64. While in a closed meeting the Board may authorize the release of information considered or decisions made in the closed meeting or in a previous closed meeting upon adoption of a resolution “*THAT the matter of \_\_\_\_\_ be released to the public*”.

**Meeting Re-opened to the Public**

65. The Board may re-open the meeting to the public upon adoption of a resolution “*That the Board rise from its closed session*”.

**PART 9: BYLAWS**

**Terms Defined**

66. In this Part the following definitions will apply:

“**amendment bylaw**” means a bylaw which amends, or proposes to amend, another bylaw.

“**bylaw**” includes an amendment bylaw.

“**enacting clause**” means the clause which cites the authority for enactment of a bylaw and which is contained in the preamble to the bylaw.

“**first reading**” means the act of accepting a proposed bylaw for further consideration.

“**long title**” means the title which explains the purpose of the bylaw and which is located immediately following the bylaw number.

“**short title**” means the bylaw name authorized in the citation.

**Format & Standards**

67. All bylaws shall be presented in written form and shall include a unique identification number, long title (intended object), enacting clause, operative provisions and short title (citation). Bylaws which have been provided to each director in advance of the meeting need not be read aloud. Bylaws shall comply with such corporate standards as may be approved from time to time.

**Introduction and First Reading**

- 68. (1) No bylaw shall be introduced to the Board except in accordance with a corporate policy or a Board directive, or to comply with a statutory requirement.
- (2) Every bylaw shall be introduced by its long title and presented for first reading upon the motion “*THAT Bylaw No. \_\_\_\_\_, being a bylaw to (intended object) be now*

*introduced and read a first time*". The motion for first reading shall be decided without amendment or debate. If the motion for first reading fails to pass the bylaw is defeated and may not be considered further.

**Second Reading**

69. (1) Following first reading it shall be in order for the Board to amend the bylaw prior to consideration of second reading.
- (2) The bylaw may then be read a second time upon the motion "*THAT Bylaw No. \_\_\_\_ be given second reading*" or "*THAT Bylaw No. \_\_\_\_ be given second reading, as amended*". If the motion for second reading fails to pass the bylaw is defeated and may not be considered further.

**Public Consideration of Bylaw**

70. Following second reading a motion to hold a public consideration on the bylaw shall be in order.

**Third Reading**

71. Following the public consideration or, if no public consideration is to be held, immediately after second reading the Board may consider amendments to the bylaw. The bylaw may then be read a third time upon the motion "*THAT Bylaw No. \_\_\_\_ be given third reading*" or "*THAT Bylaw No. \_\_\_\_ be given third reading, as amended*". If the motion for third reading fails to pass the bylaw is defeated and may not be considered further.

**Bylaw Approval**

72. Following third reading of a bylaw it shall be submitted to any person or agency from which approval or consent is required or to the electors for assent, or to both, prior to reconsideration by the Board. No amendments to a bylaw shall be permitted following third reading.

**Final Passage and Adoption**

73. Following the receipt of all required assents, consents and approvals, a bylaw may be adopted upon the motion "*THAT Bylaw No. \_\_\_\_, being \_\_\_\_ (short title) be now reconsidered, finally passed and adopted*". If the motion for adoption fails to pass the bylaw is defeated and may not be considered further.

**Bylaw Rules**

74. (1) A motion to read, amend or adopt a bylaw may not be combined with any other motion with the exception that second reading and third reading of a bylaw may be given concurrently upon the motion "*THAT the rules be suspended and Bylaw No. \_\_\_\_be given second and third readings*".
- (2) A motion to read or adopt a bylaw, once decided, may not be reconsidered but may be introduced at a later time if withdrawn prior to a vote being held on the motion.
- (3) With the exception of a motion for third reading, no motion to read or adopt a bylaw may be rescinded. If third reading is rescinded, a further motion to rescind the rescinding motion shall be out of order.
- (4) An amendment bylaw may not be amended after its adoption.

