



REPORT

To: Chair and Directors

Date: March 17, 2020

From: Tyra Henderson, Corporate Officer

Subject: Board Procedure Bylaw Amendment

RECOMMENDATION #1: [Corporate Unweighted]

That the Regional Board give Board Procedure Amendment Bylaw No. 2408, 2020, to allow an unlimited number of Directors to participate electronically in all regular and special meetings of the Board and its committees/commissions, for any reason, for the duration of the COVID-19 pandemic, first three readings.

RECOMMENDATION #2: [Corporate Unweighted, 2/3 Majority Required]

That the Regional Board adopt Board Procedure Amendment Bylaw No. 2408, 2020.

BACKGROUND/RATIONALE:

The proposed bylaw amendment allows for all members of the Board to participate electronically, for any reason, whether it be a Special or Regular Board meeting, or a committee or commission meeting whose procedures are governed by the Board Procedure Bylaw. The amendment is written as an exception to the current rules, which will only be in effect for the duration of the COVID-19 pandemic.

This amendment is proposed to allow the Regional Board to continue to make decisions and operate during the COVID-19 pandemic, without having to place Board members at risk by congregating in a public place or having to cancel meetings due to lack of quorum should a large portion of the Board members be self-isolating. While few Board meetings have exceeded the current 50 person limit imposed by the *Public Health Act* order "Mass Gatherings re: COVID-19", the situation is changing rapidly and the fifty person limit may be reduced at any time. The Medical Health Officer now has the ability to issue verbal orders, which must be followed.

Some local government offices have already closed their doors to the public, which could result in Board or Council meetings not being open to the public, in an effort to 'flatten the curve' and protect their staff and the public from potential additional exposure to the Coronavirus.

It is possible that legislation or additional orders will be promulgated by the provincial or federal government to address holding public meetings that are not in fact, open to the public in the traditional sense.

The PRRD currently has the ability to livestream its meetings, and therefore, could meet the requirement for meetings to be open to the public, by making the video available, in real time, to the public. Members of the public are not generally invited to participate in meeting deliberations, or speak during meetings, and

Staff Initials:

Dept. Head:

CAO:

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under the Regional District Electronic Meetings Regulation, special meetings are subject to the requirement to publicly advertise the location at which a member of the public can listen to the meeting. The publicly advertised location would be a virtual location, (a web-site with a live feed) rather than a physical location.

This solution would allow for even fewer, if any, members of the public, to attend in person and remain in compliance with the *Public Health Order*.

ALTERNATIVE OPTIONS:

1. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE:

- ☒ Not Applicable to Strategic Plan.

FINANCIAL CONSIDERATION(S):

None at this time.

COMMUNICATIONS CONSIDERATION(S):

Any changes to the Procedure Bylaw would be communicated to the public via the PRRD website, and through internal communication means.

OTHER CONSIDERATION(S):

None at this time.

Attachments:

1. Draft Board Procedure Bylaw Amendment No. 2408, 2020
2. Draft Consolidated Board Procedure Bylaw 2200, showing the proposed changes.

PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2408, 2020

A bylaw to amend "Peace River Regional District
Board Procedure Bylaw No. 2200, 2015
(as previously amended by Bylaw No. 2256, 2016,
Bylaw 2278, 2017 and 2395, 2019).

WHEREAS the *Local Government Act* requires the Regional Board to adopt a bylaw to establish the procedures to be followed for the conduct of its business;

AND WHEREAS the Regional Board adopted "Peace River Regional District Board Procedure Bylaw No. 2200, 2015";

AND WHEREAS the Regional Board wishes to amend that Bylaw to provide for full electronic participation in all types of Board, Committee and Commission meetings for the duration of the COVID-19 pandemic to allow the Peace River Regional District to continue to operate as effectively as possible under difficult and constantly changing circumstances;

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

ADMINISTRATIVE PROVISIONS:

1. This Bylaw may be cited as "Peace River Regional District Board Procedure Bylaw Amendment No. 2408, 2020."
2. 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.

TEXT AMENDMENTS TO BYLAW 2200, 2015:

3. PREAMBLE

- 3.1 The first "WHEREAS" paragraph is deleted in its entirety and replaced with the following:

"WHEREAS, pursuant to the *Local Government Act*, as may be amended from time to time, a Board must, by bylaw, establish the procedures to be followed for the conduct of its business,"

4. PART 1 -INTRODUCTION is amended as follows:

- 4.1 The definition of "Act" shall be deleted in its entirety and replaced with the following definition:

""**Act**" means the *Local Government Act*, [RSBC 2015], c.1, as may be amended from time to time."

5. PART 3 - SPECIAL MEETING is amended as follows:

- 5.1 **Section 9 – Calling of Special Meetings** is deleted in its entirety and replaced with a new Section 9 that reads as follows:

"Special Board Meetings shall be called in accordance with the provisions of the *Act*."

