

SUNSHINE COAST REGIONAL DISTRICT

Bylaw No. 717

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

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The Board of the Sunshine Coast Regional District in open meeting assembled, enacts as follows:

PART 1 – INTRODUCTION

1. Citation

This bylaw may be cited as the *Sunshine Coast Regional District Board Procedures Bylaw No. 717, 2018*.

2. Definitions

In this bylaw:

“**Act**” means the *Local Government Act*;

“**Board**” means the Board of the Sunshine Coast Regional District;

“**Board Chair**” means the member of the Board elected as Chair pursuant to section 215 of the Act;

“**Chair**” means the person presiding at a meeting of the Board, of a committee of the Board, or the person appointed as Chair of a Standing or Select Committee of the Board, as the context requires;

“**Charter**” means the *Community Charter*;

“**Committee**” means a committee of the Board, but does not include the Committee of the Whole;

“**Committee of the Whole**” means all the members of the Board present at a meeting sitting in committee;

“**Corporate Officer**” means the officer of the Regional District assigned the responsibility of corporate administration pursuant to section 236 of the Act;

“**Delegation**” means an individual or organization that has requested or been invited to address the Board, or a committee about a specific issue;

“**Holiday**” has the same meaning as prescribed by the *Interpretation Act*;

“**Meeting**” means a meeting of the Board, unless the context directs otherwise;

“**Member**” means a member of the Board, whether a municipal director or an electoral area director, and includes their alternates when acting in the place of a director.

“**Public Notice Posting Place**” means the notice board in the lobby of the Regional District’s Administration office.

“**Regional District**” means the Sunshine Coast Regional District;

“**Regional District’s Administration office**” means the Regional District offices located at 1975 Field Road, Sechelt, British Columbia;

“**Special Meeting**” means a Board meeting other than a regular meeting or an adjourned meeting.

3. Application of Rules of Procedure

- (1) The provisions of this bylaw govern the proceedings of the Board and all Standing and Select Committees of the Board, as applicable.
- (2) In cases not provided for under this Bylaw, the most recent edition of The Newly Revised Robert’s Rules of Order applies to the proceedings of the Board and all Standing and Select Committees of the Board to the extent that those rules are applicable and not inconsistent with provisions of this Bylaw, the Act or the Charter.
- (3) Where a conflict between this bylaw and the Act arises, the Act will apply.

PART 2 - BOARD MEETINGS

4. Time and Location of Meetings

- (1) Regular meetings of the Board must take place at the Regional District’s Administration office except as the Board may otherwise decide from time to time, by resolution.
- (2) Regular meetings of the Board will be held on the second and fourth Thursday of each month commencing at 1:30 p.m. except as the Board may otherwise decide, from time to time, by resolution. In the event that the date of a Regular meeting falls on a Holiday, the meeting may be cancelled or rescheduled by Board resolution.
- (3) Regular meetings of the Board must be adjourned no later than three (3) hours from the scheduled time to call to order, unless otherwise determined by a two-thirds vote of the Members present.

5. Notice of Regular Meetings

- (1) No later than the last Board meeting in November, the Corporate Officer must prepare an annual schedule of regular Board, Standing Committee and Select Committee

meetings including the dates, time and place of meetings, and must make the schedule of meetings available to the public by posting it at the Public Notice Posting Place.

- (2) The Corporate Officer must give further public notice of the meeting by:
 - (a) posting a copy of the agenda outline to the Public Notice Posting Place;
 - (b) posting a copy of the agenda on the Regional District's website, unless prevented due to technical issues.
- (3) Where revisions are necessary to the annual schedule of regular meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Place which indicates any revisions to the date, time, and place or cancellation of a regular meeting.

6. Notice of Special Meetings

- (1) Except where notice of a special meeting is waived by a unanimous vote of all Board Members under section 220(3) of the Act, the Corporate Officer must:
 - (a) give advance public notice of the time, place and date of the meeting by way of a notice posted to the Public Notice Posting Place; and
 - (b) give notice of the special meeting in accordance with section 220(2) of the Act.
- (2) Where a special meeting is called and where notice may be waived by a unanimous vote under section 220(3) of the Act, the Corporate Officer must use reasonable efforts to give advance public notice of the proposed special meeting by posting a notice of the proposed meeting to the Public Notice Posting Place.

