

## PEACE RIVER REGIONAL DISTRICT

Bylaw No. 2490, 2022

### *A bylaw to establish procedures for Regional Board, Board Committees and Commissions*

WHEREAS, the *Local Government Act* requires that a Regional Board enact a bylaw to establish the general procedures to be followed by the Board and Board committees in conducting their business, and identifies mandatory content for such a bylaw,

NOW THEREFORE the Board of the Peace River Regional District, in open meeting assembled, enacts as follows:

#### **GENERAL PROVISIONS**

1. This bylaw shall be cited for all purposes as "Board Procedure Bylaw No. 2490, 2022".
2. Peace River Regional District Board Procedure Bylaw No. 2200, and all amendments thereto, is repealed.
3. If any portion of this bylaw is declared invalid by a court, the invalid portion shall be severed and the remainder of the bylaw is deemed valid.
4. The headings used in this bylaw are for convenience only and do not form part of this bylaw, and are not to be used in the interpretation of this bylaw.
5. Any enactment referred to herein is a reference to an enactment of the Province of British Columbia and regulations thereto, as amended, revised, consolidated, or replaced from time to time.

#### **DEFINITIONS**

6. In this bylaw,

**"Act"** means the *Local Government Act*, [RSBC 2015], c.1;

**"Board"** means the Board of the Peace River Regional District;

**"Chief Administrative Officer"** or **"CAO"** means the employee appointed by the Board as Chief Administrative Officer of the Regional District;

**"Chair"** means the Chair or Vice Chair of the Board elected pursuant to section 215 of the *Local Government Act* or other person presiding at a meeting of the Board, Committee, or Commission as the context requires, and who is responsible to conduct the meeting and maintain order;

**"Charter"** means the Community Charter, [SBC 2003], c.26.;

**“Commission”** means a Commission established by the Board;

**"Committee"** includes any Select or Standing, Committee established by the Board and a Regional Board Commission;

**“Corporate Officer”** means the Corporate Officer of the Regional District assigned the corporate administration responsibilities of section 236 of the *Local Government Act* and includes that officer’s deputy;

**“Committee of the Whole” or “COW”** or means the Committee of the Whole established by the Board;

**“Delegation”** means any person who has requested to speak or make a presentation to the Board, Committee or Commission;

**"Director’s Address"** means the e-mail address assigned by the Regional District to each member of the Regional Board and is the address that shall be used to provide notices to Directors required by this bylaw;

**“Electronic Meeting”** means a Meeting conducted by means of electronic or other communications facilities and which allows meeting participants and the public to hear, or see and hear the meeting;

**"Meeting"** includes an Inaugural Meeting, Meeting of the Board, Committee or Commission;

**“Member”** means a duly appointed or elected representative of the Board, a Commission or Committee;

**"Public Notice Posting Place"** means the notice boards, whether electronic or not, located in the lobby of the Regional District offices in Dawson Creek and Fort St. John, and the Regional District web page;

**"Regional District" or “PRRD”** means the Peace River Regional District;

**“PRRD Website”** means the Peace River Regional District information source found at an internet address.

**APPLICATION OF PROCEDURAL RULES AND APPLICABILITY TO OTHER BODIES**

7. The provisions of this bylaw shall govern the proceedings of the Board, and all Committees of the Board, as applicable, provided these provisions do not conflict with alternative rules of procedure, terms of reference, or other governing documents approved by Board for each Committee, in which case the Board approved Committee specific rules of procedure, terms of reference, or other governing documents shall prevail.
8. For all matters of procedure not provided for in this bylaw, and where the LGA and Charter are silent, the most current version of 'Roberts Rules of Order' shall apply to the extent that the rules are applicable.