### **PART 10: PUBLIC CONSIDERATIONS**

#### **Term Defined**

75. In this Part "**proponent**" means the person requesting that the Board approve a resolution, reconsider a decision or, as the context requires, the owner of property which is the subject of the public consideration.

#### **Presiding Official**

76. The Chair shall preside over all public considerations except where the Board has delegated the authority for the holding of a public consideration to another director or group of directors.

#### **Precedence Over Other Business**

77. Public considerations shall be conducted according to a pre-determined schedule and shall take precedence over all other regular business. The Chair may close, recess or adjourn another proceeding in order to give effect to this provision.

#### **Public Consideration Process**

78. (1) At the appointed time the Chair shall declare the public consideration to be open and the following procedure shall apply, if applicable;
- (a) verbal report by staff
  - (b) presentation by proponent
  - (c) questions of proponent by directors
  - (d) submissions and presentations from the public

- (2) Written submissions received prior to the opening of the public consideration will be made available for viewing at the public consideration and will be incorporated into the official record of the proceedings. Written submissions presented at the public consideration may be read aloud by the presenter or by staff.
- (3) When there is more than one member of the public who wishes to make a presentation the Chair shall determine the order in which they will speak. Each person will be required to identify themselves and state the nature of their interest in the public consideration before making a presentation.
- (4) With leave from the Chair, directors may ask questions of any person making a presentation or submission.

**Close of Public Consideration**

79. The Chair shall close the public consideration when satisfied that all persons having an interest in the subject matter of the proceeding have been provided an opportunity to submit information or make a presentation. Any motion to close or recess the public consideration, to make a decision on the subject matter of the public consideration, or to otherwise limit the Chair's authority while presiding over a public consideration shall be out of order.

**Process Following Public Consideration**

80. Following the closing of the public consideration the normal rules of debate shall apply.

**PART 11: DELEGATIONS AND PRESENTATIONS****Delegation Requests**

81. In order to be placed on a meeting agenda, requests from persons and organizations wishing to make a presentation to the Regional Board must be made in writing and received by the corporate officer at least 11 days prior to the meeting at which the delegation wishes to appear. The purpose or subject matter of the presentation must be clearly described.

**Committee Review**

82. Delegations will be scheduled to appear at a meeting of the appropriate committee or, if there is no appropriate committee, at a meeting of the Regional Board.

**Late Requests**

83. Delegation requests which are received less than 11 days in advance of the meeting date will be tentatively scheduled but no presentation will be permitted unless authorized by resolution of the Board or committee.

**Proceedings Must Not Be Compromised**

84. Delegations which would compromise the integrity of a public hearing or which would preclude fair and reasonable consideration of any matter by the Board shall not be permitted.

**Time Limit for Presentations**

85. Delegations shall be limited to 10 minutes unless an extension is granted by resolution of the Board.

**Directors May Question Delegates**

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86. The provisions of section 78(4) apply following presentation by a delegation and the Chair will determine the length of time allowed for questions by members.

**PART 12: COMMITTEES**

**Terms Defined**

87. In this Part “**terms of reference**” means a written description of a committee’s purpose and objectives

**Quorum**

88. The quorum for any committee shall be a majority of the members of that committee.

**Establishment of Standing Committees**

89. The establishment of a standing committee and the appointment of its members shall be effective when the Chair has so advised the Board in writing.

**Terms of Reference**

90. No standing committee appointed by the Chair or select committee appointed by the Regional Board may take up business until the Terms of Reference for that committee have been approved by the Regional Board.

**Preliminary Matters**

91. As an exception to section 91 (*Terms of Reference*) a committee may meet to elect a Committee Chair from among its members or to make recommendations on its Terms of Reference.

#### **Voting at Committee Meetings**

92. All acts authorized or required to be done by a committee and all other questions that may come before the committee, including adjournment, shall be done and decided by a majority of the committee members present at a meeting and entitled to vote. No committee member may have more than one vote on any matter before the committee.

