



Kitimat-Stikine Board Procedure Bylaw No. 778, 2022

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**REGIONAL DISTRICT OF KITIMAT-STIKINE
BYLAW NO. 778**

**A bylaw to regulate the proceedings of the Board of
the Regional District of Kitimat-Stikine.**

The Board of the Regional District of Kitimat-Stikine, in open meeting assembled, enacts as follows:

PART 1 - INTRODUCTION

Title

1. This bylaw may be cited as the “Kitimat-Stikine Board Procedure Bylaw No. 778, 2022”.

Definitions

2. In this Bylaw:

"Act" means the *Local Government Act*, R.S.B.C 2015, c. 1, as amended;

"Associate Member" means a person, other than a Director, appointed by a treaty First Nation or First Nation actively pursuing Treaty/Self-Governance to participate in Regional District Regular, Special and Committee of the Whole meetings in a non-voting capacity and includes their alternate if acting in the place of an Associate Member;

"Board" means the elected Board of the Regional District of Kitimat-Stikine;

"Board Chair" means the member of the Board elected as Chair pursuant to the *Act* and shall include the Vice Chair in the absence of the Chair;

"Chair" means the member presiding at a meeting of the Board, Committee, or Commission as the context requires;

"Charter" means the Community Charter, S.B.C. 2003, c. 26, as amended

"Committee" means a standing, advisory, select, or other committee of the Board.

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

"COW" means the Committee of the Whole Board;

"Director" means an electoral area director or a municipal director pursuant to the *Act*, includes their alternates if acting in the place of a Director, and includes the Chair and Vice Chair;



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"Notice Board" means the Notice Board located at the entrance of the Regional District office building located at 4545 Lazelle Avenue, Terrace, B.C. and the Regional District website;

"Member" means a director of the Board, or a person appointed to a Committee or Commission, as the context requires;

"Quorum" means a majority of the Directors for a meeting of the Board; and a majority of the voting members appointed for a committee or commission meeting;

"Regional District" meant the Regional District of Kitimat-Stikine.

"Select Committee" means a committee of the Board that is established to consider or inquire into any matter and report its findings and opinion to the Board, and is automatically dissolved upon its final report to the Board;

"Standing Committee" means a long-term committee established by the Chair of the Board to deal with issues of an ongoing nature;

Application of Rules of Procedure

3. The provisions of this Bylaw govern the proceedings of the Board, COW, all standing and select committees of the Board and all commissions, as applicable.
4. In cases not provided for under this Bylaw, the most current version of Robert's Rules of Order, apply to the proceedings of the Board, COW, committees and commissions to the extent that those rules are:
 - (a) applicable in the circumstances; and
 - (b) not inconsistent with provisions of this Bylaw, the *Act* or the *Charter*.
5. No provision of this bylaw relating to the procedure of the Board shall be altered unless notice of the proposed amendment is given in accordance with section 225 of the *Act*.

Suspension of Rules of Procedure

6. Except for those provisions of this Bylaw that are statutorily mandated, the rules of procedure contained in this Bylaw may be suspended for a temporary time period specified by the Board with a 2/3 vote of those members present.

PART 2 – BOARD MEETINGS

Inaugural Meeting

7. Following a general local election, the Board shall meet in an inaugural meeting during the month of November at such time as shall be advised by the Corporate Officer in writing.



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8. The presiding officer of the inaugural meeting shall be the Chief Administrative Officer until such time as the Chair has been elected.
9. The Chief Administrative Officer shall announce results of elections and confirm that new members have completed the Oath of Office set out in the *Act*, following which the Chair shall be elected from among the members of the Board.

