

FRASER VALLEY REGIONAL DISTRICT

BYLAW NO. 1305, 2015

A bylaw to provide for the procedure to be followed for the conduct of the business of the Fraser Valley Regional District Board of Directors and the business of its Committees.

WHEREAS Sec. 794 of the *Local Government Act* (“Act”), Chapter 323, R.S.B.C. 1996 provides that a Regional Board must, by bylaw, provide for the procedures that are to be followed by the Board and its Committees in conducting their business;

AND WHEREAS the Act furthermore provides that the Regional District must, by bylaw, provide for the manner in which resolutions may be passed and bylaws adopted; advance public notice respecting the time, place and date of Board and its Committee meetings and establish the procedures for giving that notice; and identify places that are to be public notice posting places for the purposes of the application of the public notice provisions set out in Section 94 of the *Community Charter* (“Charter”), Chapter 26, SBC 2003;

AND WHEREAS the Fraser Valley Regional District Board of Directors is a governing body with powers, duties and functions generally conferred upon it by the *Act*, *Charter* and other enactments;

AND WHEREAS the Fraser Valley Regional District Board of Directors deems it necessary to provide for the procedure that is to be followed for the conduct of its business and the business of its Committees;

AND WHEREAS this bylaw provides for the procedures to be followed by the Fraser Valley Regional District Board and its standing and select Committees;

NOW THEREFORE the Fraser Valley Regional District Board of Directors, enacts as follows:

1. CITATION

This bylaw may be cited as the “*Fraser Valley Regional District Board and Committee Procedures Bylaw No. 1305, 2015.*”

2. DEFINITIONS

Acting Chair means the person who is elected by the members present at a meeting to preside over a Board or Committee meeting in the absence of the Board or Committee Chair or Vice Chair.

Alternate Director means a person duly appointed as an Alternate Electoral Area Director in accordance with Section 787 of the *Act*, or an Alternate Municipal Director duly appointed by its respective municipal Council in accordance with Section 786 of

the *Act*. Alternate Directors take the place of, vote, and generally act in all matters for an absent municipal or electoral area director as the case may be.

Board means the Fraser Valley Regional District Board of Directors.

Board Chair means the person elected by the members of the Board to the office of Board Chair in accordance with Section 792 of the *Act*. The Board Chair is the head and Chief Executive Officer of the Fraser Valley Regional District and an ex-officio member of all Standing and Select Committees. The Chair has the powers and duties set out in Section 218 of the *Act*.

Board Member means a member of the Board (“Director” or “Board Member”) whether in the capacity as a municipal director, an electoral area director or an alternate director who has taken an oath of office in accordance with Section 210 the *Act*.

Chair of a Standing or Select Committee means the person elected by the members of a Standing or Select Committee to the office of Committee Chair.

Closed Meeting means a meeting that is closed to the public in accordance with the *Charter*.

Committee of the Whole (“COW”) means the entire Board constituted as a Committee for the purpose of discussion and debate on a matter in advance of a regular Board Meeting.

Corporate Officer responsible for corporate administration means the person, or that person’s deputy, duly appointed by the Board in this capacity in accordance with the *Act*.

Corporate Officer responsible for financial administration means that person, or that person’s deputy, duly appointed by the Board in this capacity in accordance with the *Act*.

Electoral Area Services Committee (“EASC”) means the standing Committee of the Board established in accordance with the *Letters Patent of the Fraser Valley Regional District* for the purpose of reviewing and advising the Board on matters relating to Electoral Area Services.

Ex Officio Member of a Committee means a person who has all the rights and privileges of a member, including, but not limited to the right to attend a meeting, make motions, speak in debate, and vote on a matter. An ex-officio member is not obligated to attend a meeting and is not counted in determining whether a quorum of members is present.

Fraser Valley Regional District Board of Directors (“Board”) means the governing body of the Fraser Valley Regional District. The Board is comprised of those members elected to office as Electoral Area Directors of the Fraser Valley Regional District and those members elected to a Municipal Council within the boundaries of the Fraser Valley Regional District and duly appointed at will to the Board by their respective Member Municipality in accordance with the *Act*.

Fraser Valley Regional District Office means the corporate offices of the Fraser Valley Regional District located at 45950 Cheam Avenue, Chilliwack, BC.

Inaugural Meeting of the Board means the first meeting of the Board in any given year, in this case, each December.

Inaugural Meeting of Standing and Select Committees means the first meeting of the Standing or Select Committee in any given year, in this case, each January.

Motion means a formal proposal by a Board or Committee member in a meeting, that the governing body take a certain action on a matter.

Open meetings means meetings that are open to the public to attend.

Public Notice Posting Places means the public notice boards located at the main reception areas at the offices of the Fraser Valley Regional District located at 45950 Cheam Avenue, Chilliwack, BC; the Fraser Valley Regional District Community Access Centre located at 10220 North Deroche Road, Deroche, BC; and posted to the Fraser Valley Regional District corporate website located at www.fvrd.bc.ca.

Quorum means a majority of the members of the Board or a Standing or Select Committee of the Board in attendance at a meeting.

Majority means more than half.

Regional and Corporate Services Committee (“RACS”) means the standing committee of the Board established in accordance with the Act for the purpose of reviewing and advising the Board on matters pertaining to regional, sub-regional and corporate services.

Regional District means the Fraser Valley Regional District established by Letters Patent on December 12, 1995.

Select Committee means a Committee appointed by the Board in accordance with Section 795(1) of the Act for the purpose of inquiring into any matter and reporting its findings and opinion to the Board.

Special Meeting means a meeting other than a statutory, regular or adjourned meeting convened in accordance with Section 222.1 of the Act.

Standing Committee means a Committee appointed by the Chair of the Board in accordance with Section 795(2) of the Act for matters the Chair considers would be best dealt with by Committee.

Vice Chair of the Board means the person elected by the members of the Board to the office of Vice Chair of the Board in accordance with Section 792 of the Act. The Vice Chair of the Board has, during the absence, illness or other disability of the Board Chair, all the powers of the Board Chair and is subject to all rules applicable to the Board Chair.

Vice Chair of a Standing or Select Committee means the person elected by the members of a Standing or Select Committee to the office of Committee Vice Chair.

3. APPLICATION

The following rules of procedure shall govern the Board and its standing and select Committees including, but not limited to the Committee of the Whole, Electoral Area Services Committee, Regional and Corporate Services Committee, Fraser Valley Aboriginal Relations Committee, Advisory Committees, and such other standing and select committees that may be established from time to time in accordance with the *Act*.

4. BOARD MEETINGS

4.1 Inaugural Board Meeting

4.1.1 An Inaugural Board Meeting shall be convened during the month of December at such time as shall be established by the person responsible for corporate administration.

4.1.2 The presiding officer of an inaugural meeting of the Board shall be the current Board Chair until such time as the election for Chair takes place at which time the person elected shall assume the Chair.

4.2 Meeting Schedule - Location and Time of Regular Board Meetings

4.2.1 The Board shall meet on a regular basis on the fourth (4th) Tuesday of each month commencing at 7:00 p.m.

4.2.2 Regular Board meetings will take place at the Fraser Valley Regional District Office.

4.2.3 Where a Regular Board Meeting falls on a statutory holiday, the meeting shall be held the next day the Fraser Valley Regional District Offices are open with advance public notice.

4.2.4 The regular Board meeting schedule may be altered from time to time by resolution of the Board and with advance public notice.

4.3 Special Board Meetings

4.3.1 In accordance with Section 793 of the Act, a Special Meeting of the Board shall be called by the person responsible for corporate administration at the request of the Board Chair, or any two Directors, by notice mailed to each Director at least five (5) days before the date of the meeting to the address given by each Director to the person responsible for corporate administration for that purpose. The notice shall state the general purpose of the

meeting and the day, hour and place of the meeting. The notice of any special meeting may be waived by a unanimous vote of the Board.