6. **PART 4 - OTHER GENERAL MEETINGS PROCEDURES** is amended as follows:

6.2 **Section 15, Electronic Meetings** is amended as follows:

6.2.1 By deleting the words "at the discretion of the Chair" from the end of the first paragraph.

6.2.2 By adding new paragraphs at the end of Section 15, to read as follows:

"Excepting paragraphs one, two, and five, the provisions of Section 15 above are hereby suspended for the duration of the COVID-19 pandemic.

In place of paragraphs three, four and six, the following shall be utilized for the duration of the 2020 COVID-19 pandemic, electronic participation in Regular or Special Board meetings, or any committee or commission meetings whose procedures are governed by this bylaw as per Part 12, Section 71 of this bylaw, shall be available to all members of the Board, Committee, or Commission, for any reason, and there shall be no limit to the number of meeting attendees, including the Chair, who may participate electronically."

READ A FIRST TIME THIS _____ day of _____, 2020

READ A SECOND TIME THIS _____ day of _____, 2020

READ A THIRD TIME THIS _____ day of _____, 2020

ADOPTED THIS _____ day of _____, 2020

Brad Sperling, Chair

(Corporate Seal has been affixed to
the original bylaw)

Tyra Henderson,
Corporate Officer

I hereby certify this to be a true and correct copy
of "PRRD Board Procedure Bylaw Amendment
Bylaw No. 2408, 2020", as adopted by the Peace River
Regional District Board on _____, 2020.

Tyra Henderson, Corporate Officer

PEACE RIVER REGIONAL DISTRICT
Board Procedure Bylaw No. 2200, 2015

A bylaw to provide for the procedures of
Board meetings, Committees and Commissions of the Board

~~WHEREAS, pursuant to the *Local Government Act*, RSBC 1996, c. 323, a Board must, by bylaw, establish the procedures to be followed for the conduct of its business.~~

WHEREAS, pursuant to the *Local Government Act*, as may be amended from time to time, a Board must, by bylaw, establish the procedures to be followed for the conduct of its business

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

PART I - INTRODUCTION

1. Citation

This bylaw is to be cited as "Peace River Regional District Board Procedure Bylaw No. 2200, 2015"

2. Definitions

In this Bylaw:

~~"Act" means the *Local Government Act*, RSBC 1996, c. 323;~~

"Act" means the *Local Government Act*, [RSBC 2015], c.1, as may be amended from time to time;

"Alternate Director" means a member of the Board as defined in the Act";

"Chief Administrative Officer" or "CAO" means the appointed Chief Administrative Officer of the Regional District and any Regional District employee to whom the Chief Administrative Officer has delegated his or her powers and duties under this Bylaw from time to time;

"Board" means the governing and executive body of the Regional District constituted as provided in the Act;

"Chair" means the Director elected as chair of the Board pursuant to the Act;

"Charter" means the; COMMUNITY CHARTER, SBC 2003, c.26;

"Committee" means any Committee of the Board and includes a Committee of the Whole, a standing Committee and a select Committee;

"Corporate Officer" means the Corporate Officer of the Regional District appointed pursuant to the Act;

"Deliver" includes sending notice of meeting by email or facsimile;

"Director" means a member of the Board as defined in the Act;

"Director's Address" means the mailing or e-mail address given to the Corporate Officer, or designate by each Director;

"Meeting" means either a Regular or Special Meeting of the Board; a Committee of the Whole, Standing Committee, Select Committee or Commission, as the context requires;

"Notice Boards" means the notice boards located in the lobby of the Regional District offices in Dawson Creek and Fort St. John;

"Procedural Motion" means any motion described as such in this bylaw;

"Regional District" means the Peace River Regional District;

"Regular Meeting" means a meeting of the Board that is scheduled to take place, and notification of that meeting has been provided to the public;

"Special Meeting" means a meeting of the Board that was not scheduled, and has been called in accordance with the provisions of this bylaw, the Act and Charter;

"Vice Chair" means the Director elected as vice chair of the Board under this Bylaw;

"Web Page" means the Peace River Regional District's World Wide Web internet site at www.prrd.bc.ca.

3. Incorporation of Local Government Act Definitions

Any term that is used in this Bylaw and that is defined in the Charter or the Act has the meaning given to it in the Charter or the Act.

4. Interpretation of Bylaw and Delegation of Duties

- (a) Reference in this Bylaw to:
 - i) a numbered "Section" or "Part" is a reference to the correspondingly numbered Section or Part of this Bylaw;
 - ii) a resolution or vote of the Board, unless the context otherwise dictates, is a reference to a resolution or vote passed by the affirmative vote of a majority of the Directors present and entitled to vote on the matter.
- (b) The use of headings for Parts and Sections is for convenience of reference only and is not to affect the interpretation of this Bylaw.
- (c) The CAO may delegate any duty prescribed by this bylaw to another employee of the Regional District, either generally or in relation to a specified meeting or meetings.