Election of Chair and Vice Chair

10. The Board shall elect a Chair and Vice Chair at its first meeting after November 1st in each year.
11. The Chief Administrative Officer shall call three (3) times for nominations for Chair and conduct a vote by secret ballot in which the person receiving a majority vote of those members present shall be elected Chair. Each member shall have only one vote. If only one candidate is nominated for an office, that candidate shall be declared elected by acclamation.
12. Nominations do not need to be seconded and a candidate must consent to the nomination.
13. If a candidate is not present at the meeting, their written consent to the nomination must be provided to the Corporate Officer prior to the meeting.
14. 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 their candidacy in the order of their nomination. If a candidate is not present at the meeting, they may have their nominator deliver a prepared speech on their behalf not to exceed three minutes in duration.
15. At the conclusion of the candidates' speeches, the Corporate Officer and Executive Assistant or designate shall conduct a secret ballot. Each Director will be provided with a paper ballot in which to cast their vote. Completed ballots shall be placed into a ballot box. When all the ballots have been collected, the ballot box will be removed to a separate room and the ballots are counted by the Corporate Officer and Executive Assistant or designate.
16. If a Director is participating in the meeting electronically to cast a vote for the office of Board Chair, they shall, at the time the vote is being conducted, telephone the Chief Administrative Officer or Corporate Officer who will record their vote on a ballot paper and deposit same in the ballot box.
17. Following the counting of the ballots, the Corporate Officer shall advise the Chief Administrative Officer of the candidate that has received a majority of the votes.
18. The number of votes received by each candidate will not be disclosed to the Board unless a resolution requiring disclosure is passed.
19. In the event that there are more than two candidates for the election of Chair or Vice Chair and if no person receives a majority of the votes of those members present, the candidate receiving the least number of votes shall be eliminated and subsequent ballots



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shall be taken until one candidate receives the majority of votes of those members present; unless there is a tie between the two candidates with the least votes of those members present, in which case, subsequent ballots shall be taken until one candidate receives the least number of votes of those members present and is eliminated. If the tie for the least number of votes of those members present continues after three elections have been held, the candidate who shall be eliminated will be decided by a lot between the candidates as outlined in section 20. The voting on subsequent ballots will then proceed without the eliminated candidate until one candidate receives the majority of votes of those members present.

20. **Tie Vote:** If a definitive election result cannot be declared after three (3) elections have been held, then the result of the election shall be determined by lot between those two (2) candidates as follows:
 - (a) The name of each member is to be written on a separate piece of paper;
 - (b) The pieces of paper are to be folded in a uniform manner in such a way that the names of the members are not visible;
 - (c) The pieces of paper are to be placed in a container that is sufficiently large to allow them to be shaken for the purpose of making their distribution random;
 - (d) A member who is not a candidate for office shall withdraw one paper from the container; and
 - (e) The member whose name is on the paper that was drawn shall be declared elected to that office.
21. Once a candidate has been declared elected, the ballots shall be destroyed by way of a Board resolution.
22. Following the election of the Chair, the Regional District Board shall elect one of its members to be Vice Chair. The procedure for determining the member to be elected Vice Chair shall be as set out in sections 10 to 21 for electing the Chair of the Board.

Time, Location, and Adjournment of Meetings

23. All board meetings shall take place at the Regional District Boardroom, 4545 Lazelle Avenue, Terrace, B.C. except when the Board resolves to hold meetings elsewhere.
24. Regular meetings of the Board will normally be held on the Friday following the third Monday of each month except:
 - (a) where it is considered necessary by the Board to avoid conflicting with periods of statutory holidays, conventions, conferences, or other events; or
 - (b) The Board, by resolution, establishes alternate meeting locations and dates.
25. Regular and Special meetings of the Board shall be adjourned no later than three (3) hours from the scheduled start time of the meeting unless the Board resolves to proceed beyond that time by unanimous decision of the members present.
26. No later than the last board meeting in December, the Corporate Officer shall provide an annual schedule of board meetings for the upcoming year, including the date, time, and place of meetings, and meetings shall be held accordingly unless otherwise determined by resolution of the Board.



27. For the purposes of advance public notice, the Corporate Officer shall post the annual schedule of board meetings at the Notice Board and Regional District website. In the event of a change to a regular board meeting date, time, or place, the Corporate Officer shall as soon as possible post the change at the Notice Board and Regional District website.

Notice of Regular Meetings

28. At least 72 hours before a regular meeting of the Board, the Corporate Officer must give public notice of the time, place, and date of the meeting by way of a notice posted on the Notice Board and the Regional District website.
29. At least 24 hours before a regular meeting of the Board, the Corporate Officer must give further public notice of the meeting by way of:
- (a) posting a copy of the agenda on the Notice Board and the Regional District website; and
 - (b) making copies of the agenda available at the Regional District office for the purpose for members of the public upon request.