- 4.3.2 In the case of an emergency, notice of a special meeting may be given with the consent of the Chair and two Directors, less than five (5) days before the date of the meeting, and notice of the meeting need not be given in writing.

4.4 Open Meetings

Except as otherwise provided in this bylaw, meetings of the Board shall be open to the public and no person shall be excluded therefrom except for improper conduct.

4.5 Closed Meetings

- 4.5.1 A meeting or part of a meeting may be closed to the public only if the matter falls under Section 90 of the *Charter*.
- 4.5.2 As provided under Section 92 of the *Charter*, before holding a meeting or part of a meeting that is to be closed to the public, the Board must state, by resolution passed in a public meeting, that the meeting, or part of the meeting, is to be closed, and the basis upon which the meeting is to be closed under the applicable subsection of Section 90 of the *Charter*.
- 4.5.3 No Board Member may disclose to the public the proceedings of a meeting held in closed meeting unless a resolution has been passed at the closed meeting which would permit disclosure to the public.
- 4.5.4 A closed meeting resolution or minute may be made a matter of public record where the Board resolves in closed meeting that it is in the public interest to make a closed meeting resolution a matter of public record. It shall be the responsibility of the person responsible for corporate administration to ensure that the matter is brought into the public record at the next regular meeting.
- 4.5.5 Minutes of a closed meeting must be kept in the same manner as a regular meeting, but must be kept in a confidential location and must not be retained with the minutes of regular open meetings.
- 4.5.6 The Board must not vote on the reading or adoption of a bylaw during a closed meeting.
- 4.5.7 The Board may allow one or more officers or employees to attend, or may exclude them from attending, all or part of a closed meeting.
- 4.5.8 The Board may exclude all officers or employees from attending all or part of a closed meeting, but minutes of any part of a closed

meeting where all officers or employees are excluded from attending must be taken and must form part of the corporate record.

4.5.9 The Board may allow a person other than an officer or employee to attend a closed meeting as deemed necessary.

4.5.10 The minutes of a closed meeting must record the names of all persons present at the closed meeting.

4.6 Duty to Protect Confidentiality

In accordance with Section 117 of the *Charter* and 787.1 of the *Act*, Board Members must, unless specifically authorized by the Board, keep in confidence any record or other matter held in confidence by the Board, until the record or other matter is brought into the public domain and released to the public.

4.7 Board Meetings conducted by Electronic or other Communication Facilities

4.7.1 A Board Member who is unable to attend at a meeting of the Board may participate in the meeting by means of electronic or other communication facilities.

4.7.2 A Special Board Meeting may be conducted by means of electronic or other communication facilities.

4.7.3 This section applies to open and closed meetings.

4.7.4 Members participating in a meeting by way of electronic or other communication facilities are deemed to be present at the meeting.

4.7.5 The meeting will be conducted according to the procedures set out in this Bylaw and in accordance with the *Regional Districts Electronic Meetings Regulation, B.C. Reg. 271/2005*, attached hereto as Schedule A.

4.7.6 Except for a closed meeting, the communication facilities must enable the public to hear, or watch and hear, the Board Member participating by means of electronic or other communication facilities.

4.7.7 Except for a closed meeting, the communication facilities must enable the public to hear, or watch and hear a Special Board Meeting at the place specified in the Notice of Special Meeting.

4.7.8 A resolution or bylaw adopted at a Special Meeting conducted by means of electronic or other communication facilities is deemed to have been adopted at a Board meeting.

4.8 Board Meetings held outside of Fraser Valley Regional District Boundaries

In accordance with Section 237.1 of the *Act*, Board meetings may be held outside the boundaries of the Fraser Valley Regional District and accordingly, all powers, duties and functions of the Board may be exercised outside its boundaries.

4.9 Advance Public Notice of Open and Closed Board Meetings

4.9.1 At least 3 (three) days before a regular open or closed meeting of the Board, the person responsible for corporate administration must give public notice of the date, place and time of the meeting by way of a notice posted on the public notice posting places of the Fraser Valley Regional District.

4.9.2 At least 24 hours before a regular open meeting of the Board, the person responsible for corporate administration must give further public notice by posting a copy of the full agenda package at the public notice posting places of the Fraser Valley Regional District.

4.9.3 At least 3 days before a regular open or closed Board meeting, the person responsible for corporate administration must provide a copy of the full open or closed meeting agenda package to all Board Members in electronic format, or in hard copy where it is otherwise impractical to provide in electronic format.

4.9.4 Closed Meeting Agenda packages shall be password protected where provided in electronic format.

4.9.5 Except where notice of a special meeting of the Board is waived by unanimous vote of the full Board, at least 24 hours before a special meeting of the Board, the person responsible for corporate administration must give advance public notice of the time, place and date of the special meeting at the public notice posting places of the Fraser Valley Regional District.

4.10 Elections of the Board Chair and Vice Chair

4.10.1 The election of the Chair and Vice-Chair from among the Fraser Valley Regional District Board members will be conducted at the Inaugural meeting of the Board following the procedures set out in this section.

4.10.2 The call for nominations for the office of Board Chair and Vice Chair shall be conducted by the person responsible for corporate administration or designate;

- 4.10.3 Nominees for the office of Board Chair or Vice Chair must be made by a third party. For greater certainty, a Board Member may not nominate himself or herself for the position of Board Chair or Vice Chair.
- 4.10.4 Nominees must consent to be nominated and to stand for election to office as Board Chair or Vice Chair. A nominee may be nominated in absentia by agreeing in writing to the nomination.
- 4.10.5 The person responsible for corporate administration shall call first for nominations for Board Chair, and shall then call for nominations for Board Chair a second and third time.
- 4.10.6 If only one nominee for Board Chair is nominated for the office of Board Chair that person is declared elected by acclamation by the person responsible for corporate administration or designate.
- 4.10.7 If more than one nominee is nominated for the office of Board Chair, then an election by voting must be held, and voting must be conducted by secret ballot.
- 4.10.8 Prior to the vote being conducted, persons running for office of Board Chair shall be afforded the opportunity to address the Board for one (1) minute prior to the vote on the first ballot being taken.
- 4.10.9 If there is a tie vote between two or more persons with the most votes, the persons who are tied remain in the election for office of Board Chair, and the person responsible for corporate administration or designate, must continue to conduct votes to break the tie until a person emerges with the most votes who shall then be declared to office by the person responsible for corporate administration or designate.
- 4.10.10 Prior to a subsequent ballot(s) being voted upon for Board Chair, persons who are tied shall be afforded the opportunity to address the Board for one additional one (1) minute followed by a (10) ten minute recess between each vote where more than one vote is required.
- 4.10.11 In the case of an election by voting, the counting of ballots will be conducted by the person responsible for corporate administration or designate, together with the person responsible for financial administration or designate. The outcome of the ballot count will be announced to the Board by the corporate officer responsible for corporate administration or designate. For greater certainty the person with the most votes will be declared to office.
- 4.10.12 Immediately after the person with the most votes has been declared to officer, the ballots must be destroyed by the person responsible for corporate administration or designate. For greater certainty, a Board resolution to destroy the ballots is not required.

4.10.13 The election for Vice Chair of the Board shall be undertaken in the same manner as the election for Board Chair.

4.11 Duties of the Board Chair

4.11.1 The Board Chair is the head and Chief Executive Officer of the Fraser Valley Regional District and has the powers and duties set out under Section 218 of the *Act*.