PART 2 - REGULAR MEETING**5. Time and Location of Regular Meetings**

The Board shall, by resolution, annually set its schedule of Regular Meetings, including the date, time and location. Notice of a Regular Meeting to each Director is not required.

6. Notice of Regular Meeting

- (a) The Board's annual schedule of Regular Meetings shall be posted on the Notice Boards, advertised in local media and posted on the Web Page.
- (b) Upon resolution of the Board, the date, time and location of Regular Meetings may be changed. In such cases, notice of the change to the Board's annual meeting schedule will be posted on the Notice Boards, advertised in local media and posted on the Web Page.
- (c) At least 72 hours before a Regular Meeting of the Board, the Corporate Officer must give public notice of the date, time and location of the meeting by way of notice posted on the Notice Boards and Web Page.
- (d) At least 24 hours before a Regular Meeting of the Board, the Corporate Officer must give public notice of the meeting by:
 - i) posting a copy of the agenda on the Notice Boards; and
 - ii) leaving copies of the agenda at the reception counter in the Regional District offices in Dawson Creek and Fort St. John for public viewing.

7. Quorum

A simple majority, one Board member more than 50%, shall constitute a quorum.

8. Postponement if no Quorum

If there is no quorum of Directors at the location for a Regular Meeting within 2 hours after the time specified in the notice of the meeting;

- (a) the Regular Meeting is cancelled, and
- (b) all business on the agenda for that Regular Meeting must be dealt with at the next Regular Meeting.

PART 3 - SPECIAL MEETING**9. Calling of Special Meetings**

~~The Corporate Officer, or the Corporate Officer's designate, must call a Special Meeting on the request of the Chair or any two Directors, by notice to each director's e-mail address, at least 5 days before the date of the meeting.~~

Special Board Meetings shall be called in accordance with the provisions of the Act

10. Quorum

A simple majority, one member more than 50%, shall constitute a quorum for a Special Meeting.

11. Postponement if no Quorum

Section 8 applies to Special Meetings with the necessary changes.

12. Notice of Special Board Meetings

- (a) The Corporate Officer must give public notice of a Special Meeting of the Board in accordance with the Act, except where notice of the Meeting is waived by unanimous vote of the Directors.
- (b) The Corporate Officer must give public notice of the time, place and date of Special Meeting by way of a notice posted on the Notice Boards 24 hours before the Special Meeting, or if the Meeting is called on less than 24 hour's notice, at the time the Directors are given notice of the Special Meeting.
- (c) As an exception to subsection (b), in the case of an emergency Special Meeting, the Corporate Officer must give such advance public notice of the time, place and date of the Special Meeting as is practicable in the circumstances of the emergency, by way of a notice posted on the Notice Boards and Web Page if available.
- (d) In the case of an emergency Special Meeting, notice may, with the consent of the Chair and two Directors, be given less than five days before the date of the Special Meeting and may be given by means other than in writing.

PART 4 - OTHER GENERAL MEETING PROCEDURES**13. Adjournment of Meeting**

The Board may by resolution adjourn any Meeting to a date, time and location specified in the resolution.

14. Cancellation of Meetings

The Board may by resolution cancel any Regular Meeting. The Corporate Officer must give public notice of cancellation of any Regular Meeting by posting notice of cancellation in a place accessible to the public at the location for the Regular Meeting. The notice of cancellation must be posted at least five days before the date on which the Regular Meeting was to have been held.

15. Electronic Meetings

A Regular or Special Meeting of the Board may be conducted by means of electronic audio communication equipment ~~at the discretion of the Chair.~~

Notice must include notice of the manner in which the Meeting is to be conducted and the place where the public may attend to hear the proceedings that are open to the public, the Corporate Officer must be in attendance at the specified place, and except for any part of the Meeting that is closed to the public, the Meeting facilities must enable the public to hear the meeting at the specified place.

A Director who is unable to attend a Regular Board Meeting on account of illness or inclement weather conditions may participate in and vote at the meeting by means of electronic audio communication equipment.

A Director who is unable to attend a Special Board Meeting, for any reason, may participate by means of electronic audio communication equipment; subject to the limitation on the number of Directors who may participate in any one meeting electronically specified in paragraph six of this section.

In the case of a Meeting conducted pursuant to this section, and except for any part of the Meeting that is closed to the public, the Meeting facilities must enable the public to hear the member(s) participating by means of electronic audio communication equipment.

Neither the Chair nor more than five Directors in all may participate in any Meeting in the manner described in this bylaw.