Notice of Special Meetings

30. In accordance with section 220 of the *Act*, a Special meeting of the Board may be called by the Corporate Officer at the request of the Chair, or any two (2) Directors by notice sent electronically at least five (5) days before the date of a special meeting that states the general purpose, the date, time, and place of the meeting to each Director at the address given to the Corporate Officer by the Director.
31. At least 24 hours before a special meeting of the Board, the Corporate Officer must give public notice of the time, place and date of the meeting by way of:
- (a) posting a copy of the agenda on the Notice Board and the Regional District website; and
 - (b) making copies of the agenda available at the Regional District office for members of the public upon request.
32. The notice of a Special Meeting may be waived by a unanimous vote of the Board.
33. In an emergency, with the consent of the Chair and two Directors, notice of a Special Meeting may be given less than five days before the date of the meeting, and notice of the Meeting need not be given in writing.
34. In accordance with section 222 of the *Act* and the Regional District Special Voting Regulation, B.C. Reg. 41/91, and amendments, a Special Vote may be held on an urgent issue with the consent of the Chair and one other Director. Before a Director Votes, the secretary shall ensure that the resolution or bylaw to be voted on shall be communicated to the Director by telephone or other means of telecommunication, or by



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delivery in writing, by facsimile, or other means of electronic transmission or electronic form.

Notice of Committee and Commission Meetings

35. At least 24 hours before a committee or commission of the Board, the Corporate Officer must give public notice of the meeting by way of:
 - (a) posting a copy of the agenda on the Notice Board and the Regional District website; and
 - (b) making copies of the agenda available at the Regional District office for members of the public upon request.

Agenda

36. The Corporate Officer under the direction of the Chair and Chief Administrative Officer, shall prepare and publish an agenda in electronic, web-based format before every regular meeting of the Board. The agenda shall be published and accessible to Directors and the public via the Regional District's webpage at least four (4) days before the applicable meeting. If there are late items, the agenda will be republished and available on the evening preceding the meeting.
37. When any order, resolution or question is lost by reason of the Board, committee, or commission of the Board breaking up for want of a quorum, the order, resolution, or question so lost shall be proceeded with and disposed of at the next meeting of the Board, committee, or commission.

Late Items:

38. Where the Chief Administrative Officer or Directors believe it is in the public's interest to expedite urgent or time sensitive matters for Board consideration which arises after the circulation of the regular agenda, the matter shall be placed before the board as an Amendment to the Agenda. These items shall be prepared by the Corporate Officer and be available prior to the commencement of the meeting. Items approved for consideration under this provision shall be introduced by the Chair during debate on adoption of the agenda.

PART 3 – BOARD PROCEEDINGS

Attendance of Public at Meetings

39. Subject to Section 226(1) of the *Act* and Section 90 of the *Charter*, all Board meetings must be open to the public.
40. Where the Board wishes to close a meeting to the public, it may do so by adopting a resolution in accordance with Section 92 of the *Charter*.



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41. This Section also applies to meetings of 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.
42. Despite section 39, the Chair may expel or exclude a person from a Board meeting or meeting of a body listed in section 41 of this Bylaw in accordance with section 133 of the *Charter*.

Closed Meetings

43. The Closed agenda will be prepared by the Corporate Officer, or their delegate, at the direction of the Chief Administrative Officer and the Board Chair. The Closed agenda will be available to members at least four (4) days preceding the applicable Board meeting.
44. The Closed agenda will normally be prepared in electronic format and will be accessible only to those who are permitted to attend the Closed meeting.
45. Closed agenda documents may not be printed or otherwise duplicated by members.
46. No member shall disclose to the public the proceedings of a closed meeting unless a resolution has been passed at the closed meeting to allow disclosure.
47. As soon as practicable, the Corporate Officer shall review and determine whether to seek a resolution of the Board for the release of closed minutes and related information that would no longer undermine the reason for discussing it in a closed meeting.
48. Minutes of a closed meeting shall be kept in the same manner as a regular meeting but shall not be filed with the minutes of regular meetings.