4.11.2 The Board Chair may return a matter to the Board for reconsideration in accordance with Section 219 of the *Act* and Section 131 of the *Charter*, and as set out more fully in Section 4.26 of this bylaw.

4.11.3 The Board Chair may establish standing committees and appoint persons thereto in accordance with the *Act*.

4.11.4 The Chair is an ex-officio member of all Standing and Select Committees.

4.11.5 The Board Chair may assign seating around the Board Table and at the Regional and Corporate Services Committee.

4.12 Conduct of Board Meetings

4.12.1 Presiding Officers

The Chair, if present, shall preside at all meetings of the Board. In the absence of the Chair from a meeting of the Board, the Vice Chair shall preside, and in the absence of both the Chair and the Vice Chair, a Director chosen by the other Board Members then present shall preside as the Acting Chair, and for that purpose has all the powers and is subject to the same rules as the Chair.

4.12.2 Calling Meeting to Order

As soon after the hour of meeting as there shall be a quorum present, the Chair, or, in his/her absence, the Vice Chair, or, in his/her absence the Acting Chair will take the Chair and the Board Members shall be called to order.

4.12.3 Quorum

A quorum of the Board must be in attendance at a Board Meeting. A quorum of the Board shall be a majority of all Board Members. If a quorum is not present within thirty minutes (30) after the time fixed for a Board meeting, the person responsible for corporate administration shall record the names of the members present and the meeting shall stand adjourned and no business shall be undertaken.

4.12.4 Exercise of the Board's Power

Unless expressly required to be exercised by bylaw, all powers of the Board may be exercised by bylaw or by resolution.

4.12.5 Expulsion from Meeting

The Chair, or other person presiding at a Board Meeting, may order a person expelled from a Board meeting for improper conduct in accordance with Section 133 of the *Charter*.

If the person who is expelled does not leave the Board Meeting, a peace officer may enforce the order of the person presiding over the Board Meeting as if it were a court order.

Without limitation, improper conduct includes:

- refusing to address the chair, shouting, using a megaphone;
- making statements considered by the chair as profane or defamatory;
or
- otherwise disrupting or obstructing the meeting.

4.13 Alternate Directors

4.13.1 Where an Alternate Director is not acting on behalf of a Municipal or Electoral Area Director, an Alternate Director shall be permitted to attend any regular, special or closed meetings of the Board as an observer, with the proviso that the Alternate Director shall not have any voting rights or privileges.

4.13.2 An Alternate Director is entitled to exercise a vote only when acting on behalf of a Municipal or Electoral Area Director.

4.13.3 Alternate Directors are bound by confidentiality in all matters dealt with in closed meeting and shall treat all other matters with discretion and sensitivity.

4.14 Board Agenda

4.14.1 The order of business for all regular open meetings of the Board shall be as follows:

- Call to Order
- Approval of Agenda
- Approval of Addenda and Late Items
- Delegations and Presentations
- Board Minutes and Matters Arising
- Committee and Commission Minutes and Matters Arising
- Motions for which Notice has been given
- Corporate Administration
- Finance

- Bylaws
- Permits
- Contracts, Covenants and Other Agreements
- Other Matters
- Consent Agenda
- Late Items
- Items for Information and Correspondence
- Reports by Staff
- Reports by Board Directors
- Public Question Period for items relevant to the Agenda
- Resolution to Close Meeting
- Rise and Report from Closed Meeting
- Adjournment

4.14.2 The order of business for closed meetings of the Board shall be as follows:

- Call to Order
- Approval of Agenda
- Approval of Addenda and Late Items
- Delegations and Presentations
- Minutes and Matters Arising
- New Business
- Late Items
- Rise and Report
- Adjournment

4.14.3 Notwithstanding Sections 14.14.1 and 14.14.2, the Board may alter the order of the agenda, by resolution passed by a majority of the Board Members present.

4.14.4 At a meeting other than an emergency meeting, a member may, at the time adoption of the agenda is being considered, move that addenda items, or a late item circulated on table, be added to the agenda. The item must be added to the agenda if a resolution is adopted by at least two-thirds of the votes cast, and may not be added otherwise.

4.14.5 After the meeting agenda has been adopted, a member may move to add an additional item of an urgent nature on the agenda. The item may be added to the agenda only if a resolution is adopted by at least two-thirds of the votes cast, and may not be added otherwise.

4.14.6 In the absence of exigent or extraordinary circumstances, Board Agenda packages shall be circulated to Board Members in accordance with Section 4.9.

4.14.7 Addenda materials shall be circulated electronically to Board Members, within 24 hours of a regular Board Meeting. Matters for the

addenda must be approved by the Board Chair, or the Vice Chair in the Board Chair's absence, in advance of circulation to Board Members.

- 4.14.8 Consent agenda items of business are considered to be routine matters not requiring further debate or discussion. The items listed on a consent agenda shall be received in one (1) motion. If debate or discussion on a particular consent agenda item is desired by a Director, that item shall be removed from the consent agenda and considered separately.

4.15 Delegations to the Board

- 4.15.1 A delegation wishing to appear before the Board in open meeting shall submit a written request to appear as a delegation to the person responsible for corporate administration at least seven (7) calendar days prior to the scheduled Board meeting. The request must stipulate the subject matter upon which the delegation wishes to speak, together with any written submissions.
- 4.15.2 In the absence of a written request to appear as a delegation, the matter may not be set to the agenda without the approval of the Chair.
- 4.15.3 The subject matter upon which the delegation wishes to speak must be within the mandate and jurisdiction of the Fraser Valley Regional District Board, or deemed to be a matter of significance to the Board, otherwise the Chair may refuse the delegation.
- 4.15.4 The Chair must approve of all delegations before the delegation is set on the Board Agenda.
- 4.15.5 The Chair must refuse any request for delegation regarding a bylaw in respect of which a public hearing has already been held and where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.
- 4.15.6 Where the subject matter of a delegation has previously been dealt with in the form of a delegation, the Chair may advise the delegation of such apparent duplication and/or repetition and refuse such delegation.
- 4.15.7 The person responsible for corporate administration shall notify a representative of the delegation as to whether the delegation has been approved or refused and the grounds for refusal.
- 4.15.8 If the delegation is approved, the delegation shall be advised of the time and place of the Board meeting at which the delegation will be heard. The subject of the delegation will be included on the Board agenda, along with any written submissions provided

4.15.9 Each delegation shall be limited to a maximum time of ten (10) minutes unless the time is extended by leave of the Chair.

4.15.10 The Board may invite a person or organization to appear as a delegation to the Board for purposes of making a presentation.

4.16 Late Delegations to the Board

4.16.1 Any person or organization who deems its interests to be affected by an item on a Board agenda, who has appeared before an appropriate committee, or who, because of circumstances, could not have been expected to appear before a committee or give earlier notice, may request to appear as a late delegation before the Board by submitting a written request, along with a written submission to the person responsible for corporate administration, not later than twelve o'clock noon on the day before the Board meeting.

4.16.2 The written request to appear as a late delegation must stipulate the subject matter upon which the late delegation wishes to speak and explain why the late delegation should be entertained.

4.16.3 The written submission must detail what the delegation intends to say should the delegation be entertained.

4.16.4 The Board Chair must approve any requests for a late delegation before the late delegation is set to the Board addenda.

4.16.5 If the late delegation is refused by the Chair, the written submission provided by the person requesting to appear as a late delegation will nevertheless be set to the Board addenda and circulated in advance of the Board meeting.

4.16.6 A late delegation appearing before the Board shall be limited to a maximum time of ten (10) unless the time is extended by leave of the Chair.