7. Inaugural Meeting

- (1) The Inaugural meeting will be held at the first meeting of the Board after November 1 in each year.
- (2) The Corporate Officer will preside at the inaugural meeting until such time as the Chair has been elected.

8. Election of Chair and Vice Chair

- (1) At each Inaugural meeting the Corporate Officer will call for nominations for Chair and will conduct a vote by secret ballot in which the Member receiving the majority of votes of those Members present will be elected Chair. Each Member present will have one vote. If only one candidate is nominated, that candidate will be declared elected by acclamation.
- (2) The Corporate Officer will call for nominations three (3) times. Nominations need not be seconded but a candidate must consent to the nomination.

- (3) A Member who is absent from the meeting may be nominated provided that their written consent to the nomination has been delivered to the Corporate Officer prior to the meeting.
- (4) At the close of nominations, if more than one candidate has been nominated, each candidate will be given a maximum of three (3) minutes to address the Board in favour of his/her candidacy in the order of his/her nomination.
- (5) In the case of an election by voting, ballots will be collected by the Corporate Officer or designate and counted together with the Chief Administrative Officer or designate. The outcome of the ballot count will be announced to the Board by the Corporate Officer and the candidate receiving the majority of votes of those Members present will be declared elected.
- (6) The number of votes received by each candidate will not be disclosed to the Board unless a resolution requiring the disclosure is passed.
- (7) Once a candidate has been declared elected, the Corporate Officer must destroy the ballots.
- (8) In the event of a tie vote between two or more candidates, voting will be repeated with all names on the ballot unless a candidate withdraws, until a candidate with a majority of votes emerges. In the event of two (2) tie votes, each candidate will be given an additional opportunity of up to five (5) minutes to address the Board in favour of his/her candidacy in the order of his/her nomination. In the event of a third tie vote, the Board must pass a resolution to either determine the election of the Chair by the drawing of lots or further repeating the voting to break the tie until a candidate with a majority of votes emerges.
- (9) The newly elected or acclaimed Chair will preside over the election process for the Vice-Chair of the Board and must follow the same procedures set out for the election of the Chair. The Vice-Chair has, during the absence, illness or other disability of the Chair, all the powers of the Chair conferred by the Act and is subject to all the rules applicable to the Chair.

9. Quorum and Opening Procedures

- (1) The quorum for a meeting of the Board will be a majority of all Members.
- (2) At the scheduled time for commencement of the meeting, the Chair will determine that a quorum is present before proceeding to the business of the meeting.
- (3) If the Chair is not in attendance within fifteen (15) minutes after the scheduled time for a meeting, the Vice-Chair must take the Chair and call the Members to order, or if the Vice-Chair is absent, the Corporate Officer must call the Members to order and, if a quorum is present, the Members must appoint an acting Chair who will preside during the meeting or until the arrival of the Chair or Vice-Chair. A person appointed as acting Chair has all the authority and is subject to the same rules as the Chair.

- (4) If there is no quorum present within thirty (30) minutes after the time scheduled for a meeting, the Corporate Officer will record in the minute book the names of the Members present and the meeting will stand adjourned until the next day of meeting or until another meeting has been called in accordance with this bylaw.

PART 3 - BOARD PROCEEDINGS

10. Agenda

- (1) The Corporate Officer will prepare an agenda before every regular meeting of the Board, approved by the Chief Administrative Officer or the Chief Administrative Officer's designate, setting out all items for consideration at that meeting and will circulate a copy to each Member at least three (3) days before the meeting.
- (2) At a meeting, other than a regular meeting
 - (a) the agenda will be governed by the specific purpose or purposes for which the special meeting was called; and
 - (b) the order of business will proceed according to the Order of Proceedings and Business set out in section 11 of this bylaw whenever possible.