Minutes of Meetings

49. Minutes of Board and committee and commission meetings shall be kept by the Corporate Officer in accordance with Section 223 of the *Act*.
50. Subject to section 51, and in accordance with sections 97(1)(b) and (c) of the *Charter*, minutes of Board meetings or of a body referred to in section 41 must be open for public inspection at the Regional District Office during its regular business hours.
51. Section 50 does not apply to minutes of a Board meeting, or a meeting of a body referred to in section 41 for that part of the meeting from which persons were excluded under section 90 of the *Charter*.



Correspondence

52. Following consultation with the Chair and Directors, the Corporate Officer may place correspondence from another government, government agency, group, or organization that requests an action from the Board, on the agenda of the next convenient Board meeting, or on an agenda of the meeting of a committee or commission whose mandate or terms of reference includes the requested action, together with any report from Regional District staff that the Chair or the Chief Administrative Officer consider advisable.

Participation in Meetings by Electronic Means

53. While it is preferable for Members to attend in person, as it promotes concise communication and thorough discussion, provided the conditions set out in Section 221 of the *Act* and the Regional District Electronic Meetings Regulations, B.C. Reg. 271/2005, and amendments are met:
- (a) A special board meeting may be conducted by means of electronic or other communications facilities;
 - (b) A member may participate electronically in regular, committee, and commission meetings for reasons pertaining to extenuating circumstances such as: absence from the Regional District boundaries, health reasons, or poor travel conditions and their alternate is absent;
 - (c) In an emergency circumstance such as a declaration of local, provincial or federal state of emergency or a pandemic, epidemic, natural disaster, fire, flood, travel advisory, road closure, or severe weather exists or is expected to exist that prevents or restricts members from being able to physically meet in one location, all members may participate electronically in regular, committee, and commission meetings;
 - (d) Participation in Meetings indicated in sections 53 (a), (b), and (c), through electronic or other communication facilities is at the call of the Board Chair and the Corporate Officer must be notified of electronic participation 48 hours prior to the meeting, or as soon as possible if it is an unknown circumstance.
54. Unless there is a special meeting as identified under section 53 (a) or an emergency circumstance under section 53 (c), the Chair of a regular, committee, or commission meeting must not participate electronically and, if required to attend electronically, the Chair will pass the chairing responsibilities to the Vice Chair or in their absence a Chair will be appointed to preside physically by the remaining members, as per section 65 of this bylaw.
55. Unless there is a special meeting as identified under section 53 (a) or an emergency circumstance under section 53 (c), a quorum must be physically in the room. If there will not be a physical quorum in the room, the Chair will decide which of the Directors shall attend electronically and which shall attend physically due to their extenuating circumstance. Quorum does not need to be physically in the room for committees and commissions of the Board.
56. Except for a meeting that is closed to the public, the public must be able to hear, or watch and hear, the members and persons participating by electronic or other communication facilities.



57. Receipt of agendas or information by a member participating electronically may be facilitated through electronic means.
58. A member participating in a meeting electronically is deemed to be present in the meeting as though they are physically present, are entitled to full privileges, and will be noted in the minutes as having participated electronically.
59. A member participating electronically by audio means only must indicate their vote verbally.
60. A member or person participating electronically must make every effort to eliminate background noise, including muting their line when not addressing the Board, committee, or commission.
61. A member or person participating in a Closed meeting via electronic means must take all necessary steps to ensure that no other person is able to overhear the discussion.
62. If there is an interruption in the communications link to a member participating electronically, the meeting will be continued without the member, unless the interruption results in the loss of a quorum:
 - (a) members may decide on a short recess until it is determined whether or not the link can be re-established; or
 - (b) the meeting shall be dissolved and rescheduled.

Opening Proceedings

63. As soon after the approved time of a meeting as a quorum is present, the Chair shall take the chair and call the meeting to order.
64. If a quorum is not present within thirty (30) minutes of the appointed time of a meeting, the names of the members present shall be recorded in the minute book, and the meeting shall be adjourned until the next meeting date, unless a special meeting is called in the interim.
65. In the event the Chair does not attend within fifteen minutes of the appointed time, the Vice Chair shall take the chair, or in the Vice Chair's absence, the Chief Administrative Officer or Corporate Officer shall take the chair and call the meeting to order. If quorum is present, the members shall appoint an Acting Chair who shall preside during the meeting or until the arrival of the Chair or Vice Chair.