4.17 Board Minutes

4.17.1 The minutes of all meetings of the Board shall be legibly recorded, certified as correct by the corporate officer responsible for corporate administration or that person's deputy, and signed by the Chair or other member presiding at the meeting or at the next meeting at which they are adopted.

4.17.2 Minutes shall contain a record of the decisions of the Board and shall contain limited narrative. Minutes are not intended to be a verbatim transcript of the proceedings of the Board.

- 4.17.3 Minutes shall set out the name of the mover and the seconder of a motion.
- 4.17.4 Minutes of all meetings of the Board shall be circulated to the members of the Board prior to the next meeting, and after they have received the approval of a majority of the members, shall be deemed to be adopted.
- 4.17.5 Minutes of all Board Meetings, except matters dealt with in closed meeting, shall be a matter of public record and open for inspection by any person, who may obtain copies thereof and extracts therefrom during regular business hours, subject to any applicable rates and fees as set out in bylaw.

4.18 Use of Audio or Video Recording Devices

- 4.18.1 No person shall use or operate any audio or video recording device at a meeting unless the device is placed in a location designated by the Chair for that purpose and remains at that location during the course of the meeting.
- 4.18.2 Notwithstanding Section 4.18.1 audio or visual recording devices must not be used or operated during a closed meeting unless expressly permitted by resolution of the Board.
- 4.18.3 Nothing in this section precludes the person responsible for corporate administration or designate from recording Fraser Valley Regional District Board Meetings for purposes of taking and transcribing meeting minutes.
- 4.18.4 Audio Recordings of Fraser Valley Regional Board Meetings are deemed to be transitory records and shall not be retained once the minutes of the respective Board Meeting have been adopted by the Board.

4.19 Voting at A Board Meeting

- 4.19.1 All resolutions and every reading and the adoption, amendment or repeal of bylaws will be voted on in accordance with the provisions of Sections 783 and 791 of the Act.
- 4.19.2 The Board Agenda shall set out who is entitled to vote on a matter.
- 4.19.3 Each Board Member who is present at the time of a vote and is entitled to vote on the matter must vote on the matter and must cast all available votes for the same objective. For greater certainty, the Board Chair shall vote on all matters.
- 4.19.4 Whenever a vote of the Board is taken for any purpose, each Board Member present and eligible to vote must signify they vote on the

question, openly and individually, by raising their hand and the Chair shall declare the motion carried or defeated as the case may be.

- 4.19.5 When the Chair calls for a vote on a matter, no Board member may leave the room until the vote on the matter has been taken.
- 4.19.6 For purposes of a weighted vote, the number of votes to which each municipality and each electoral area is entitled is the number obtained by dividing the population of the municipality or electoral area by the voting unit specified in the FVRD Letters Patent, in this case 5,000.
- 4.19.7 The votes of a municipality are to be equally distributed by the municipal Council among the Board Members from that municipality. If equal distribution is not possible, the Council must assign the municipality's votes to each Board Member from that municipality as evenly as possible, but in no case may the difference between the maximum and minimum number of votes assigned be greater than one.
- 4.19.8 In all cases where the votes of the Board Members present and entitled to vote, including the vote of the Chair or other person presiding, are equal for and against a question, the question shall be declared in the negative and shall be defeated, and it shall be the duty of the Chair or other member presiding to so declare.
- 4.19.9 Any Board Member present who abstains from voting shall be deemed to have voted in the affirmative.
- 4.19.10 Any Board Member may have their negative vote recorded in the Minutes upon request.

4.20 Special Vote by Telephone or Electronic Transmission

In accordance with *Regional District Special Voting Regulation - BC Regulation 41/91* attached hereto as Schedule B, a Special Vote by telephone poll or other means of telecommunication or electronic transmission may be undertaken where a matter is considered urgent in that the matter requires immediate action as a result of unforeseen circumstances and where calling a regular or special meeting of the Board would be impractical.

4.21 Rules of Order

- 4.21.1 The Chair or other person presiding at a meeting of the Board shall preserve order and decide all points of order which may arise, subject to a challenge by the other Board Members then present.
- 4.21.2 The Chair must inform the Board of the grounds upon which a ruling on a point of order is made.

- 4.21.3 Where this bylaw is silent, *Robert's Rules of Order, Newly Revised [current edition]* shall apply to the conduct of Board meetings.
- 4.21.4 Where there is an inconsistency between this bylaw, *Robert's Rules of Order, Newly Revised*, the *Act or Charter*, and/or the FVRD Letters, firstly the *Act or Charter* shall prevail, secondly the FVRD Letters Patent shall prevail, thirdly *Robert's Rules of Order* shall prevail where this bylaw is silent, and finally this bylaw shall prevail.
- 4.21.5 No Board Member shall speak until recognized by the Chair or other person presiding.
- 4.21.6 Every Board Member desiring to speak shall address him/herself to the Chair or other person presiding.
- 4.21.7 No Board Member shall interrupt a person speaking except to raise a point of order.
- 4.21.8 Debate shall be strictly relevant to the question before the meeting and the Chair or other person presiding shall warn speakers who violate this rule of procedure.
- 4.21.9 If a decision of the Chair or person presiding is challenged by a Board Member, the Chair or person presiding shall immediately put the question "*Shall the Chair be sustained?*" and the question shall be decided without debate. The Chair or person presiding shall be governed by the vote of the majority of the Board Members then present and entitled to vote, exclusive of the Chair or person presiding, and in the event of the votes being equal, the question shall pass in the affirmative.
- 4.21.10 If the Chair or person presiding refuses to put the question "*Shall the Chair be sustained?*", the Vice Chair or other person appointed by the Board shall preside temporarily in place of the Chair, and the Board Member so temporarily appointed shall immediately put the question "*Shall the Chair be sustained?*" and the question shall be decided without debate. In the event of the votes being equal, the question shall pass in the affirmative. Any resolution taken is as effectual and binding as if carried out with the Chair presiding.

4.22 Motions

- 4.22.1 All questions shall be decided by a vote on a motion.
- 4.22.2 A motion must be moved and seconded before being debated.
- 4.22.3 Subject to Section 4.22.4, all motions may be moved and seconded by any Director.

- 4.22.4 Where possible, a motion, the subject matter of which pertains to the administration and operation of a service, shall be made by a Director of the participating area for the service.
- 4.22.5 Where a motion is under consideration, no motion may be made except to:
- Postpone the question to a specified time
 - Amend
 - Refer the matter the staff or Committee
 - Limit or extend the debate on the matter
 - Table the matter
- 4.22.6 Any Director may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a Director while speaking.
- 4.22.7 After a motion has been stated by the Chair or other person presiding or the person responsible for corporate administration, it shall be deemed to be in possession of the Board, but may be withdrawn at any time before decision or amendment with the unanimous consent of the Board.
- 4.22.8 No Director shall speak more than once to the same question without leave of the Chair except in explanation of the material part of his/her comments which may have been misconstrued, and in doing so, he/she is not to introduce new subject matter.
- 4.22.9 No Director shall speak on any question for longer than five (5) minutes without leave of the Chair.
- 4.22.10 If a Director of the Board shall call for a record of votes, the names of those who vote for and those who vote against the question shall be entered in the minutes.
- 4.22.11 A Board Member may move that a motion be amended, but that Board Member may not move any further amendment of that motion.
- 4.22.12 A Board Member may move to amend an amendment already moved, but only one motion to amend an amendment may be made.
- 4.22.13 If a Motion to Amend is carried, the motion that has been amended is to be voted on as amended.
- 4.22.14 If a Motion to Amend is defeated, the main motion is voted on in its original wording.
- 4.22.15 When the question under consideration contains more than one distinct proposition, a separate vote upon each such proposition shall be taken.