**INAUGURAL MEETING**

9. The Board shall hold its Inaugural Meeting during the month of November in a local government general election year at a date, time and place directed by the Corporate Officer.
10. The Corporate Officer shall notify in writing each member of the Board of the Inaugural Meeting date, time and location and shall post notice of the Inaugural Meeting, including the date, time and location, in the Public Notice Posting Places and any other location the Corporate Officer deems appropriate.
11. 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, prior to the election of the Chair and Vice Chair, and preceding the conduct of business of the Board.
12. The CAO shall preside over the Inaugural Meeting until such time as the Chair and Vice Chair have been elected.

**ELECTION OF CHAIR AND VICE CHAIR**

13. At the Inaugural Meeting, in a local government general election year, and at the first meeting held after November 1<sup>st</sup> in every year that a local government general election is not held, the CAO shall conduct the election for Chair as follows:
  - a) The Chief Administrative Officer shall call for nominations for the position of Chair of the Board.
  - b) Nominations do not need to be seconded.
  - c) A candidate must indicate their consent to the nomination; if a candidate is not present in person at the meeting, they must provide written consent to the nomination to Corporate Officer. Email is acceptable as written consent.
  - d) Each candidate shall be given the opportunity to address the Board for not more than two minutes before the voting takes place.
  - e) At the conclusion of the candidate statements, the Corporate Officer or designate shall issue one ballot to each Director attending in person.
  - f) A vote shall be conducted by secret ballot, except:
    - i. Any Director entitled to vote in the election of the Chair and Vice Chair who is participating electronically in the meeting shall indicate their vote

by way of either a confidential email or a personal phone call to the Corporate Officer, who will mark a ballot on behalf of the Director attending via electronic means and deposit the ballot into the ballot box with all other ballots cast. The Corporate Officer shall not disclose the Director's vote to any party and shall permanently delete the email message indicating the vote.

- g) When all ballots have been collected, the Corporate Officer shall remove the ballot box to a separate room for counting.
- h) The Corporate Officer and their Deputy or designate shall count the ballots, and the Chief Financial Officer or designate shall be in attendance to observe the counting of the ballots.
- i) The winner shall be determined as follows:
  - i. When there are two candidates, the person who received the most votes is elected. In the event of a tie, another vote shall be held, and if no definitive result is obtained after three votes have been held, the winner shall be declared by way of a coin toss. The CAO shall conduct a coin toss giving the candidate whose first name is alphabetically first the opportunity to call the toss.
  - ii. When there are more than two candidates, and one candidate has received more votes than all other candidates together, is elected; or
  - iii. When there are more than two candidates, and no candidate receives more votes than all of the other candidates together, the candidate who received the least number of votes is eliminated and another vote is held, except:
    - If two candidates are tied for the least number of votes, the CAO must announce the results of that vote and a second vote must be held; if the second vote results in another tie, the CAO must conduct a coin toss giving the candidate whose first name is alphabetically first the opportunity to call the toss. The loser of the coin toss is then eliminated and the voting process continues.
  - iv. Voting will continue until one candidate receives more votes than all of the other remaining candidates in total.
- j) The number of votes received by each candidate will not be disclosed unless a resolution requiring disclosure.
- k) The Corporate Officer shall advise the CAO of the determination of results and the CAO shall announce the results.
- l) Following the election of the Chair, the CAO shall conduct the election for the position of Vice Chair following the same voting procedure outlined above. Once the Chair and Vice Chair have both been declared, the CAO shall relinquish presiding authority over the meeting to the duly elected Chair.
- m) Once the CAO has declared an elected candidate, the Corporate Officer shall destroy all ballots and any votes electronically submitted to the Corporate Officer.