Order of Proceedings

66. The business of the meeting of the Board shall proceed in the following order unless the Board otherwise directs, subject to section 68:
 - (a) Call to Order



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- (b) Resolution to Convene into Closed in accordance with the applicable provisions of the *Charter*
 - (c) Reconvene to Regular Board Meeting & Territorial Acknowledgement
 - (d) Amendments to the Agenda
 - (e) Approval of Agenda
 - (f) Delegations and Guests
 - (g) Adoption of Minutes
 - (h) Correspondence
 - (i) Reports
 - (j) Resolution to adopt Recommendations of Committees & Commissions
 - (k) Bylaws
 - (l) Reports on Board Activities
 - (m) Notice of Motion
 - (n) Question Period from the Media & Public
 - (o) Resolution Released from the Closed Board Meeting
 - (p) Adjournment
67. Once an agenda has been adopted it may only be amended by a 2/3 majority vote of all members.
68. A change to the prescribed order of business other than a special meeting may be ordered by the Chair or moved by a member, with unanimous consent.
69. The Chair may call a recess at any time during a meeting and may stipulate that the meeting will reconvene after a specific period of recess, at a specific time, or at the call of the Chair. A meeting may be reconvened on another day without written notice if the details of reconvention were stipulated at the time of recess. When reconvened, the Chair will advise the assembly of the next item of business.
70. Where the Chair is satisfied that all business has been concluded, meetings may be adjourned by resolution of the members.

Rules of Conduct and Debate

71. A member may speak in a meeting only if that member has raised a hand, and has been recognized by the Chair.
72. Every member desiring to speak shall address themselves to the Chair and the Chair will determine speaking order. No member shall interrupt a person speaking except to raise a point of order.
73. Directors shall address the Chair as "Chair (last name)" and shall refer to each other as "Director (last name)".
74. Members shall address staff who are present at the meeting through the Chair who, in turn, shall defer to the Chief Administrative Officer who shall recognize staff if required.
75. Debate shall be strictly relevant to the question before the meeting and the Chair shall warn speakers who violate this rule.



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76. A matter of privilege (a matter dealing with the rights or interests of the Board as a whole or of a member personally) may be raised at any time and shall be dealt with immediately before resumption of business.
77. After a question is called by the Chair, no member shall speak to the question, nor shall any other motion be made until the result of the vote has been declared. The decision of the Chair as to whether to call the question shall be conclusive.
78. Members and any persons speaking at a Board meeting:
 - (a) must use respectful language;
 - (b) must not use offensive gestures or signs;
 - (c) must speak only in connection with the matter being debated; and
 - (d) must adhere to the rules of procedure established under this Bylaw, Regional District Code of Conduct Policy, and to the decisions of the Chair and the members in connection with the rules and points of order.
79. If the Board Chair considers that a member or other person at the meeting is acting improperly, the Chair may order that the member is expelled from the meeting. If the member who is expelled does not leave the meeting, a peace officer may enforce the Chair's order as if it were a court order.
80. If any person at the meeting, offending any of the provisions of Section 78 apologizes to the Regional Board Chair, the Board Chair may permit the person to immediately resume their seat.
81. The following rules apply to limit speech on matters being considered at a Board meeting:
 - (a) Members are limited to speaking twice for no longer than three (3) minutes at a time on any matter except:
 - i. with the permission of the Board Chair; or
 - ii. if the member is explaining a material part of a previous speech without introducing a new matter;
 - (b) Where practical, all members will be given the opportunity to speak once on a matter before a member is recognized a second time;
 - (c) A member who has made a substantive motion to the Board may reply to the debate;
 - (d) A member who has moved an amendment on the previous question may reply to the debate;
 - (e) Directors are encouraged to speak succinctly and to not repeat information that has already been heard.
82. If the Chair desires to leave the chair for the purpose of taking part in the debate or otherwise, they shall make an announcement to that effect and call on the Vice Chair, or if the Vice Chair is absent, one of the members, to take their place until they resume the Chair.
83. The conflict-of-interest guidelines (disclosure of conflict and restriction on participation) shall be in accordance with section 100 and 101 of the *Charter*.
84. No person not a member of the Board may participate in the Board's deliberations without the consent of the Board.