- 4.22.16 After the question is finally put to the Board by the Chair, no Board Member shall speak to the question, nor shall any other motion be made, until after the result is declared. The decision of the Chair as to whether the question has been finally put is conclusive.
- 4.22.17 When a question is under debate, no motion shall be received unless to refer it, to amend it, to lay it on the table, to postpone it, to withdraw it, to adjourn, or to call the question.
- 4.22.18 At any time during debate on a motion, a Board Member may move “that the question be called”, or “that the vote on the motion be called”. The motion to call the question shall be decided without amendment or debate and shall pass if adopted by at least two thirds vote of the Board Members present. The motion previously under debate will immediately be voted upon without further amendment or debate.
- 4.22.19 A question of referral, until it is decided, shall preclude all amendments to the main question.
- 4.22.20 A motion to adjourn shall always be in order, but no second motion to the same effect shall be made until some intermediate proceeding shall have been taken.
- 4.22.21 When the Chair is of the opinion that a motion put before the Board is contrary to the rules of order of the Board, the Chair shall apprise the members thereof immediately before putting forward the question, and shall cite the rule or authority applicable to the case without argument or comment.

4.23 Notice of Motion

- 4.23.1 Any Board Member desiring to bring a new matter before the Board, other than a point of order, shall do so by way of a Notice of Motion.
- 4.23.2 The Notice of Motion must be within the Board’s mandate as a governing body.
- 4.23.3 A Notice of Board may be presented to the Board by either:
- The Board Member providing the person responsible for corporate administration or deputy with a written copy of the Notice of Motion during a meeting of the Board at which time the Notice of Motion shall be read into the record and recorded in the meeting minutes. The person responsible for corporate administration shall be responsible for including the motion on the next regular Board agenda, or to the Special Meeting Agenda scheduled for that purpose; or
 - The Board Member may provide the person responsible for corporate administration or deputy with a written copy of the Notice of Motion not later than seven (7) calendar days prior to the scheduled Board

Meeting. The person responsible for corporate administration shall be responsible for including the motion on the next regular Board agenda.

4.24 Bylaws

- 4.24.1 Prior to the introduction of any bylaw for First Reading, each member of the Board who is entitled to vote on the bylaw shall receive a copy of the proposed bylaw in electronic format, or in hard copy where otherwise impractical to provide the bylaw in electronic format.
- 4.24.2 Prior to the adoption of any bylaw, each member of the Board who is entitled to vote on the bylaw shall receive a copy of the proposed bylaw in electronic format, or in hard copy where otherwise impractical to provide the bylaw in electronic format.
- 4.24.3 In accordance with Section 794(3) of the *Act*, any bylaw which does not require approval, consent, or assent under the provisions of the *Act* or any other enactment prior to the adoption of the bylaw may be adopted at the same meeting of the Board at which it passed third reading, provided the motion for adoption receives an affirmative vote of at least two-thirds (2/3) of the votes cast, otherwise, a Board must not adopt a bylaw on the same day it has given the bylaw Third Reading.
- 4.24.4 A procedural bylaw must not be amended unless notice of the proposed amendment is mailed to each Director, at the address given by the Director to the person responsible for corporate administration for that purpose, at least five (5) days before the meeting at which the amendment is to be introduced.
- 4.24.5 Unless the holding of a public hearing is waived in accordance with Section 890 of the Act, the Board must not give Third Reading to a community plan bylaw, rural land use bylaw or zoning bylaw without holding a public hearing on the bylaw. The public hearing must be held after First Reading of the bylaw and before Third Reading of the bylaw.
- 4.24.6 First Reading of a Bylaw must be given be separate resolution.
- 4.24.7 Second and Third Readings of a Bylaw may be given by one resolution.
- 4.24.8 A bylaw must be adopted by separate resolution.

- 4.24.9 A reading on a bylaw must be rescinded by separate resolution. The resolution required where a reading on a bylaw must be rescinded shall be:
- “That the motion granting (first/second/third) reading of (official citation of bylaw) be rescinded and that a new reading of (official citation of bylaw) be given.”*
- 4.24.10 A series of bylaws with the same corporate vote may be taken together in one resolution as provided for in Sections 4.24.6; 4.24.7 and 4.24.8.
- 4.24.11 When a bylaw is read and adopted at a Board meeting, the person responsible for corporate administration shall certify the readings and dates thereof, thereby conferring its accuracy.
- 4.24.12 Every bylaw which has been adopted by the Board shall immediately be signed by the authorized officers and shall be retained by the person responsible for corporate administration for safekeeping.
- 4.24.13 A bylaw comes into force on the later of the date it is adopted or other date set out in the bylaw.

4.25 Conflict of Interest

- 4.25.1 In accordance with Section 787.1 of the *Act* and Sections 100 and 101 of the *Charter*, where a Director considers that he/she is not entitled to participate in the discussion of a matter or to vote on a question in respect of the matter because the Director has a direct or indirect pecuniary interest in the matter, or another interest in the matter that constitutes conflict of interest, the Director must declare this and state in general terms why the member considers this to be the case.
- 4.25.2 Where a Director considers that he/she is not entitled to participate in the discussion of a matter or to vote on a question in respect of the matter, the Director must:
- not take part in the discussion of the matter and is not entitled to vote on any question in respect of the matter;
 - immediately leave the meeting or that part of the meeting during which the matter is under consideration; and
 - not attempt in any way, whether before, during, or after the meeting, to influence the voting on any question in respect of the matter.
- 4.25.3 Where a Director declares that he/she is not entitled to participate in the discussion of a matter or to vote on a question in respect of the matter, the person taking minutes shall record the Director's declaration, the reasons given for it and the time(s) of the Director's departure from the meeting room and, if applicable, of the Director's return.

- 4.25.4 Where a Director declares that he/she is not entitled to participate in the discussion of a matter or to vote on a question in respect of the matter, the person presiding must ensure that the Director is not present at the meeting at the time of any vote on the matter.
- 4.25.5 A Director must not participate in the discussion of or vote on a question in respect of a matter in which the Director has a direct or indirect pecuniary interest, except where:
- the pecuniary interest of the Director is a pecuniary interest in common with electors of the Regional District generally;
 - the matter relates to remuneration or expenses payable to one or more Board Members in relation to their duties as Board Members; or
 - if the pecuniary interest is so remote or insignificant that it cannot reasonably be regarded as to likely influence the Director in relation to the matter.

4.26 Matters Brought Forward for Reconsideration by Board Chair

- 4.26.1 In accordance with Section 219 of the Act and Section 131 of the *Charter*, and without limiting the authority of the Board to reconsider a matter, the Chair may require the Board to reconsider and vote again on a matter that was the subject of a previous vote of the Board.
- 4.26.2 The Chair may only initiate the reconsideration of a matter at the same meeting, or at the Board meeting following the original vote, whether or not this is within the 30 day period referred to in Section 131(2) of the *Charter*.
- 4.26.3 A matter may not be reconsidered if the matter:
- Has had the approval or the assent of the electors and was subsequently adopted by the Board; or
 - Has already been reconsidered by the Board where the Chair has brought the matter forward for reconsideration; or
 - the Board has been advised that the matter has already been acted on by an officer, employee or agent of the Regional District further to previous Board direction.
- 4.26.4 Where the Chair has brought a matter forward for reconsideration, the Chair must state his/her reasons to the Board.
- 4.26.5 On reconsideration of a matter, the Board shall, as soon as convenient, consider the Chair's reasons for reconsideration and either reaffirm or reject the bylaw, resolution or proceeding which is the subject of reconsideration.