**POWERS AND DUTIES OF THE CHAIR AND VICE CHAIR**

14. In addition to the duties and responsibilities given to the Chair by the *Local Government Act*, and the *Community Charter*, the Chair shall:
  - a) preside over meetings, maintaining order and decorum and enforcing the rules of the Procedure Bylaw and relevant legislation'
  - b) rule on points of order if so requested by a Director,
  - c) determine the seating arrangements for Directors around the meeting room,
  - d) act as the official spokesperson for the Regional Board
15. The Chair may require reconsideration of a matter in accordance with the Act, so long as the matter has not been acted upon by an officer, servant, or agenda of the Board or previously been the subject of a reconsideration; a matter may be reconsidered only once.
16. The Vice Chair shall:
  - a) act in place of the Chair in the absence of the Chair,
  - b) have the same power and duties of the Chair when acting in their place.
17. For clarity, the powers and duties of the Chair and Vice Chair of the Regional Board conferred by the *Local Government Act* are not powers of the Chair or Vice Chair of a Committee or Commission of the Board, unless specifically included in the alternative rules of procedure, terms of reference, or other governing documents approved by Board for that body.

**MEETINGS, NOTICE OF MEETINGS, AND AGENDAS**

18. The Board shall, by resolution, annually set its meeting schedule. Unless otherwise resolved by the Board, Meetings shall be held at the Regional District offices located at 1981 Alaska Avenue.
19. The Corporate Officer shall post the meeting schedule in the Public Notice Posting Places, advertise the schedule in local print media, as available, and in any other manner the Corporate Officer deems appropriate.
20. Public notice of Meetings shall include the date, time and location of meetings, and public notice of Meetings that are to be held electronically must indicate the way the Meeting is to be conducted electronically, and the location at which the public may attend to hear, or watch and hear, the open to the public portion of the Meeting.
21. The Board may change the Meeting schedule or cancel a meeting, by way of Board resolution in which case, the Corporate Officer shall post the meeting schedule change within twenty four (24) hours to the Public Notice Posting Places, and in any other location or manner the Corporate Officer deems appropriate.
22. Agenda items shall be provided to the Corporate Officer or designate seven (7) business days prior to a Meeting except for special meetings; for which agenda items shall be provided not less than forty eight (48) hours unless otherwise approved by the Chair.

23. At least seventy two (72) hours prior to a Meeting, the Corporate Officer shall give notice of the Meeting by posting a notice and the agenda to the Public Notice Posting Places and shall make a copy of the agenda available for public viewing at the Regional District Offices in Dawson Creek and Fort St. John.
24. The Meeting agenda shall consist of the following standard items, dealt with in this order unless otherwise resolved by the Board:
- (a) Adoption of Agenda
  - (b) Gallery Comments or Questions
  - (c) Adoption of Minutes
  - (d) Business Arising From the Minutes
  - (e) Delegations
  - (f) Correspondence
  - (g) Reports
  - (h) Bylaws
  - (i) New Business
  - (j) Appointments
  - (k) Consent Calendar
  - (l) Strategic Plan
  - (m) Communications Update
  - (n) Notice of Motion
  - (o) Media Questions
  - (p) Recess to Closed Session
  - (q) Adjourn
25. The Corporate Officer shall make the Meeting agenda, including each item of business and any background information, electronically available to Directors at least five days before the scheduled Meeting.
26. Acceptance of agenda items after the agenda submission deadline stated in section 22 shall be at the discretion of the CAO and Corporate Officer, in consultation with the Chair as they deem necessary.
27. In the event that an agenda item is accepted after the deadline, and the Meeting agenda is revised following the issuance of the Meeting agenda to the Directors, the Corporate Officer shall notify the Directors in writing of the changes and make provide the revised agenda to the Directors as soon as reasonably possible. The revised agenda for any portion of a meeting that is open to the public must also be posted in accordance with section 23 of this bylaw.

### **SPECIAL MEETINGS**

28. Notice of Special Meetings shall be given to Directors at their Director's Address, and the public in accordance with the *Local Government Act*, at least twenty four (24) hours prior to the time of the meeting, unless notice is waived by unanimous vote of all Directors as per the Act.