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Points of Order

85. The Chair shall preserve order and decide all points of order which may arise, subject to an appeal to the other members present.
86. If a member appeals the decision of the Chair, the question shall immediately be put "shall the Chair be sustained?", and the Chair shall be governed by the vote of the majority, exclusive of the Chair. In the event of the votes being equal, the question shall pass in the affirmative. The names of the members of the Board voting for or against the question shall be recorded in the minutes.
87. If the Chair refuses to put the question "Shall the Chair's decision be sustained?", the Vice-Chair shall preside temporarily. The Vice-Chair shall proceed in accordance with section 86.
88. Any resolution or motion carried under the circumstances mentioned in section 87 is as effectual and binding as if carried under the presidency of the Chair.

Motions

89. All questions shall be decided by a vote on a motion.
90. A motion must be moved and seconded before being debated.
91. Subject to Section 92, all motions may be moved and seconded by any Director.
92. 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.
93. Where a motion is under debate, no motion may be made except to:
 - (a) Postpone the question indefinitely or to a specified time;
 - (b) Amend;
 - (c) Refer the matter to staff or committee;
 - (d) Limit or extend the debate on the matter;
 - (e) Previous Question (Question be called); or
 - (f) Lay on the Table.
94. 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.
95. After a motion is presented, 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.
96. When the question under consideration contains distinct propositions, upon the request of any Director, the vote upon each proposition shall be taken separately.
97. If requested by the Chair, motions, other than routine motions, shall be committed to writing by the mover and handed to the Corporate Officer before being debated.



98. Negative motions shall not be permitted with respect to any matter for which the defeat of such a motion would fail to dispense with the matter.
99. At any time during debate on a motion, a Director 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 (2/3) vote of the Directors present. The motion previously under debate will immediately be voted upon without further amendment or debate.
100. A question of referral, until it is decided, shall preclude all amendments to the main question.
101. A motion to adjourn the meeting or to adjourn the debate shall always be in order.
102. 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.

Notice of Motion

103. 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.
104. The Notice of Motion must be within the Board's mandate as a governing body.
105. A Notice of Motion may be presented to the Board by either:
- (a) The Board Member providing the Corporate Officer 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 Corporate Officer shall be responsible for including the motion on the next regular Board agenda, or to the Special Meeting agenda scheduled for that purpose; or
 - (b) The Board Member may provide the Corporate Officer with a written copy of the Notice of Motion not later than ten (10) calendar days prior to the scheduled Board meeting. The Corporate Officer shall be responsible for including the motion on the next regular Board agenda.
106. A notice under section 105(a) shall only be decided at its meeting of introduction if it is of an urgent or time sensitive matter and is decided by a two-thirds (2/3) majority of members present.

Amendments Current Motions

107. Any member may move an amending motion to a motion then under consideration and upon being seconded and accepted for debate shall be decided upon or withdrawn before the main question is put to a vote. Only two amendments shall be allowed to a motion at one time.



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108. An amendment may propose adding, removing, or substituting text of the motion under consideration but may not propose a change which would frustrate the intent of the main motion.
109. The Chair shall put the original motion and its amendments in the following order for voting by the Board:
- (a) Firstly, any amendment to an amending motion;
 - (b) Secondly, the amending motion as amended; and
 - (c) Lastly the original motion as amended by the amending motion.

Amendments Past Motions

110. An amendment to a resolution previously adopted by the Board shall be subject to the same procedural rules as amendment to current motions except that there shall be no vote on the resolution as amended.