- 4.26.6 If the motion to reconsider a matter has passed, the matter may be reconsidered at the same meeting, or may be set to the next regular Board meeting agenda for reconsideration by separate resolution of the Board.
- 4.26.7 On reconsideration of a matter, the Board has the same authority it had in its original consideration of the matter.
- 4.26.8 On reconsideration of a matter, if the original decision was the adoption of a bylaw or resolution and that decision is rejected on reconsideration, the bylaw or resolution is of no effect and is deemed to be repealed.
- 4.26.9 Matters brought forward for reconsideration by the Board Chair will be recorded in the Board Minutes.

4.27 Reconsideration initiated by a Board Member

- 4.27.1 After a bylaw, resolution, or proceeding has been decided by the Board, any Board Member may, at the same meeting, or at the Board meeting following the original vote, initiate the reconsideration of a matter.
- 4.27.2 A matter may not be reconsidered if the matter has:
- had the approval or the assent of the electors and was subsequently adopted by the Board; or
 - already been reconsidered by the Board where the Chair has brought the matter forward for reconsideration; or
 - been acted on by an officer, employee or agent of the Regional District further to previous Board direction.
- 4.27.3 The Board shall not reconsider a matter unless the motion to reconsider the matter has first been considered.
- 4.27.4 If the motion to reconsider a matter has passed, the matter may be reconsidered at the same meeting, or may, by separate resolution of the Board, be set to the next regular Board meeting agenda for reconsideration by the Board.
- 4.27.5 On reconsideration of a matter, the Board has the same authority it had in its original consideration of the matter.
- 4.27.6 On reconsideration of a matter, if the original decision was the adoption of a bylaw or resolution and that decision is rejected on reconsideration, the bylaw or resolution is of no effect and is deemed to be repealed.
- 4.27.7 Once a bylaw, resolution, or proceeding has been rejected upon its reconsideration, it shall not be reintroduced to the Board for six (6) months, except with the unanimous consent of the entire Board.

4.27.8 Where a matter has been reconsidered, the Board shall not reconsider the matter again subject to Section 4.27.7.

4.27.9 Matters brought forward for reconsideration by a Board Member will be recorded in the Board Minutes.

5 COMMITTEES

5.1 Committee Members

5.1.1 In accordance with Section 795 of the *Act*, with the exception of the Electoral Area Services Committee, persons who are not Board Members may be appointed by the Board to a select committee or by the Chair to a Standing Committee. At least one member of each selection and standing committee must be a Board Member.

5.1.2 The Board Chair is an ex-officio member of all Standing and Select Committees.

5.2 Standing Committees

5.2.1 In accordance with Section 795(2) of the *Act*, the Chair may establish Standing Committees. Terms of Reference for each Standing Committee shall be drafted by the person responsible for corporate administration in consultation with the Board Chair.

5.2.2 An inaugural meeting of a Standing Committee shall be convened during the month of January in any given year at the regularly scheduled meeting location and time.

5.2.3 The presiding officer of the inaugural meeting of a Standing Committee shall be the current Chair of the Standing Committee until such time as the election for Chair takes place, at which time the person elected shall assume the Chair. In the event the current Chair is no longer in office, the person responsible for corporate administration shall preside over the inaugural meeting of a Standing Committee, until such time as new Chair is elected.

5.2.4 All members shall be entitled to one vote each on all motions and resolutions of a Standing Committee.

5.3 Select Committees

5.3.1 In accordance with Section 795(1) of the *Act*, the Board may establish and appoint members to a Select Committee to consider or enquire into any matter and report its findings and opinion to the Board. Terms of Reference for each Select Committee shall be drafted by the person responsible for corporate administration in consultation with the Chair of the Select Committee and shall be ratified by the Board.

- 5.3.2 An inaugural meeting of a Select Committee shall be convened during the month of January in any given year at the regularly scheduled meeting location and time.
- 5.3.3 The presiding officer of the inaugural meeting of a Select Committee shall be the current Chair of the Select Committee until such time as the election for Chair takes place, at which time the person elected shall assume the Chair. In the event the current Chair is no longer in office, the person responsible for corporate administration shall preside over the inaugural meeting of a Select Committee, until such time as new Chair is elected.
- 5.3.4 Section 5.3.3 does not apply to the Regional and Corporate Services Committee in so far as the Chair of the Board is the Chair of the Regional and Corporate Services Committee.
- 5.3.5 All members shall be entitled to one vote each on all motions and resolutions of a Select Committee.

5.4 **Electoral Area Services Committee**

- 5.4.1 The Letters Patent establishing the Fraser Valley Regional District provide that the Board must establish and maintain a standing committee to be known as the Electoral Area Services Committee.
- 5.4.2 Notwithstanding Section 795(1) of the *Act*, all Electoral Area Directors must be appointed to the Electoral Area Services Committee.
- 5.4.3 The purpose of the Electoral Area Services Committee shall be to review, and advise the Board on matters relating to electoral area services.
- 5.4.4 The Electoral Area Services Committee shall meet on a regular basis on the second (2nd) Tuesday of each month commencing at 1:30 p.m. at the offices of the Fraser Valley Regional District Office.
- 5.4.5 Where an Electoral Areas Services Committee Meetings falls on a statutory holiday, the meeting shall be held the next day the Fraser Valley Regional District Offices are open.
- 5.4.6 The regular Electoral Area Services Committee Meeting schedule may be altered from time to time by resolution of the Board and with advance public notice.
- 5.4.7 The Chair and Vice Chair of the Electoral Area Services Committee shall be elected in accordance with Section 4.10.
- 5.4.8 The order of the agenda for the Electoral Area Services Committee shall be as follows and may be altered in accordance with Section 4.14.3.
 - Call to Order
 - Approval of Agenda, Addenda and Late Items

- Delegations and Presentations
- Minutes and Matters Arising
- Corporate Administration
- Finance
- Engineering and Utilities
- Planning, Building Inspection and Bylaw Enforcement
- Emergency Services
- Other Matters
- Late Items
- Items for Information and Correspondence
- Reports by Staff
- Reports by Electoral Area Directors
- Public Question Period for Items Relevant to the Agenda
- Resolution to Close Meeting
- Rise and Report out of Closed Meeting
- Adjournment

5.5 **Regional and Corporate Services Committee**

- 5.5.1 The Regional and Corporate Services Committee is a Standing Committee whose purpose is to review, and advise the Board on matters pertaining to Regional and Sub-Regional Services and matters pertaining to corporate administration as per established terms of reference.
- 5.5.2 The Board Chair is responsible for appointing members to the Regional and Corporate Services Committee.
- 5.5.3 The Board Chair shall preside over the Regional and Corporate Services Committee.
- 5.5.4 The Regional and Corporate Services Committee shall meet on a regular basis on the second (2nd) Tuesday of each month commencing at 9:00 a.m. at the offices of the Fraser Valley Regional District Office.
- 5.5.5 Where a Regional and Corporate Services Committee Meetings falls on a statutory holiday, the meeting shall be held the next day the Fraser Valley Regional District Offices are open.
- 5.5.6 The regular Regional and Corporate Services Committee Meeting schedule may be altered from time to time by resolution of the Board and with advance public notice.
- 5.5.7 The order of the agenda for the Regional and Corporate Services Committee shall be as follows and may be altered in accordance with Section 4.14.3.
- Call to Order
 - Approval of Agenda, Addenda and Late Items
 - Delegations and Presentations

- Minutes and Matters Arising
- Corporate Administration
- Finance
- Regional Programs and Services
- Sub-Regional Programs and Services
- Other Matters
- Late Items
- Items for Information and Correspondence
- Reports by Staff
- Reports by Directors
- Public Question Period for Items Relevant to the Agenda
- Resolution to Close Meeting
- Rise and Report out of Closed Meeting
- Adjournment