**ELECTRONIC MEETINGS**

29. A Meeting or Special Meeting may be held electronically in accordance with the *Local Government Act*.
30. The Chair, Directors and Regional District staff may participate in a Meeting or special Meeting electronically, by way of electronic audio and/or video equipment that allows the Directors and the public to hear, or see and hear any person who is attending a meeting using electronic means.

**COMMITTEES****Committee of the Whole**

31. The Regional Board establishes a Committee of the Whole, comprised of each person elected or appointed to the Regional Board.
32. The Committee of the Whole shall:
- a) consider topics that are referred to them by the Board for in-depth discussion and review prior to choosing a course of action;
  - b) consider topics that involve multiple options or concerns requiring additional exploration and understanding;
  - c) be Chaired by the Regional Board Chair or Vice Chair who shall, at their sole discretion, facilitate broad discussion in a round table format that includes Directors, staff, and any invited guest as the Chair deems appropriate;
  - d) make recommendations to the Regional Board, who may accept, amend or reject any COW recommendation;
  - e) forward the minutes of Committee of the Whole Meetings to the Regional Board for adoption.

**Committees**

33. Any Director may attend a Meeting of any Select or Standing Committee and they may participate in the debate at the discretion of the Meeting Chair; however, only the Board Chair, who is an ex-officio member of every Committee, shall be entitled to vote in addition to the appointed Committee members.
34. The Regional Board shall specify a date and time for the first meeting of any Board Committee by resolution when creating a committee, or by resolution at a later date.
35. Committee Meeting schedules shall be incorporated into the Regional Board meeting schedule adopted annually by the Board prior to December 1<sup>st</sup> and any changes to the schedule required thereafter, including cancellations and scheduling of special Meetings shall be at the discretion of the Committee, by resolution, with no Board approval required.

**MEETING PROCEDURES**

36. At the scheduled start time, if quorum is present, the Chair shall call the meeting to order.

37. Quorum is a majority of the members of the Regional Board or Board Committee.
38. In the absence of both the Chair and the Vice Chair fifteen (15) minutes after the scheduled start time of a Meeting, the CAO shall call the meeting to order and the Board must, by resolution, elect from those Directors present, an Acting Chair to preside over the meeting and the Acting Chair shall have the powers of the Chair in their absence.
39. In the absence of quorum one hour past the scheduled start time for a Meeting, the Meeting shall be cancelled and all business on the agenda for the Meeting shall be dealt with at the next Meeting.
40. If the Chair or Vice Chair arrive to the Meeting, the Acting Chair shall be dismissed and the Chair or Vice Chair shall assume the role of Chair.
41. The Board may adjourn a meeting to a date, time, and location specified in the Board resolution to adjourn the Meeting. No additional notice is required for the continuation of the Meeting at a later date.

#### **Conduct And Debate At Meetings**

42. Members are expected to conduct themselves in an appropriate manner as described in the PRRD Board Code of Conduct Policy, and in keeping with the foundational principles of Integrity, Accountability, Respect, and Leadership and Collaboration that shall guide Board interactions and decision making.
43. Meeting attendees other than Members shall demonstrate respect at all times; abusive, defamatory or rude behavior will not be tolerated from guests and the Chair may expel from a meeting a person acting improperly, pursuant to the Local Government Act.
44. A Director may speak in a Meeting after the Chair has recognized the Director. If two or more Directors raise their hands at the same time, the Chair shall designate the order in which each is to speak. If the Chair wishes to speak in a Meeting, the Chair need only address the Meeting.
45. Directors shall limit their comments on an agenda item to not more than five minutes at one time; further, no Member shall speak for a second time on a matter until all other Members who wish to speak, have had the opportunity to speak.
46. Directors shall not speak when called to order by the Chair.
47. The Chair and Directors shall limit discussion to the matter under consideration and the motion on the floor.
48. A Director may debate any motion other than a privileged motion.
49. Members of the public in attendance at a Meeting are not meeting participants and shall not speak or address the Board other than specified in this bylaw for Gallery Comments,



Media Questions, or Delegations, unless permitted to do so by resolution of the Board passed with a 2/3 majority vote.