11. Order of Proceedings and Business

- (1) The order of business at all Regular Board meetings of the Regional District will be as follows:
 - (a) Call to Order;
 - (b) Adoption of Agenda;
 - (c) Adoption of Minutes of Board Meetings;
 - (d) Business arising from the Minutes and Unfinished Business;
 - (e) Presentations and Delegations;
 - (f) Reports (including the following)
 - i. Committee Recommendations
 - ii. Staff Reports
 - iii. Chief Administrative Officer's Report
 - (g) Communications;
 - (h) Motions for Which Notice Has Been Given;
 - (i) Bylaws;
 - (j) Directors' Reports
 - (k) New Business;
 - (l) In Camera;
 - (m) Adjournment.
- (2) The order of business may be modified at any Regular Board meeting at the discretion of the Chair or by a two-thirds vote of the Members present.

12. Delegations

- (1) Requests to appear before a regular meeting of the Board or a Committee of the Board must be addressed to the Corporate Officer and received in writing two weeks before the meeting. The request must specify the names of persons wishing to speak to the Board, the subject matter, and must identify any action that may be requested of the Board.
- (2) Notwithstanding section 12(1), the Chair may grant a delegation not listed on the agenda an opportunity to be heard on a subject matter related to an agenda item provided the Chair is satisfied that circumstances prevented the delegation from giving advance notice of their request to appear before the Board or Committee.
- (3) A delegation must appoint a speaker, or at the discretion of the Board, more than one speaker. A delegation will be limited to a maximum of ten (10) minutes to present, unless agreed to by a two-thirds vote of those Members present.
- (4) Delegations from invited parties, senior government staff or related agencies from outside the Sunshine Coast may:
 - (a) have the ten (10) minute maximum time limit extended;
 - (b) have a special meeting arranged for the sole purpose of receiving the presentation;
 - (c) have the delegation limit for that particular meeting reduced to one.
- (5) The Chair may deny a delegation the right to address the Board or a Committee if in the Chair's opinion, the delegation is acting in an improper, disruptive or disrespectful manner.

13. Attendance of Public at Meetings

- (1) Except where the provisions of section 90 of the Charter apply, all Board meetings must be open to the public.
- (2) 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 section 90 of the Charter.
- (3) This section applies to all meetings of the bodies referred to in section 93 of the Charter, including without limitation:
 - (a) Commissions;
 - (b) Advisory Committees;
 - (c) Board of Variance;
 - (d) Parcel Tax Roll Review Panel;
 - (e) Standing and Select Committees;
 - (f) Committee of the Whole.

- (4) Despite section 13(1), the Chair may expel or exclude a person from a Board meeting or meeting of a body referred to in section 13(3) of this bylaw in accordance with section 226(1)(b) of the Act.

14. Closed Meetings

- (1) A Member must not disclose the proceedings of a closed meeting to the public unless a resolution has been passed to allow disclosure.
- (2) In accordance with Section 117 of the Charter and 205 of the Act, Members must keep in confidence any record or other matter held in confidence by the Board, unless specifically authorized by a resolution of the Board.
- (3) As soon as practicable, the Corporate Officer must review and determine whether to seek a Board resolution for the release of closed minutes and related information that would no longer undermine the reason for discussing it in a closed meeting.
- (4) Board Members, or Alternate Directors sitting in a Board Member's absence, are the only persons permitted to participate in discussion at a closed meeting unless otherwise approved by a majority of the Board Members present.

15. Minutes

- (1) Minutes of the proceedings of the Board must be:
 - (a) legibly recorded in the format established by the Corporate Officer;
 - (b) certified as correct by the Corporate Officer, and
 - (c) signed by the Chair or the person presiding at such meeting or at the next meeting at which they are adopted.
- (2) Minutes of a Board Committee meeting must be legibly recorded in the format established by the Corporate Officer and signed by the Chair or other Member presiding at the meeting.

16. Participation in Meetings Electronically

- (1) While it is preferable for Members to attend in person, Members may participate in a Board or Committee meeting by means of electronic or other communication facilities if the Member is unable to be present at the meeting location for reasons pertaining to absence from the Regional District, health reasons or poor travel conditions.
- (2) A Member participating in a meeting under this section is deemed to be present at the meeting.
- (3) Meetings may be conducted by either audio only or a combination of audio and visual means but must be conducted in a manner which allows the public to hear, or watch and hear the proceedings unless the meeting is closed to the public under the authority of section 90 of the Charter.