Excepting paragraphs one, two, and five, the provisions of Section 15 above are hereby suspended for the duration of the COVID-19 pandemic.

In place of paragraphs three, four and six, the following shall be utilized for the duration of the 2020 COVID-19 pandemic, electronic participation in Regular or Special Board meetings, or any committee or commission meetings whose procedures are governed by this bylaw as per Part 12, Section 71 of this bylaw, shall be available to all members of the Board, Committee, or Commission, for any reason, and there shall be no limit to the number of meeting attendees, including the Chair, who may participate electronically

PART 5 - PROCEDURE FOR MEETINGS

16. Attendance of Public at Meetings

Except where the provisions of the Charter regarding Closed Meetings apply, all Board meetings must be open to the public.

17. Closed Board Meetings

- (a) Before closing a Board meeting, or part of a Board meeting to the public, the Board must pass a resolution in a public meeting in accordance with the Charter.
- (b) This section applies to all meetings of the bodies referred to in the Charter, including without limitation:
 - i) Committee of the Whole
 - ii) Standing and select committees, and
 - iii) Commissions.
- (c) Directors who are elected or appointed to the Board and administered the Board's Oath of Office shall be entitled to review the minutes, the agenda, including agenda reports and correspondence, for any Closed Meeting.

18. Chair to Open Meetings

If a quorum is present, the Chair must call the Meeting to order. If a quorum is present but the Chair is not present within 15 minutes after the time at which the Meeting is to begin the Vice Chair must take the Chair and call the Meeting to order.

19. Appointment of Acting Chair

If a quorum is present but neither the Chair nor the Vice Chair is present within 15 minutes after the time at which the Meeting is to begin, the CAO, or designate, must call the Meeting to order and by resolution the board must appoint a Director to act as Chair for that Meeting until the Chair or Vice Chair arrives. The Acting Chair of a Meeting has the powers and duties of the Chair in respect of that Meeting.

20. Order of Business at Regular Meetings

Unless the Board otherwise resolves, business must be dealt with at every Regular Meeting in the following order:

- (a) adoption of agenda including any additions under Section 22;
- (b) Gallery Comments or Questions;
- (c) adoption of minutes of the last Regular Meeting and of any other Meeting minutes;
- (d) business arising from the minutes as adopted;
- (e) reception of delegations;
- (f) presentation of petitions;
- (g) consideration of correspondence, including petitions not presented at the Meeting;
- (h) directors' liaison to outside agencies reports;
- (i) reports from:
 - i) the Chair
 - ii) Directors
 - iii) Committees of the Board
 - iv) Regional District employees, and
 - v) delegations requested by the Board and, in the above orderbusiness arising from any of those reports;
- (j) introduction, consideration, reconsideration, rescinding, amending and adoption or rejection of Bylaws and resolutions;
- (k) new business from adopted Agenda;
- (l) consent calendar under this bylaw;
- (m) notices of motion;
- (n) at the Board's discretion, questions from the media on agenda items or business conducted at the Meeting, and
- (o) adjournment.

21. Meeting Agenda

The Corporate Officer shall prepare and publish an agenda in electronic, web based format before every Regular Meeting of the Board. The agenda shall be accessible to Directors for download via the Regional District's Web Page at least 5 business days before the applicable meeting. The agenda shall be made publicly available on the Web Page as set out in the provisions of this bylaw. The agenda shall:

- (a) be in the order set out in Section 20; and
- (b) state the general nature of each item of business to be dealt with at the Regular Meeting.

22. Addition of Agenda Items

Any Director may propose an item of business that is time sensitive for addition to the agenda for a Regular Meeting and the Board may indicate its consent by adopting the agenda by simple majority resolution, as amended.

23. Procedure if Sponsoring Director Absent

The Board may not proceed with any item on business on the agenda in the absence of the Director at whose request the item was placed on the agenda unless the:

- (a) written consent of the absent Director is presented to the Chair, or
- (b) Board resolves to deal with that item of business despite the absence of that Director.

24. Petitions and Delegations

Petitions

- (a) At least 10 business days before the date of the Meeting at which any person wishes to present a petition to the Board, that person must inform the Corporate Officer of the subject of the petition, and the name and address of each person who has signed the petition. The Corporate Officer shall include the petition on the next Regular Board meeting agenda.

Delegations

- (b) 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.
- (c) The delegation shall inform the Corporate Officer of the subject of the delegation, and 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 specified;the Corporate Officer shall deny the delegation request.
- (d) 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 15 minutes. This Section does not apply to Public Hearings conducted by the Board under the *Act* or the *Charter* or to delegations appearing at the request of the Board; and
 - 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.
- (e) 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 this Section.