### **Motions**

50. The Board shall formalize its decisions in a Meeting by way of a resolution put to the meeting by a Director and seconded by another Director; including readings and adoption of Bylaws and all Motions shall be phrased in a clear and concise manner so as to express an opinion or achieve a result.
51. One amendment motion shall be allowed at one time, and must be strictly relevant to the main motion and not be contrary to the principle conveyed by the main motion.
52. The Chair and Directors shall vote on all motions either by a show of hand, verbally indicating their vote, or by electronic means should they be available, and all votes shall be recorded.

### **Notice of Motion**

53. Any Director may provide the Board with notice of a proposed discussion or request for a decision on a matter, at the subsequent meeting, by providing a 'Notice of Motion' as follows following manner:
  - a) The Director shall, during the Notice of Motion portion of the meeting agenda, verbally advise the Board of their intent to bring forward a motion at the next meeting of the Board, including the subject of the motion and the desired outcome
  - b) The Director shall, after the Notice of Motion has been provided to the Board verbally, shall providing the Corporate Officer with a written copy of the proposed motion for inclusion on the next meeting agenda.
    - i. The Corporate Officer shall include the Motion on the next regular meeting agenda; or
    - ii. The Director may provide a Director's Report for inclusion on the next meeting agenda that includes, in addition to the proposed Board resolution, the Director's reasons for bringing the matter before the Board, and any other background information they wish to share.
54. If a Director does not provide 'Notice of Motion' during a meeting, they may propose an agenda item for an upcoming meeting if they provide a Director's Report to the Corporate Officer prior to the agenda item deadline for inclusion on the next Board meeting agenda.

### **Late Or New Business Items**

55. Once the Meeting agenda is made publicly available, new business items shall be added only as follows:
  - a) A Director or staff person proposing a new business item be added to the agenda must clearly explain the need for the addition of the new business item prior to the next scheduled meeting, due to a bona fide time sensitivity and must clearly summarize the purpose of introduction of the item, and any desired outcome, should the new business item be accepted to ensure that all Directors present

understand the proposed item, the reason it should be accepted, and the purpose for discussing the item/desired outcome;

- b) Each new business item proposed for addition to the agenda, must be accepted by way of a specific Board resolution for that item.
- c) If new business items are approved by Board resolution, adoption of the agenda will include the new business items added by Board resolution.

56. New Business is not permitted for Closed Meetings, unless added by Board resolution in an open meeting prior to calling to order a Closed Meeting.

57. New Business is not permitted for Special Meetings.

### **Delegations**

58. Members of the public may appear as a Delegation to make presentations to the Regional Board as follows:

- a) An individual or group wishing to appear as a Delegation before the Board may do so only after having submitted a written request in the prescribed form and receiving written confirmation of their scheduled presentation. Confirmed Delegations shall be placed on the agenda in the order received. Any materials to be distributed to the Board as part of a Delegation's presentation must be received by the Corporate Officer 7 business days before the meeting to which the Delegation is scheduled. The Corporate Officer shall circulate such items under the Delegations section of the agenda distributed to Directors.
- b) The Delegation shall inform the Corporate Officer of the subject of the Delegation and the name and address of the speaker representing the Delegation. If the subject matter is:
  - i) of a commercial or for profit nature, whereby the applicant proposes to promote or advance a business interest;
  - ii) regarding a land use proposal or land use decision that has not yet been considered by the Board, or that has been considered by the Board, and a public hearing, consultation, or information session has been specified;

the Corporate Officer shall deny the Delegation request.

- c) Unless otherwise permitted by a resolution of the Board:
  - i) the maximum time for presentation of a petition or appearance of a Delegation before the Board is 20 minutes. This time limit does not apply to Public Hearings conducted by the Board under the Act or the Charter or to Delegations appearing by invitation of the Board;
  - ii) Delegations shall be limited to 3 per meeting.

iii) the Board shall refrain from making decisions on a petition or Delegation during that portion of the meeting.