5.6 **Fraser Valley Aboriginal Relations Committee**

- 5.6.1 The Fraser Valley Aboriginal Relations Committee is a Standing Committee whose purpose is to review, and advise the Board on, matters pertaining to Treaty Negotiations and Aboriginal Relations further to established terms of reference.
- 5.6.2 The Fraser Valley Aboriginal Relations Committee shall meet regularly on a quarterly basis at dates and time to be determined, or at the call of the Chair.
- 5.6.3 The Fraser Valley Aboriginal Relations Committee shall meet at the offices of the Fraser Valley Regional District Office.
- 5.6.4 The Chair and Vice Chair of the Fraser Valley Aboriginal Relations Committee shall be elected in accordance with Section 4.10.
- 5.6.5 The Board Chair is responsible for appointing Fraser Valley Regional Board members to the Fraser Valley Aboriginal Relations Committee, and other external appointments are made by municipal and observer participants on the Committee.
- 5.6.6 The order of the agenda for the Fraser Valley Aboriginal Relations Committee shall be as follows and may be altered in accordance with Section 4.14.3.
- Call to Order
 - Approval of Agenda, Addenda and Late Items
 - Delegations and Presentations
 - Minutes and Matters Arising
 - New Business
 - Other Matters
 - Late Items
 - Items for Information and Correspondence
 - Reports by Staff
 - Reports by Directors

- Public Question Period for Items Relevant to the Agenda
- Resolution to Close Meeting
- Rise and Report out of Closed Meeting
- Adjournment

5.7 Committee of the Whole

- 5.7.1 The Committee of the Whole is comprised of the entire Board constituted as a Committee for the purpose of discussion and debate on a matter in advance of a regular Board Meeting.
- 5.7.2 The Committee of the Whole shall meet at the call of the Board Chair.
- 5.7.3 The Board Chair shall preside over meetings of the Committee of the Whole.
- 5.7.4 The order of the agenda for the Committee of the Whole shall be as follows and may be altered in accordance with Section 4.14.3.
- Call to Order
 - Approval of Agenda
 - Approval of Addenda and Late Items
 - Delegations and Presentations
 - Minutes and Matters Arising
 - New Business
 - Late Items
 - Rise and Report
 - Adjournment

5.8 Other Standing and Select Committees

The Order of the agenda for all other Standing and Select Committees shall be in accordance with Section 5.7.4.

5.9 Procedural Rules for all Standing and Select Committees

- 5.9.1 The following sections of this bylaw shall apply to all standing and Select Committees:
- Section 4.1 - Inaugural Meetings
 - Section 4.3 - Special Meetings
 - Section 4.4 - Open Meetings
 - Section 4.5 - Closed Meetings
 - Section 4.6 - Duty to Protect Confidentiality
 - Section 4.7 – Electronic Meetings
 - Section 4.9 - Advance Public Notice of Open and Closed Meetings
 - Section 4.10 - Elections of Chair and Vice Chair
 - Section 4.11.5 - Seat Assignments
 - Section 4.12 – Conduct of Meetings
 - Section 4.13 - Alternate Directors
 - Section 4.15 - Delegations
 - Section 4.16 - Late Delegations

- Section 4.17 - Minutes
- Section 4.18 - Use of Audio or Video Recording Devices
- Section 4.21 - Rules of Order
- Section 4.22 - Motions
- Section 4.23 - Notice of Motion
- Section 4.25 - Conflict of Interest

- 5.9.2 The Board may, by separate bylaw adopted by at least 2/3 of the votes cast, delegate administrative powers to a Standing Committee.
- 5.9.3 A member of a Committee shall have one vote each.
- 5.9.4 The Chair and Vice Chair of a Committee shall be elected in accordance with Section 4.10; except that this section does not apply to the Regional and Corporate Services Committee.
- 5.9.5 The Board may establish when regular meetings of a Committee will be held. Where the Board has not established regular meetings of a Committee, meetings of a Committee shall be convened at the call of the Chair.
- 5.9.6 A majority of the members of any Committee, may, by written request to the Committee Chair, require the Committee Chair to call a meeting and it shall be the duty of the Committee Chair or, in his absence from the Regional District, the duty of the Vice Committee Chair or the person responsible for corporate administration to call such meeting.
- 5.9.7 Where a predetermined date for a committee meeting has not been established, a notice of meeting shall be caused to be sent by the person responsible for corporate administration, to the Committee Chair and to each of the Committee members in accordance with Section 4.9.
- 5.9.8 The Committee Chair shall preside at every meeting and shall vote on all questions submitted.
- 5.9.9 In the case of an equal number of votes for and against the question, the question shall be defeated.
- 5.9.10 A quorum for a Standing or Select Committee shall be a majority of the persons appointed to the Committee being present at a meeting and shall include at least one member who is a Board Director.
- 5.9.11 In the absence of the Committee Chair, the Vice Committee Chair shall preside, and in the absence of both the Chair and Vice Chair, a Committee member chosen by the other Committee members then present shall preside, and for that purpose shall have all the powers and is subject to the same rules as the Committee Chair.

- 5.9.12 The person responsible for corporate administration or a designate shall attend all meetings of the Committee and shall ensure that there is a record of the proceedings.
- 5.9.13 When a vote is taken on any question, the names of those who vote for and those who vote against the question shall be entered upon the minutes if any member shall request a recorded vote.
- 5.9.14 The minutes of all meetings of every Committee shall be accurately recorded, shall be circulated to the members of the Committee prior to the next meeting and after the minutes have received the approval of a majority of the members, shall be signed by the Chair or other person presiding at the meeting or at the next meeting at which the minutes are adopted.
- 5.9.15 A committee shall consider and report to the Board on any and every matter referred to it by the Board or any matter set to a Committee agenda. Such report shall be in the form of the minutes of the meetings of the Committees as referred to a meeting of the Board, unless special or exigent circumstances dictate that matters may be otherwise brought forward.
- 5.9.16 No action of any Committee shall be binding on the Board unless the Minutes of such Committee have been received by the Board.
- 5.9.17 Where an issue arising from such Committee Minutes requires action by the Board, that matter shall be set forth separately on the Board Agenda or dealt with as a matter arising out of Committee. Notwithstanding the above, where a Committee which has not been delegated administrative powers approves of a recommendation pertaining to a service, and all directors representing a participating area are present at the meeting of the committee, the committee may by a unanimous vote approve of an action being taken upon such recommendation, provided that such does not otherwise require the approval of the Board.
- 5.9.18 An applicant or proponent with respect to a matter set to a Committee Agenda shall be given the opportunity to address the respective Committee for a maximum of five (5) minutes with respect to the matter without having to appear as a delegation.
- 5.9.19 The order of business for all closed meetings of Committee shall be as follows:
- Call to Order
 - Approval of Agenda
 - Approval of Addenda and Late Items
 - Delegations and Presentations
 - Minutes and Matters Arising
 - New Business

- Late Items
- Rise and Report
- Adjournment

5.10 **Reconsideration of a matter by Committee**

- 5.10.1 The Committee Chair or a Committee Member may, at the same meeting, or at the next Committee meeting following the original vote, initiate the reconsideration of a matter.
- 5.10.2 A Committee shall not reconsider a matter unless the motion to reconsider the matter has first been considered.
- 5.10.3 If the motion to reconsider a matter has passed, the matter may be reconsidered at the same meeting, or may be set to the next regular meeting agenda for reconsideration by separate resolution of the Committee.
- 5.10.4 A matter may not be reconsidered if the matter has:
- had the approval or the assent of the electors and was subsequently adopted by the Board; or
 - already been reconsidered by the Board where the Chair has brought the matter forward for reconsideration; or
 - been acted on by an officer, employee or agent of the Regional District further to previous Board direction.
- 5.10.5 On reconsideration of a matter, the Committee has the same authority it had in its original consideration of the matter.
- 5.10.6 On reconsideration of a matter by a Committee, if the original decision was to recommend the adoption of a bylaw or a resolution to the Board, and that decision is rejected on reconsideration, the matter will not proceed to the Board for the Board's further consideration.
- 5.10.7 Matters brought forward for reconsideration will be recorded in the Committee Minutes.
- 5.10.8 Once a bylaw, resolution, or proceeding has been rejected upon its reconsideration, it shall not be reintroduced to the Board for six (6) months, except with the unanimous consent of the entire Board.
- 5.10.9 Where a matter has been reconsidered, the Committee shall not reconsider the matter again in accordance with Section 4.27.7 and 4.27.8.