25. Consent Calendar

Unless a Director otherwise requires in respect of any item, the items of business listed on the agenda for a Meeting described as "Consent Calendar" may all be dealt with together by the Board by a single resolution of receipt. A Director may require that any item of business be removed from the consent calendar and be dealt with as a separate item of business.

26. Recording and Certification of Minutes of Board

Minutes of Board meetings shall be:

- (a) legibly recorded;

- (b) certified as correct by the Corporate Officer;
- (c) signed by the Board Chair or other member presiding at the meeting in the Board Chair's place, or signed by the Chair at the next meeting after they are adopted by the Board, and
- (d) open for public inspection at the Board offices during its regular office hours in accordance with the applicable provisions of the Act.

27. Adoption of Minutes

The minutes of every Meeting must be adopted by resolution of the Board. 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.

28. Inspection and Copying of Minutes

The minutes for every Meeting are open for inspection by any person. Any person may receive copies of and extracts from minutes that have been adopted by the Board. This Section does not apply to a Closed Meeting from which the public has been excluded under the Charter.

PART 6 - RULES OF DEBATE

29. Recognition of Speakers

A Director may speak in a Meeting after the Director has raised his or her hand and the Chair has recognized the Director. If two or more Directors raise their hands at the same time, the Chair may 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.

30. Manner of Address by Speakers

A Director must address the Chair as "Mister Chair" or "Madam Chair", as the case may be, and must address another Director by that director's surname preceded by "Director".

31. Rules Regarding Directors When Speaking

Except as otherwise resolved by the Board, a Director may

- (a) speak only to a matter being debated by the Board;
- (b) speak for no more than five minutes at a time;
- (c) not speak to a matter already dealt with by the Board; and
- (d) not speak when called to order by the Chair.

32. No Interruption of Speaker or Meetings

No Director may interrupt a Director who is speaking except to raise a point of order. No Director may cause a disturbance at or disrupt a Meeting.

33. Removal of Those Behaving Improperly

If the Chair considers that anyone, including a Director, is guilty of improper conduct, the Chair may exclude or expel that person from a Meeting. If a person resists or disobeys the order to leave a Meeting that person may be removed by a peace officer if the Chair so orders.

34. Matter Open to Debate

Subject to Part 8 (Motions), a Director may debate any motion other than a motion to table a matter.

35. Enquiries by Those Attending Meeting

Any person attending a Meeting may address the Board on any item of business on the agenda, but only if the Board resolves to allow that person to address it.

PART 7 - POINTS OF ORDER AND PRIVILEGE**36. Gallery Comments or Questions**

Notwithstanding 'section 35 Enquiries by Those Attending Meeting', any person in the gallery may ask a question or make a comment about any item or topic appearing on the current Board agenda 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) pursuant to section 82 of this bylaw, following the close of a Statutory Public Hearing, no further submissions or comments from the public regarding the bylaw(s) that was/were subject of the Public Hearing may be accepted by members of the Board. Additionally, to preserve procedural fairness and direct all comments regarding land use proposals and decisions to a public hearing, no gallery comments or questions regarding agenda items that are land use decisions and may be the subject of a future public hearing will be permitted.

37. Chair to Keep Order

The Chair is to preserve order at every Meeting and has the power to make such rulings as are necessary to do that, including the power to rule on all points of order.

38. Chair to Give Basis for Rulings

At the time any ruling is made by the Chair on a point of order, the Chair must inform the Board of the ground upon which the ruling is made.

39. Points of Privilege

A Director may:

- (a) require that a matter being debated be read for the Director's information, but a Director may not interrupt another Director who is speaking unless that other Director consents, and
- (b) require the Chair to state the provision of this Bylaw or other rule of order applicable to a point of order, which the Chair must do at once without debate.

40. Robert's Rules of Order Apply

All matters of procedure not provided for in this Bylaw are governed by the rules in the latest edition of Robert's Rules of Order.

PART 8 - MOTIONS**41. Resolutions and Bylaws**

Resolutions, the reading of Bylaws and the adoption of Bylaws all must be dealt with on a motion put by a Director and seconded by another Director.

42. Specific Voting Requirements for Resolutions

The attached Appendix 'A' provides specific voting requirements under the *Act*, *Charter* and *Roberts' Rules of Order*.

43. Procedural Motions

Any motion to

- (a) adjourn a Meeting;
- (b) recess a Meeting;
- (c) table a matter;
- (d) vote on a motion under consideration;
- (e) postpone (defer) a matter;
- (f) refer a matter;
- (g) amend a motion; or
- (h) vary the agenda;

is a privileged or subsidiary motion and has precedence in the order listed in this section, from highest to lowest. The list of procedural motions in this Section is not exhaustive. The Board may resolve, by two-thirds (2/3) majority, to consider any motion as a procedural motion. If deemed to be a procedural motion, it shall be dealt with as a privileged motion pursuant to this Section.