- d) No petition or Delegation may be presented to, appear before or be received by the Board unless this Section has been complied with, but the Board may resolve by a two-thirds (2/3) majority to waive compliance with any part of the procedural rules established regarding Delegations contained in this bylaw.

### **Gallery Comments**

59. Any person in the gallery may ask a question or make a comment about any item or topic appearing on the current Board agenda except as noted below, once recognized by the Chair during the "Gallery Comments or Questions" portion of the meeting subject to the following:
- a) the maximum time allotted for this portion of the meeting shall be limited to 15 minutes;
  - b) each individual question or comment shall be limited to two (2) minutes;
  - c) the Board may resolve to waive compliance with any part of this section by way of a two-thirds (2/3's) majority;
  - d) The Chair shall not allow Gallery Comments regarding any land use application that has been or may be the subject of a public hearing and shall direct all comments regarding land use proposals and decisions to a public hearing.

### **Consent Calendar**

60. Items placed on the Consent Calendar portion of the agenda are provided for the information of the Board and do not require a decision from the Board.
61. Should any Director wish to remove an item from the Consent Calendar and discuss the item or move to take a particular action regarding the item, the Director shall, by way of a motion made **in advance of a motion being made to accept the consent agenda**, identify the item(s) they wish removed for additional discussion.
62. All items listed on the agenda for a Meeting as part of the Consent Calendar shall be dealt with together by the Board by a single resolution of receipt.

### **MINUTES**

63. Minutes of Meetings shall be kept by the Corporate Officer, and shall be concise and sufficient to detail the proceedings of the Meeting and the decisions made at the Meeting.
64. The minutes of every Meeting must be adopted by resolution. If each Director has received a copy of the minutes of a Meeting, those minutes may be adopted by resolution of the Board without their being read to the Meeting. The minutes of a Meeting may not be adopted until the Corporate Officer makes any changes that the Board has by resolution directed be made so that the minutes accurately record the Meeting.

65. Minutes of Meetings shall be legibly recorded, certified as correct by the Corporate Officer, and signed by the Chair or other presiding member.
66. Minutes of Meetings, other than portions of Meetings Closed to the Public in accordance with the Act and the Charter, must be publicly available at the Regional District offices and may be posted to the web page.
67. Directors who have been elected or appointed to the Board and who have sworn their oath of office shall be entitled to review the minutes and agendas for any Closed Meeting.

### **BYLAWS**

68. Bylaws are adopted according to the following procedure:
- The Board has given first, second and third reading to the Bylaw;
  - All referrals, and any necessary approvals or other requirements imposed by statute have been obtained, fulfilled, and followed;
  - The Board adopts the Bylaw, by resolution.
69. The Corporate Officer shall record on every bylaw the dates on which each reading and adoption were given by the Board, and the dates any approvals or other requirements were obtained, fulfilled, and followed.
70. The Corporate Officer and the Chair shall sign every bylaw.
71. The Corporate Officer shall affix the corporate seal to every bylaw, once adopted.

READ A FIRST TIME this	_____	day of	_____	, 2022.
READ A SECOND TIME this	_____	day of	_____	, 2022.
READ A THIRD TIME this	_____	day of	_____	, 2022.
ADOPTED this	_____	day of	_____	, 2022.

\_\_\_\_\_  
Brad Sperling, Chair

(Corporate Seal has been affixed to the original bylaw)

\_\_\_\_\_  
Tyra Henderson, Corporate Officer

I hereby certify the foregoing to be a true and correct copy of  
"Board Procedure Bylaw No. 2490 2022"  
as adopted by the Peace River Regional District  
Board on \_\_\_\_\_, 2022.

\_\_\_\_\_  
Tyra Henderson, Corporate Officer