- (4) The Member presiding over a meeting must be physically present. In the event the designated Chair opts to participate electronically, the Vice Chair must assume the chair. In the absence of the Vice Chair, the Members present must elect a presiding Member for that meeting.
- (5) A quorum of the Board must be physically present in the designated meeting location identified in the public notice.
- (6) A Member participating by audio means only must indicate their vote verbally.
- (7) If any portion of the meeting is closed to the public under the authority of section 90 of the Charter, the Member who is requesting to participate electronically must state that they have assured adequate privacy for the closed portion of the meeting.
- (8) Although the Regional District will make every effort to accommodate electronic participation in meetings as required, nothing in this bylaw will be construed to guarantee any Member electronic access to a Regional District meeting. Electronic participation in meetings will be restricted by equipment capacity.

17. Chair and Presiding Officers

- (1) The Chair, if present, will preside at meetings of the Board and preserve order and decorum and rule on all points of order. The ruling of the Chair is subject to an appeal to the Board without debate.
- (2) The preservation of order at meetings and appeals from rulings on points of order are governed by section 226(3) of the Act.
- (3) The Vice Chair will preside in the absence of the Chair or when the Chair vacates the chair.
- (4) In the event that neither the Chair nor the Vice Chair is present, the Members present must elect a presiding Member for that meeting.

18. Debate and Conduct

- (1) No Member, staff person or other person may speak until recognized by the Chair.
- (2) Every Member must address the Chair before speaking to any question or motion.
- (3) Members will address the Chair as "Chair _____" and will refer to each other as "Director _____".
- (4) Members speaking at a Board meeting must:
 - (a) use respectful and courteous language;
 - (b) not use offensive gestures or signs, or make a disturbance;
 - (b) not leave the Member's seat or make any noise or disturbance while a vote is being taken and until the result is declared;

- (c) not interrupt another Member who is speaking, except to raise a point of order;
 - (d) adhere to the rules of the Board and must not resist a decision of the Board or Chair on questions of order or practice or interpretation of the rules of the Board.
- (5) A Member's interaction with staff, the public and other Members must be respectful at all times.
- (6) If the Chair considers that a Member is acting contrary to sections 18(4) or (5), or is otherwise acting improperly, the Chair may order the Member to leave the meeting, and on refusing to do so may, on the order of the Chair, be removed from the meeting by a peace officer.
- (7) If a Member offending sections 18(4) and (5) apologizes to the Board, the Board may, by majority vote, permit the Member to immediately resume the Member's seat.
- (8) A Member who has made a substantive motion to the Board will be allowed a reply.
- (9) A Member may speak to a question, or speak in reply, for no longer than five (5) minutes unless approved by a majority vote of members present.
- (10) Once a question is called by the Chair, no Member may speak to the question, or make any other motion until after the result of the vote has been declared. The decision of the Chair to call the question is conclusive.

19. Motions

- (1) Motions must be worded in affirmative terms.
- (2) A motion that has been seconded will be read by the Chair or Corporate Officer before debate, if requested.
- (3) Amendments to a motion must be decided upon before the main question is put to a vote.
- (4) Only one amendment will be allowed to an amendment. Amendments must be voted on in the reverse order to that in which they are moved.
- (5) A motion to commit the subject matter to a Committee, until it is decided, will preclude all amendments of the main question.
- (6) Any Member may bring before the Board any new matter, other than a point of order or privilege, by way of a written motion; provided however, that any new matter of major import, which may require further information than could or would normally be available to the Board at such meeting, may be referred to a Board Committee agenda by the Chair, or may be ruled by the Chair as a notice of motion and will be dealt with as provided by section 19(7).
- (7) Any Member may give notice of a motion to the Board by:
 - (a) providing the Corporate Officer with a written copy of such motion during a meeting of the Board and the Corporate Officer must, upon the Member being

acknowledged by the Chair and the notice of motion being read to the meeting, include it in the minutes of that meeting as notice of motion and must add the motion to the next regular Board meeting, or to the agenda of a special Board meeting scheduled for that purpose; or

- (b) providing the Corporate Officer with a written copy of such motion, no later than seven (7) working days prior to the scheduled meeting, and the Corporate Officer must add the motion to the agenda for said meeting.