44. Effect of Motion Under Consideration

When a motion is under consideration, no further motion may be made except a motion to

- (a) commit (refer to a committee),
- (b) postpone (defer) consideration of the motion,
- (c) amend the motion,
- (d) limit or extend debate on the motion,
- (e) table the motion,
- (f) put the motion to a vote, or
- (g) adjourn.

45. Motion to Table

A Director may make a motion to table a matter at any time unless a motion to adjourn has already been made. The Board may debate the timing of a motion to table, but may not debate the matter that is the subject of the motion to table.

46. Motion to Adjourn

A Director may make a motion to adjourn a Meeting at any time. The motion must be put to a vote at once without debate. If a motion to adjourn is defeated, no further motion to adjourn may be made unless some business or another matter intervenes between the defeat of the first motion to adjourn and the further motion.

47. Motion to Postpone (Defer) a Motion

A Director may make a motion to postpone or defer consideration of a motion until later in the same Meeting, to another Meeting or indefinitely. A motion to postpone until later in the same Meeting must be put to a vote without debate. A motion to postpone until another Meeting or indefinitely may be debated and, if that motion is passed, the motion postponed may not be considered again during that Meeting.

48. Inadmissible Motion

If the Chair considers that a motion is contrary to this Bylaw or the Act or the Charter, the

Chair must inform the Board at once and may refuse to put the question to the vote. The Chair must give reasons for any such refusal at once.

49. Recording and Reading of Motions

The Corporate Officer must record in the minutes the text of every motion. After a motion has been Moved and Seconded by another Director, it shall be deemed to be in possession of the Board, but may be withdrawn at any time by the vote of the majority of the members present before decision or amendment. A motion may not be withdrawn after it has been voted on by the Board.

50. Amendment of Motion

A Director may move to amend a motion being considered by the Board, but that Director may not move any further amendments to that motion. A Director may only move once to amend an amendment already moved. No motion to amend a motion may be made if the amendment negates the motion that would be amended. If any Director states that a proposed amendment to a motion would negate that motion, the Chair must at once rule whether that would be the case. That ruling may be appealed to the Board as if the ruling were on a point of order.

51. Effect of Motion to Amend

If a motion to amend a motion is

- (a) carried, the motion which has been amended is to be voted on as amended; or
- (b) defeated, the motion in respect of which the amendment was moved is to be voted on unamended.

A motion to amend must either be withdrawn or voted on before the main motion that would be amended may be voted on.

52. Question to be Put After Debate

The Chair must put every question to the vote immediately after debate on that question is closed.

53. Voting by Show of Hands

Directors must vote on every question put to a vote by raising his or her hand.

54. Recording of Votes

If a Director requests his or her vote on any question to be recorded the Corporate Officer will record in the minutes for the Meeting the name of the Director and the way in which the Director voted on the question.

55. Effect of Not Voting

If a Director who has not made a declaration under Section 100 of the Charter (conflict of interest) does not vote on any question, the Director is to be considered to have voted in the affirmative on the question and the vote must be recorded as such in the minutes.

- 55A. Notwithstanding 'section 54 Effect of Not Voting', once a Director has declared a Conflict of Interest pursuant to the *Local Government Act* and left the Meeting, the Chair shall provide time for the Director's Alternate Director to assume the Director's vacated seat, and shall recognize the Alternate Director during the discussion and voting on the related item(s) of business in the Director's absence. Once the item(s) have been considered, the Director shall be called back to the Meeting and the Alternate Director will vacate the Director's seat.

56. Reconsideration

- (a) Without limiting the authority of the Board to reconsider a matter under this section, the Board Chair may require the Board to reconsider and vote again on a matter that was the subject of a vote as set out under the provisions of the Act;
- (b) After a vote has been taken on any resolution, except one of tabling or postponing indefinitely a matter, a director who voted affirmatively for a resolution adopted by the Board may move a reconsideration of the resolution at the same or future regular or special meeting of the Board;
- (c) The Board must not discuss the main matter referred to in subsection (b) unless a resolution to reconsider that matter is adopted by a majority vote of directors. If the resolution to consider is successful, the matter shall be put before the Board for reconsideration and may be dealt with by the Board in the usual fashion;
- (d) A vote to reconsider must not be reconsidered;
- (e) The Board may only reconsider a matter that has not:
 - (i) had the approval or assent of the electors and been adopted,
 - (ii) been reconsidered under subsection (a), or
 - (iii) been acted on by an officer, employee, or agent of the Regional District.
- (f) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.
- (g) A bylaw, resolution, or proceeding that is reaffirmed under subsection (a) (Chair's reconsideration) is as valid and has the same effect as it had before reconsideration.