Reconsideration of a Motion

111. In accordance with Section 217 of the *Act*, a member may, at the same or next regular or special meetings of the Board:
- (a) Move to reconsider a matter on which a vote, other than to postpone indefinitely, postpone to a certain date and time, or table, has been taken;
 - (b) Move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
112. A member who voted affirmatively for a resolution adopted by the Board may move to reconsider that resolution.
113. The Board shall not discuss the main matter referred to in section 111 unless a motion to reconsider that matter is adopted in the affirmative.
114. A motion to reconsider requires a seconder and requires two-thirds (2/3) of the votes cast by the Board to pass. If the motion to reconsider is passed, the matter must be put before the Board as soon as convenient to consider the reasons and either reaffirm or reject the bylaw, resolution, or proceeding and may be dealt with by the Board by a majority vote.
115. 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.
116. A bylaw, resolution, or proceeding that is reaffirmed after reconsideration is valid and has the same effect as it had before reconsideration.
117. The Board must not reconsider any motion that:
- (a) has been acted upon by any officer or employee of the Regional District; or



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(b) received the assent or approval of the electors and subsequently adopted by the Board.

118. After a question has been reconsidered, it shall not be reintroduced for a period of six (6) months except by unanimous consent of all members.

Voting

119. Voting rules will be in accordance with the *Act*.

120. When debate on a question is closed, the Chair shall immediately put the question to a vote.

121. Subject to the applicable provisions of the *Act*, all Directors shall openly signify their vote on every question by the raising of hands.

122. The Board shall only vote by ballot or any other secret method when electing the Board Chair and Vice Chair.

123. Should any Director refrain from voting when any question is put, for any reason other than conflict of interest, they shall be regarded as having voted in the affirmative and their vote shall be counted accordingly.

124. As soon as the Chair has announced the results of the vote on a question, any Director who voted in opposition may request the Chair to have their name so recorded in the minutes. A vote in opposition will not be recorded in the minutes unless a Director requests that it be done.

125. On any question where the numbers of votes, including the vote of the person presiding, are equal, the question is defeated.

Use of Audio or Video Recording Devices

126. With the exception of audio or video recording devices necessary for conducting the Board's business, at the discretion of the Chair, audio or video recording devices may be placed in a designated location while being used and remain in that location during the course of the meeting. This applies to the Chairs of Board, Committee, and Commission meetings.

127. The audio or video recording devices shall only be turned on at the start of the meeting and must be turned off at the meetings adjournment.

128. With the exception of audio or video recording devices necessary for conducting the Board's business, audio or video recording devices shall not be used or operated during a closed meeting.

129. Audio recordings of Board meetings are deemed to be transitory records and shall not be retained once the minutes of the respective meeting have been adopted by the Board.



Delegations & Petitions

130. Individuals and groups wishing to appear before Board, committee, or commission meetings may do so only if they have first requested in writing via the online form or emailed or printed form ten (10) days before the agenda has been prepared and circulated to the Board and is in accordance with the Regional District Policy for Delegations, Guests and Petitions to Meetings of the Regional District Board, Committees, or Commission.
131. Where written application has not been received by the Corporate Officer subject to section 130, an individual or delegation may address the meeting if approved by the unanimous vote of the members present.
132. Every individual or group shall be allowed ten (10) minutes to present a petition or submission. Where the delegation is requesting Board action, the matter will be referred to staff for a recommendation unless the matter under consideration is urgent.

Question Period from the Media & Public

133. A fifteen (15) minute time limit will be scheduled for the Question Period at the end of the meeting.
134. Each speaker will be allocated up to two (2) minutes to pose their question.
135. At the discretion of the Chair, the time allocation for the Question Period or for individual speakers may be altered.
136. Questions will be limited to items on the Agenda of the meeting.

Public Hearings

137. The holding of public hearings shall be governed by the provisions of the *Act* and the Regional District of Kitimat-Stikine policy manual.

PART 4 - BYLAWS

138. The provisions of the *Act* and Letters Patent shall govern consideration, reconsideration and adoption of all bylaws.
139. All bylaws shall be introduced by title and read a first time upon the motion "that (Title) Bylaw No. ___ be introduced and read a first time". The motion for first reading shall be decided without amendment or debate.
140. Immediately after first reading, the Board may consider amendments to the bylaw. The bylaw may then be read a second time upon the motion "that Bylaw No. _____ (as amended or as presented) be read a second time".