20. Reconsideration of an Adopted Bylaw, Resolution or Proceeding

- (1) The Chair may require Board reconsideration of a matter in accordance with section 217 of the Act and section 131 of the Charter.
- (2) Without limiting the authority of the Chair to reconsider a matter, and subject to section 20(4), any Member, other than the Chair, may propose Board reconsideration of a matter after a vote has been taken on a motion if the Member voted in the majority and reconsideration of the motion is moved at the same meeting.
- (3) A motion to reconsider requires two-thirds of the votes cast by the Board to pass. If the motion to reconsider is passed, the matter must be put before those eligible to vote on the original motion for reconsideration and voted upon in accordance with the Act.
- (4) A matter may not be reconsidered if the matter has:
 - (a) been acted upon by any officer, employee or agent of the Regional District;
 - (b) had the approval or assent of electors and been adopted;
 - (b) been reconsidered under the Act or section 20(2) of this bylaw.

21. Voting

- (1) Voting rules will be in accordance with the Act.
- (2) The Chair or presiding officer must vote at the same time as the other Members.
- (3) All votes pertaining to Board or Committee business must be taken by a show of hands of all Members, unless otherwise required under Section 16, and the Chair must declare the motion carried or defeated as the case may be.
- (4) A Member who is present at the meeting and who abstains from voting or does not indicate their vote on the question by raising their hand will be deemed to have voted in the affirmative.
- (5) On any question where the number of votes are equal, the question is defeated.
- (6) The names of those who vote for and those who vote against the question will be recorded in the minutes whenever a Member calls for a recorded vote, and in cases required by law.

- (7) When the question under consideration contains distinct propositions, a separate vote on each proposition must be taken if requested by a Member who is entitled to vote on the question.

PART 4 – RESOLUTIONS AND BYLAWS

22. Resolutions

- (1) A resolution may be introduced at a Board meeting by a Member in accordance with section 19 of this Bylaw.
- (2) The Chair or other Member at a Board or Committee meeting may require a Member introducing a lengthy motion to provide the resolution in writing to the Corporate Officer.

23. Bylaws

- (1) No bylaw will be adopted until it has been read three times.
- (2) The title of the bylaw will be read by the Chair or Corporate Officer at each reading of the bylaw, unless a majority of the Members require that it be read in full.
- (3) Where the Act requires that a public hearing be held it must be held after first reading and before third reading of the bylaw.
- (4) A bylaw may be adopted at the same meeting at which it has passed third reading, by or through a motion carried in accordance with section 228 of the Act.
- (5) A Member may request that the whole or any part of the bylaw be read again before the motion for adoption is called.
- (6) If a bylaw requires statutory approval, consent or assent, it must not be adopted until the approval, consent or assent has been obtained, unless the applicable statute or the Letters Patent provide otherwise.
- (7) The Corporate Officer is authorized to correct any typographical error that may not have been corrected at the time of submission to the Board and the bylaw will have the same status as if the Board had corrected the same.
- (8) A copy of every adopted bylaw must be signed by the Chair and the Corporate Officer and be placed, by the Corporate Officer, in the Regional District's records for safekeeping, having endorsed upon it:
 - (a) the Regional District's corporate seal;
 - (b) the dates of its readings and adoption; and,
 - (c) the date of any ministerial approval or approval of the electorate if applicable.

PART 5 – COMMITTEES

24. Establishment of Committees

- (1) Select and Standing Committees may be established in accordance with section 218 of the Act.
- (2) The Board Chair may establish Standing Committees for matters the Chair considers would be better dealt with by committee and may appoint members to those Committees.
- (3) The Board may appoint Select Committees to consider or inquire into any matter and report its finding and opinions to the Board.
- (4) The Board may establish Advisory Committees to provide advice and recommendations to the Board, or to a Board Standing Committee, on matters determined to be within Board approved Terms of Reference.