6 CONFLICT OF LAW

Where this bylaw conflicts with relevant provisions of the *Act, Charter* or other enactment, the *Act, Charter* or other enactment shall prevail as the case may be.

7 EFFECTIVE DATE

This bylaw shall come into full force and effect on the date of adoption.

8 REPEAL

The following bylaws are here by repealed:

Fraser Valley Regional District Board and Committee Procedures Bylaw No. 0433, 2001;

Fraser Valley Regional District Board and Committee Procedures Amendment Bylaw 0970, 2009; and


Fraser Valley Regional District Board and Committee Procedures Amendment Bylaw 1041, 2010.

9 READINGS AND ADOPTION

READ A FIRST TIME THIS	24 th day of February, 2015
READ A SECOND TIME THIS	24 th day of February, 2015
READ A THIRD TIME THIS	24 th day of February, 2015
ADOPTED THIS	24 th day of February, 2015



Chair/Vice-Chair



Corporate Officer/Deputy

10 CERTIFICATION

I hereby certify that this is a true and correct copy of "Fraser Valley Regional District Board and Committee Procedures Bylaw No. 1305, 2015" as adopted by the Board of Directors of the Fraser Valley Regional District on the 24th day of February, 2015. Dated at Chilliwack, B.C. on the 25th day of February, 2015



Corporate Officer/Deputy

SCHEDULE A

REGIONAL DISTRICTS ELECTRONIC MEETINGS REGULATION 271/2005

B.C. Reg. 271/2005

[includes B.C. Reg. 281/2012 amendments (effective September 26, 2012)]

Contents

1. Definition
2. Electronic meetings authorized

[Provisions of the *Local Government Act*, RSBC 1996, c. 323, relevant to the enactment of this regulation: section 222.1]

Definition

1. In this regulation, "Act" means the *Local Government Act*.

Electronic meetings authorized

(SUB)
Sep
26/12

2. (1) If the requirements in subsection (2) are met,
 - (a) a special board meeting may be conducted by means of electronic or other communication facilities, or
 - (b) a member of the board or a member of a board committee who is unable to attend a meeting of the board or board committee may participate in the meeting by means of electronic or other communication facilities.
- (2) The following apply in relation to a meeting referred to in subsection (1):
 - (a) a procedure bylaw under section 794 [*procedure, bylaws and enforcement*] of the Act must authorize the matters set out in subsection (1) (a) or (b);
 - (b) the meeting must be conducted in accordance with the applicable procedure bylaw;
 - (c) the facilities must enable the meeting's participants to hear, or watch and hear, each other;
 - (d) for a special board meeting referred to in subsection (1) (a),
 - (i) the notice under section 793 [*calling and conduct of meetings*] of the Act must include notice of the way in which the meeting is to be conducted and the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public, and
 - (ii) except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the meeting at the specified place, and a designated regional district officer must be in attendance at the specified place;

REGIONAL DISTRICTS ELECTRONIC MEETINGS REGULATION 271/2005

- (e) for a meeting referred to in subsection (1) (b), except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the member participating by means of electronic or other communication facilities.
[am. B.C. Reg. 281/2012.]

[Provisions of the *Local Government Act*, RSBC 1996, c. 323, relevant to the enactment of this regulation:
section 222.1]

SCHEDULE B
REGIONAL DISTRICT SPECIAL VOTING
REGULATION 41/91

B.C. Reg. 41/91

[includes B.C. Reg. 19/1998 amendments]

Contents

1. Interpretation
2. Special vote may be taken on urgent matters
3. How special voting is to be conducted
4. Special vote must be reported at next regular meeting
5. Application of regulation

SCHEDULE

[Provisions of the *Local Government Act*, RSBC 1996, c. 323, relevant to the enactment of this regulation: section 793(8)]

Interpretation

1. In this regulation "**urgent**" means requiring immediate action as a result of unforeseen circumstances.

Special vote may be taken on urgent matters

2. (1) Subject to subsection (2), the voting by the directors of a regional district board, including voting on passing a resolution or on reading or adopting a bylaw, may be conducted in accordance with section 3 where the chairperson and one other director consider
 - (a) that the issue to be voted on is urgent, and
 - (b) that calling a regular or special meeting to conduct the voting is impractical.
- (2) Voting on the second or third reading of the following bylaws may not be conducted in accordance with section 3:
 - (a) annual budget bylaws;
 - (b) zoning bylaws;
 - (c) bylaws adopting official community plans;
 - (d) rural land use bylaws.

REGIONAL DISTRICT SPECIAL VOTING REGULATION 41/91

How special voting is to be conducted

3. (1) The secretary shall make all reasonable attempts in the circumstances to ensure that each director entitled to vote has the opportunity to do so.
- (2) Before a director votes, the secretary shall ensure that the resolution or bylaw to be voted on is communicated to the director either
 - (a) orally, including by telephone or other means of telecommunication, or
 - (b) by delivery, including by delivery in writing, by facsimile transmission or other means of electronic transmission or by delivery in electronic form.
- (3) A director shall vote by informing the secretary, in any manner referred to in subsection (2), of the director's approval or disapproval of the resolution or bylaw and the secretary shall at that time record the director's vote.
- (4) Each director who votes shall have the number of votes that he or she would have had in voting on the matter at a regular meeting of the board.
- (5) The rules under section 791 of the Act regarding the counting of votes at meetings of the board, except section 791 (10), apply to the counting of votes taken in accordance with this section.
- (6) After ensuring that each director has an opportunity to vote as required by subsection (1), the secretary shall inform the chairperson of the results of the voting and the chairperson shall declare the vote to have passed or failed in accordance with those results.
- (7) At the time of the chairperson's declaration under subsection (6), the results of the voting shall have the same effect as if the voting had been conducted at a regular meeting of the board and shall then be recorded by the secretary as a minute of the board.
- (8) If the secretary is absent, ill or otherwise disabled, the chairperson may appoint another director to conduct voting under this section in the place of the secretary.

Special vote must be reported at next regular meeting

4. At the next regular meeting of the board following a vote under section 3, the chairperson shall report the results of the vote.

Application of regulation

5. This regulation applies only to the districts listed in the Schedule.

[en. B.C.Reg. 17/98.]

[en. B.C. Reg. 17/98.]

the Cariboo Regional District
the Central Coast Regional District
the Regional District of Central Kootenay
the Columbia-Shuswap Regional District
the Regional District of East Kootenay
the Regional District of Fraser-Fort George
the Fraser Valley Regional District

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the Regional District of Kitimat-Stikine
the Regional District of Kootenay Boundary
the Regional District of Mount Waddington
the Skeena-Queen Charlotte Regional District
the Squamish-Lillooet Regional District
the Thompson-Nicola Regional District

[Provisions of the *Local Government Act*, RSBC 1996, c. 323, relevant to the enactment of this regulation:
section 793(8)]