



DIRECTORS' NOTICE OF NEW BUSINESS

To: Chair and Directors

Date: March 18, 2020

From: Director Goodings, Electoral Area 'B'

Subject: Board Procedure Bylaw No. 2200, 2015

PURPOSE / ISSUE:

Section 36 (d) of Board Procedure Bylaw No. 2200, 2015 states that:

"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."

I wish to see an amendment to Board Procedure Bylaw No. 2200, 2015 that would allow the public an opportunity to participate in Regional Board Meeting – Gallery Comments and speak to meeting agenda items regarding land use, even though the land use may be the subject of a future public hearing.

RECOMMENDATION / ACTION: *[Corporate Unweighted]*

That the Regional Board discuss recent amendments to Board Procedure Bylaw No. 2200, 2015.

BACKGROUND/RATIONALE:

Allowing the public to participate in Regional Board – Gallery Comments and speak to meeting agenda items regarding land use would offer the public an additional opportunity to provide comment should they be unable to attend an upcoming Public Hearing. The Regional Board would have the opportunity to consider live comments offered by the public, as well as the written staff report and comments from the Electoral Area Director who may attend a future Public Hearing. It is to the benefit of all that, prior to a Public Hearing, the public has an additional opportunity to provide comment and that Regional Board Directors, who may not attend the Public Hearing, have the opportunity to hear the voice of the public.

Attachments:

1. December 2, 2019 report from the Corporate Officer titled 'Board Procedure Bylaw Amendment'

Director: *Karen Goodings*

Acknowledged for Agenda by CAO: *[Signature]*



REPORT

To: Chair and Directors

Date: December 2, 2019

From: Tyra Henderson, Corporate Officer

Subject: Board Procedure Bylaw Amendment

RECOMMENDATION #1: [Corporate – Unweighted]

That the Regional Board give first three readings to Board Procedure Bylaw Amendment No. 2395, 2019, which provides flexibility around scheduling and hearing delegations, provides for electronic participation in Special Meetings for any reason, and prohibits delegations of a commercial nature and delegations regarding land use decisions that may be the subject of a public hearing.

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

That the Regional Board adopt Board Procedure Bylaw Amendment No. 2395, 2019.

BACKGROUND/RATIONALE:

Earlier this year, the Board determined that the current language in the Procedure Bylaw governing scheduling of delegations was too restrictive. Published agendas and instructions to delegate attendees include specific times that a delegation can be heard, which is staff's best guess as to timing and completion of other items. In an effort to ensure that any member of the public who may be travelling to the meeting actually gets to listen to delegations, the Board has observed those scheduled delegation times, even if the delegation is in attendance early and the meeting flow allows for earlier (or later) reception of the delegation.

By deleting the restriction on having delegations appear within the first thirty minutes of the meeting, and deleting the requirement for a half hour break between delegations, as proposed in the draft bylaw, staff will instead rely on Section 20 of the Bylaw which states that delegations are received immediately following the preliminary items: adoption of the agenda, Gallery Questions and Comments, adoption of prior meeting minutes, and business arising. Most often these initial agenda items take only a few minutes, and therefore, staff will instruct all delegations to arrive at 10 am. Delegations will be received one after the other, in the order they are listed on the agenda, which will not include a specific time for each delegation. Section 24 d)i) states that each delegation is limited to 15 minutes, so the third delegation may not actually be invited to address the Board until 10:30 am. The Schedule of Days events will state that delegations are heard at 10 am. So long as the Board does not hear delegations before this time, which is impossible, as the meeting does not start until 10 am, members of the public will not miss a presentation that they travelled to the meeting for.

In April, the Board discussed at some length the unauthorized use of email polls to provide direction to staff, and subsequent ratification of decisions being made at a subsequent Board meeting. This practice is

Staff Initials:

Dept. Head:

CAO:

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not provided for in legislation, unless a local government is named in the Electronic Meetings Regulation, which the Board determined was not desired. Directors confirmed that actual attendance at Board meetings is preferred in most circumstances, to allow for discussion amongst all members prior to making decisions. Instead, the Board requested a relaxation of the restriction on electronic participation in meetings (phone, videoconferencing) beyond the current permitted reasons of being ill or unable to travel due to weather/road conditions, **for special meetings only**.

RD/19/04/24 That the Regional Board provide direction to staff to amend Section 15 of PRRD Board Procedure Bylaw 2200, 2015 to allow for electronic participation in meetings by Directors unable to attend a meeting for any reason, for Special Meetings only.

This change to the bylaw will give the Board the option, if a Special Meeting is called on short notice, to include those Directors unable to attend, **for any reason**, in the Special Meeting. This provision will still be subject to the “not more than five Directors, nor the Chair” being permitted to participate via phone or video conferencing.

An additional change proposed in this bylaw is a restriction on public comments or delegations during a Board meeting for any land use decisions that could be the subject of a public hearing. The Procedure Bylaw, in Part 7, Clause 36d) and Part 13, Clause 82, currently prohibits the public from speaking during ‘Gallery Comments and Questions’ on any matter that **has been** the subject of a public hearing. The proposed amendment to Part 5, Clause 24 b) Delegations, will further prohibit the public from appearing as a delegation if the topic they wish to discuss is a land use decision that may **at a future date**, be the subject of a public hearing, to ensure that all information is heard at the statutory public hearing. This preserves procedural fairness, due to the limit of three delegations per meeting, and the limit of 15 minutes for gallery comments or questions. If all three delegation time slots were full, a proponent could be granted a delegation time slot, and the “opposition” would be denied the opportunity to speak. Similarly, though the 15 minutes for gallery comments and questions is not typically exhausted, a group of supporters could get up one by one, each for two minutes, and use up the entire fifteen minute time slot before a single person with a different opinion had the chance to speak. There are no restrictions on speaking time at a public hearing, and this is where all public comments regarding a land use decision should be directed.