57. Notice of Motion

- (a) Any Director desiring to bring forward to the Board any new matter, other than a point of order or privilege, shall do so by way of a 'Notice of Motion' and the matter shall be dealt with as provided in this section.
- (b) A Director may give notice of motion to the Board during a meeting, at the discretion of the Chair. Once acknowledged by the Chair, a Director shall read the motion into the meeting and provide the Corporate Officer with a copy of such motion at the meeting. The Corporate Officer shall record the motion in the Minutes of the meeting as a Notice of Motion and shall add the motion to the agenda of the next Board meeting along with any background information identified; or
- (c) provide the Corporate Officer with a written copy of such motion, no later than 7 business days prior to the scheduled meeting and the Corporate Officer shall add the motion to the agenda for the said meeting under the 'Notice of Motion' section of the Board agenda.

PART 9 - ADOPTION OF BYLAWS**58. Proposing Bylaws**

The Board may not consider a proposed Bylaw for readings unless the Corporate Officer, or designate, has given a copy of it to each Director.

59. Adoption of Bylaws

A Bylaw has been enacted by the Board once:

- (a) all approvals, procedures and other requirements imposed by statute have been obtained, followed and fulfilled;
- (b) the Board has given first, second and third readings to the Bylaw by title only; and

- (c) the Board has adopted the Bylaw.

60. Readings and Adoption at One Meeting

Subject to this Bylaw and the *Act*, the Board may give any or all three readings of a Bylaw, and may adopt it, at one Meeting. As an exception, there must be at least one clear day between the third reading of the Bylaw adopting the Annual Financial Plan and the adoption of that Bylaw.

61. Description of Steps in Every Bylaw

In every Bylaw that is enacted by the Board, the Corporate Officer must set out the dates on which:

- (a) the readings and the adoption of the Bylaw occurred, and
- (b) all approvals, procedures and other requirements imposed by Provincial statute were obtained, followed or fulfilled, such as
 - i) the assent of the electors,
 - ii) a two-thirds (2/3) majority vote or unanimous vote of the Board, as the case may be,
 - iii) a Public Hearing, or
 - iv) receipt by the Board of a petition for the Bylaw.

62. Signature of Bylaws

Every Bylaw enacted by the Board must be signed by the Chair and the Corporate Officer. It is required that the Corporate Seal be affixed to bylaws.

PART 10 - INAUGURAL MEETING

63. Inaugural Meeting

Following a general local election, the first Board meeting must be held within the first 10 days of November in the year of the election.

PART 11 - ELECTION OF CHAIR AND VICE-CHAIR

64. CAO to Preside Over Election

- (a) At the first meeting held after November 1 in each year, the Board must elect a Chair and a Vice-Chair. The Vice-Chair has, during the absence, illness or other disability of the Chair, all the powers of the Chair and is subject to all rules applicable to the Chair. If the Chair and the Vice-Chair are not present at the meeting, the Directors present may elect an acting chair who, during the meeting, has all the powers of the Chair and is subject to all rules applicable to the Chair. Each Director present has one vote in each election for office.
- (b) The CAO is to preside from the Chair over the election of the Chair and Vice Chair. The CAO has all the powers and duties of the Chair under this Bylaw and the *Act* to the extent necessary to conduct the election.

65. Statements by Candidates

Each candidate for election as Chair or Vice Chair may make a statement of not more than two minutes duration before each election.

66. Secret Vote

The election of the Chair and the Vice Chair must be by a secret ballot of the Directors, whose votes are to be recorded on ballot papers prepared and distributed for that purpose by the CAO or designate.

67. Determination of Winner

The winner of an election is to be determined by the CAO in accordance with the following rules:

- (a) Where there are two candidates for a position, the candidate who receives the most votes is the winner of the election.
- (b) Where there are more than two candidates for a position, the candidate who receives more votes than all of the other candidates together is the winner.
- (c) Subject to rule (d) below, where there are more than two candidates for a position and no candidate receives more votes than all of the other candidates together, the candidate who received the least votes is eliminated and another vote is to be held. Voting is to continue as provided in these rules until one candidate receives more votes than all of the other candidates together.
- (d) 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 for the least number of votes, the CAO must toss a coin and the loser of that toss is eliminated as if he or she alone had received the least number of votes. Voting is then to continue as provided in these rules.

68. CAO to Declare and Record Winner

The CAO must declare the winner of an election by announcing it to the Meeting. The Corporate Officer must record the winner of the election in the minutes for the Meeting at which the election is held.

69. Destruction of Ballots

By unanimous resolution of the Board, the CAO or designate must destroy the ballots cast in an election.

70. Powers and Duties of Board Chair

- (a) The Board Chair is the head and chief executive officer of the Regional District and has the duties as set out in the Act and Charter.
- (b) The Board Chair shall determine the seating arrangements around the meeting table.