25. Notice of Committee Meetings

- (1) Notice of Standing and Select Committee meetings will be provided in accordance with Notice of Regular meetings (section 5) and Notice of Special meetings (section 6) of this bylaw.
- (2) Notice of Advisory Committee meetings will be provided by way of a notice posted at the Public Notice Posting Place indicating the time, date and place of the meeting.
- (3) The regular meeting schedule for Standing and Select Committees may be altered from time to time by Board resolution.
- (4) A meeting of a Standing or Select Committee may be cancelled by the Chief Administrative Officer in consultation with the Committee Chair and Vice Chair.

26. Attendance at Committee Meetings

- (1) Members of the Board who are attending a meeting of a Standing, Select or Advisory Committee of which they are not a member may take part in any discussion or debate by permission of a majority vote of the Members of the Committee but may not vote.

27. Duties of Committees

- (1) The general duties of the Standing and Select Committees of the Board are:
 - (a) to consider and report to the Board on all matters referred to them by the Board Chair or the Board or coming within their purview, and to recommend action to the Board in relation to those matters; and

- (b) to carry out the instructions of the Board expressed by resolution in regard to any matter referred by the Board to a Committee, and to report its action as specified in the instruction of the Board; and
 - (c) to carry out the duties and follow the procedure established by the Board.
- (2) The general duties of the Advisory Committees of the Board are to provide advice and recommendations to the Board on specific matters, as determined by the Committee's Terms of Reference, and to carry out the duties and follow the procedure established by the Board.

28. Quorum and Opening Procedures for Committee Meetings

- (1) The provisions set out in Section 9 of this bylaw apply to determining quorum and to the opening procedures for meetings of Standing and Select Committees of the Board.

29. Committee Rules of Procedure

- (1) Subject to subsection (2), the following provisions of this bylaw apply to the conduct of meetings for Standing and Select Committees of the Board:
- (a) Part 1 – Section 3 (Application of Rules of Procedure);
 - (b) Part 2, Sections 5 (Notice of Regular Meetings), 6 (Notice of Special Meetings), and 9 (Quorum and Opening Procedures); and
 - (c) Part 3 – Board Proceedings.
- (2) Despite sections 21(1) and 21(7), with respect to voting in Standing or Select Committees, where an Electoral Area or Municipality does not participate in a service, all Members may partake in the debate on recommendations respecting the service, but only Members participating in the service may move, second or vote on recommendations, unless there is only one participating area in a service, in which case all Members may move, second and vote on recommendations respecting the service.
- (3) The following provisions of this bylaw apply to the conduct of meetings for Advisory Committees:
- (a) Part 1 – Section 3 (Application of Rules of Procedure);
 - (b) Part 3 – Section 11 (Order of Proceedings and Business), 13 (Attendance of Public at Meetings), 17 (Chair and Presiding Officers) and 19 (Motions);

30. Reports to Board

- (1) A Standing or Select Committee of the Board may report to the Board at any regular meeting or as required by the Board.

PART 6 – GENERAL

31. General

- (1) If any section, subsection or clause of this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Bylaw.
- (2) The rules of the Board must be observed in proceedings of the Sunshine Coast Regional Hospital District Board and Standing and Select Committees of the Board as far as may be applicable.

PART 7 – AMENDMENTS

32. Amendments

This bylaw must not be amended except by bylaw passed at a regular meeting of the Regional District, pursuant to a notice in writing mailed to each Member under section 225(2) of the Act.

PART 8 – REPEAL

33. Repeal

Sunshine Coast Regional District Procedure Bylaw No. 474, 1999, and amendments thereto, are hereby repealed.

READ A FIRST TIME	this	12 th day of	July, 2018
READ A SECOND TIME	this	12 th day of	July, 2018
READ A THIRD TIME	this	12 th day of	July, 2018
ADOPTED	this	26 th day of	July, 2018

CORPORATE OFFICER

CHAIR