Denying gallery comments or questions on any land use decision, either before or after a public hearing, will give the Board a chance to review the facts of the proposal against the planning guideline documents, such as the OCP, and to first determine whether they wish to entertain a land use decision (ie: zoning bylaw) prior to hearing representations either for or against the proposal.

Finally, staff propose that any delegation that proposes to promote a business interest or further a commercial entity not be entertained at the Board table.

Until late October, staff believed that there were potential changes to the legislation governing procedure bylaws being considered by the Province. Instead, at the annual Corporate Officer’s Forum, the concept of a procedure bylaw best practices guide was introduced and it was announced that a draft/template Procedure Bylaw would be circulated to all local governments for comment. To date no template bylaw has been received, therefore, staff drafted an amendment bylaw incorporating the amendments specifically requested by the Board, rather than continue to wait for possible additional suggested amendments through the collaborative work of corporate officers across the province. The Bylaw can be amended again

should additional changes be identified, and at that time, housekeeping changes, such as gender neutral language, and improved numbering of paragraphs for easier reference will be proposed by staff.

ALTERNATIVE OPTIONS:

1. That the Board reject some or all of the proposed amendments to the Board Procedure Bylaw.
2. That the Board request additional amendments to the Board Procedure Amendment Bylaw be brought forward for consideration.
3. That the Board provide further direction.

STRATEGIC PLAN RELEVANCE:

- ☒ Not Applicable to Strategic Plan.

FINANCIAL CONSIDERATION(S):**COMMUNICATIONS CONSIDERATION(S):****OTHER CONSIDERATION(S):**

Attachments:

1. Draft Board Procedure Bylaw Amendment No. 2395, 2019
2. Draft Consolidated Procedure Bylaw showing proposed changes in yellow highlight
3. Board motions requesting bylaw changes

PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2395, 2019

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

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 flexibility of scheduling of delegations, and to allow for expanded options for electronic participation in special meetings, and to restrict comments on land use proposals and decision to public hearings;

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. 2395, 2019."
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. **PART 4, -OTHER GENERAL MEETING PROCEDURES** is amended as follows:

Section 15 – Electronic Meetings

- 3.1 In paragraph three of this section, insert the word Regular before the word Board, to read as follows:

"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."

- 3.2 Insert new paragraph below between paragraph three and four of this section to read as follows:

"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."

4. **PART 5, PROCEDURE FOR MEETINGS** is amended as follows:

Section 20 – Order of Business at Regular Meetings

- 4.1 **Clause e)** is amended by deleting the phrase "other than those delegations requested by the Board"

Section 24 Petitions and Delegations

4.2 Clause 24c) is amended by inserting a new sentence at the end of this clause to read as follows:

“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.

4.3 Clause 24 d) ii is amended by deleting the first two sentences “No delegation or personal appearance shall be scheduled within the first thirty minutes of the start of the meeting. There shall be one half hour time separation between each scheduled delegation.”

5. PART 7 POINTS OF ORDER AND PRIVILEGE**Section 36, Gallery Comments or Questions**

5.1 Clause 36d) is amended by adding the following new sentence at the end of the paragraph:

“Additionally, to preserve procedural fairness and direct all comments 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.”

READ A FIRST TIME THIS _____ day of _____ , 2019.

READ A SECOND TIME THIS _____ day of _____ , 2019.

READ A THIRD TIME THIS _____ day of _____ , 2019.

ADOPTED THIS _____ day of _____ , 2019.

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. 2395, 2019", as adopted by the Peace River
Regional District Board on _____, 2019.

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.

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;

"**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.

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 facilities.

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.

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 ~~other than those delegations requested by the Board;~~
- (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 order business 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;
- (l) notices of motion;
- (m) at the Board's discretion, questions from the media on agenda items or business conducted at the Meeting, and
- (n) 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) ~~no delegation or personal appearance shall be scheduled within the first thirty minutes of the start of a Meeting. There shall be a one half hour time separation between each scheduled delegation.~~ 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 proposals or 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)

Chair

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

Board Procedure Bylaw No. 2200, 2015

RD/19/02/18 (28) That Board Procedure Bylaw No. 2200, 2015 be amended to allow flexibility around scheduling and receiving delegations.

Special (Electronic) Voting & Electronic Participation in Meetings

RD/19/04/22 That the Regional Board provide direction to staff regarding whether or not they would like authority for special (electronic) voting included in the Board Procedure Bylaw; further, that said direction be not to include authority for special (electronic) voting in the Board Procedure Bylaw

RD/19/04/24 That the Regional Board provide direction to staff to amend Section 15 of PRRD Board Procedure Bylaw 2200, 2015 to allow for electronic participation in meetings by Directors unable to attend a meeting for any reason, for Special Meetings only.

Previously presented at the
December 13, 2019 Board Meeting