PART 12 - COMMITTEES**71. Creation of Standing Committees**

The Chair may appoint standing Committees for any purpose. The Chair may appoint persons who are not Directors to a standing Committee, but every standing Committee must have at least one member who is a Director. Committee appointments shall be ratified by Board resolution. Procedures of the Board apply to all Committees unless otherwise provided for in this or other Board adopted bylaw, or committee terms of reference that have been adopted by the Board.

72. Committee of the Whole

Committee of the Whole Terms of Reference:

- (a) The provisions of the Board's Procedure Bylaw apply to the Committee of the Whole (COW).
- (b) Topics that may be considered by the COW include but are not limited to:
 - i. Issues needing additional understanding;
 - ii. Issues needing understanding and consideration of multiple options; and
 - iii. Issues with multiple issues / concerns.
- (c) The COW meeting Chair shall be the Board Chair, or designate.
- (d) Discussion shall be directed through the Chair in a round table format that includes all Directors, staff and invited guests.
- (e) Guests may participate in open discussion with the COW until such time as they are dismissed from the table or discussion on that agenda item has concluded.
- (f) Minutes of the COW will be included in regular Board meeting agendas under the Adoption of Minutes section.
- (g) A staff report bringing forward COW recommendations for the Regional District Board's consideration, will be brought forward on an agenda of a regularly scheduled Regional District Board meeting.
- (h) COW recommendations are not decisions of the Board and no actions can be taken on any recommendation until a formal Board resolution endorsing same has been passed.
- (i) COW recommendations are available for debate and subject to change by the Board at the time of formal consideration.

73. Creation of Select Committees

The Board may by resolution create a select Committee of Directors to consider or inquire into any matter and to report its findings and opinion to the Board.

74. Election of Chair and Vice Chair

Every standing Committee and every select Committee must elect a Chair and Vice Chair.

75. Attendance at Select Committee Meetings

Any Director may attend a Meeting of any select Committee and may participate in any debate if the select Committee so resolves.

76. Quorum of Select Committees

At least one-half of the Directors appointed to a select Committee constitutes a quorum of that select Committee.

77. Meetings of Select Committees

The first Meeting of a select Committee after its creation must be held on the date and at the time and location specified in the Board resolution creating the select Committee or, if no such resolution is made, by further resolution of the Board. Every Meeting of a select Committee after its first Meeting is to be held at the date, time and location specified by resolution of the select Committee.

78. Reporting to Board by Select Committees

A select Committee may report to the Board at any Regular Meeting. A select Committee must report to the Board when directed by resolution of the Board.

79. Chair an Ex Officio Member of All Committees

The Chair is a member of all standing Committees and all select Committees by virtue of the office of Chair and is entitled to vote.

80. Witnesses Before Board and Committees

The Board, a standing Committee or a select Committee has the same power, under the signature of the Chair and the seal of the Regional District, to

- (a) summon witnesses for examination on oath about matters concerning administration of the Regional District;
- (b) enforce the attendance of witnesses; and
- (c) compel them to give evidence;

as is vested in the Supreme Court of British Columbia in civil cases. A Director or a member of a standing Committee may administer the oath to a witness in accordance with the Evidence Act. A witness may be examined, cross-examined and re-examined according to the rules and practice of the Supreme Court of British Columbia in civil cases.

81. Director's Address for Notices

Every Director must give the Corporate Officer written notice of the address, including e-mail address, to which all notices and other communications are to be **sent by the Corporate Officer, or designate, for the purposes of this Bylaw and** otherwise. Any notice or other communication which is sent to a Director at either of those addresses is considered to have been given validly if it is sent by mail, e-mail or otherwise delivered to those addresses. If a Director changes either address to which notices and other communications are to be sent, the Director must promptly give written notice to the Corporate Officer, or designate, of the particular new address(es) to which notices and other communications are to be sent.

PART 13 - PUBLIC HEARINGS

82. Public Hearings

After the Board has conducted a Statutory Public Hearing, a Bylaw that was the subject of the Public Hearing must be referred without debate to a Regular Meeting for a vote at its next reading. Following the close of a Public Hearing, no further submissions or comments from the public may be accepted by members of the Board.

83. Repeal of Existing Bylaw

Peace River Regional District Procedure Bylaw No. 1633, 2006 is hereby repealed.

READ A FIRST TIME this 11th day of December, 2015.

READ A SECOND TIME this 11th day of December, 2015.

READ A THIRD TIME this 11th day of December, 2015.

ADOPTED this 14th day of January, 2016.

(corporate seal affixed)

Original signed by

Brad Sperling, Vice-Chair

Original signed by

Joanne Frank, Corporate Officer

I hereby certify this to be a true and correct copy of
"Board Procedure Bylaw No. 2200, 2015" as adopted
by the Peace River Regional District Board
on _____, 20____.

Corporate Officer