#### **Committee Reports**

93. Committee Chairs shall be responsible for reporting the recommendations and other findings of their committee to the Regional Board. Wherever practical such reports shall be in writing.

#### **Decisions Not Binding**

94. No recommendation or decision of a committee, except the election of a Committee Chair, shall be binding until it has been accepted and approved by the Regional Board.

#### **Application of Other Provisions**

95. All provisions of this bylaw shall, with necessary changes, apply to committees, committee members and committee meetings except:

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- (a) Paragraphs (1)(i) and (1)(m.1) of section 22
- (a.1) Part 14 (Joint Meetings and Other Proceedings)
- (b) the time limit under section 25 (*Lack of Quorum*) shall be 15 minutes; and
- (c) in the case of a committee comprising less than 4 members, the Committee Chair may accept a motion that has not been seconded.

### **PART 13: COMMITTEE OF THE WHOLE**

#### **Establishment**

96. A committee is hereby established to be known as the Committee of the Whole. The Committee shall comprise all of the members on the Board.

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#### **Quorum**



97. The quorum for the Committee shall be the same as that established for the Board.

#### **Purpose and Mandate**

98. The Committee of the Whole is authorized to informally consider the merits, principles and implications of a proposed action or other matter prior to consideration by the Board. The Committee may consider and advise the Board on any matter referred to it by the Board but may not exercise any of the Board's authority unless such authority has been delegated by bylaw.

#### **Convening Meetings**

99. Whether scheduled or not, the Board may convene the Committee of the Whole at any time upon adoption of a resolution "*THAT the Board proceed into Committee of the Whole*", at which time the Committee shall be deemed to be called to order.

#### **Status of Board Meeting**

100. While in Committee of the Whole the Board proceedings shall be considered suspended until such time as the Committee meeting is terminated. No motion to recess, adjourn or otherwise govern the proceedings of the Board shall be in order while the Committee is in session.

#### **Rise and Report**

101. The Committee of the Whole may terminate its proceedings at any time upon adoption of a resolution "*THAT the Committee rise and report to the Board*".

### **PART 14: JOINT MEETINGS AND OTHER PROCEEDINGS**

#### **Term Defined**

102. In this Part "**joint meeting**" means an informal meeting at which a quorum of Board directors meets with another group to consider matters of mutual interest.

#### **Joint Meetings**

103. The Chair may preside over a duly called joint meeting but the making of decisions by voting shall be out of order. Following the joint meeting the Chair may introduce an item of business for consideration by the Board and the normal rules of procedure shall apply.

#### **Electronic Participation at Special Meetings**

104. The holding of a special Board meeting is hereby authorized in accordance with *B.C. Reg 271/2005 (Regional District's Electronic Meetings Regulation)* where:

- (a) it is impractical to hold the meeting in the usual manner,

- (b) the Chair believes that there is some urgency involved and that the public interest will be served by holding such a meeting,
- (c) the only matters that will be considered at the meeting are those items of business which have been included on the agenda distributed in advance of the meeting, and
- (d) there is sufficient time for the corporate officer to make the necessary arrangements to hold the meeting.
- (e) For the purposes of Special Board meetings electronic participation will be counted in the calculation of a quorum.

**Electronic Participation at Regular Meetings**

104A. A member who is unable to attend a regular meeting of the Board may participate electronically provided that the member's alternate is not able to be physically present for the meeting.

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**Electronic Participation Subject to System Capacity**

104B. Electronic participation in a regular or special meeting is subject to limitations imposed by technology and the Chair is authorized to determine which members will be permitted to participate electronically in the event demand exceeds system capacity.

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**PART 15: REPEAL AND TRANSITION**

**Effective Date**

105. This bylaw shall come into effect on the day after its adoption.

**Repeal**

106. Bylaw No. 2991, being Regional District Procedure Bylaw 2007 is repealed.

**Citation**

107. This bylaw may be cited for all purposes as Bylaw No. 1, being Regional Board Procedure Bylaw 2011.

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