141. Following second reading where the *Act* or *Charter* requires public consideration or a public hearing a motion for public consideration or a public hearing shall be in order. The public consideration or public hearing shall be held following second reading and prior to consideration of third reading.
142. Following a public consideration or public hearing, or if none, immediately after second reading the Board may consider amendments to the bylaw. The bylaw may then be read a third time upon the motion "that Bylaw No. _____ (as amended or as presented) be read a third time".
143. Not less than one clear day after third reading, the bylaw may be adopted upon the motion "that Bylaw No. _____ be adopted", unless the Board adopts the bylaw in accordance with section 228 of the *Act*: a bylaw that does not require approval, consent or assent under this or any other *Act* before it is adopted may be adopted at the same meeting at which it passes third reading if the motion for adoption receives at least two-thirds (2/3) of the votes cast.
144. First and second readings on any bylaw may, at the Board's discretion, be read concurrently on the motion "that Bylaw No. ____ be introduced and given first and second reading."
145. The Board may reconsider any clause or section of a bylaw following first, second or third reading. Once third reading is complete changes can still be made to the bylaw, however, third reading must be rescinded and the bylaw read again a third time. Once a bylaw is adopted it may only be amended or repealed through a new bylaw.
146. Every bylaw adopted by the Board shall be signed by the Board Chair and the Corporate Officer.
147. The Corporate Officer may make minor corrections to bylaws at third reading and to adopted bylaws, such as spelling mistakes and sequential numbering errors.
148. The Corporate Officer or designate may consolidate one or more of the Regional District bylaws for official use.
149. A copy of every bylaw shall be kept among the Board's records.

PART 5 – COMMITTEES AND COMMISSIONS

Standing Committees

150. Standing committees may be established by the Board Chair in accordance with the *Act*.
151. The Chair shall appoint only Board members to a Board Standing Committee unless the authorizing legislation or Letters Patent for the Board Standing Committee defines its membership.
152. Appointments to standing committees are made annually by the Board Chair, including appointments of the Chair of that committee.



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153. The Board Chair is an ex officio member of all Standing Committees and entitled to vote at all meetings.
154. All Directors who are not members of a standing committee and Associate Members or their Alternates may attend the meetings of any Standing Committee, shall not be allowed to vote, but may take part in any discussion or debate by permission of a majority vote by the committee members.
155. A majority of the Directors appointed to a standing committee shall constitute a quorum.
156. A standing committee shall consider matters that are referred to it and report to the Board with or without a recommendation.
157. Except where a standing committee otherwise resolves, the business of the meeting shall be conducted by consensus.

Select Committees

158. Select Committees may be established by the Board in accordance with the *Act* to consider or inquire into any matter and report their findings and opinions to the Board. Select Committees must have terms of reference approved by the Board.
159. Appointments to select committees are made by the Board.
160. Persons who are not members may be appointed to a Select Committee but each Select Committee should include at least one (1) Member of the Board.
161. All Directors who are not members of a Select Committee and Associate Members or their Alternates may attend the meetings of any Select Committee, shall not be allowed to vote, but may take part in any discussion or debate by permission of a majority vote by the committee members.
162. A majority of the members appointed to a Select Committee shall constitute a quorum.
163. A Select Committee may report to the Board at any regular meeting or shall report as required by the Board.
164. A Select Committee shall be dissolved upon completion of its assignment(s) and its report(s) to the Board.



Commissions

165. The Board may establish a Commission regarding a Regional District service within the authorities delegated to it and as mandated by the Board by bylaw or letters patent.

166. All Directors who are not members of a Commission and Associate Members or their Alternates may attend the meetings of any standing committee, shall not be allowed to vote, but may take part in any discussion or debate by permission of a majority vote by the committee members.

Advisory Committees

167. The Board, or Board Standing Committees, may establish an Advisory Committee to provide advice and recommendations to the Board, or to a Board Standing Committee, on matters determined to be within approved terms of reference or within a specific resolution of the Board.

168. Members of an Advisory Committee shall be appointed by the Board.

169. Persons who are not Members may be appointed to an Advisory Committee but each Advisory Committee should include at least one (1) Member of the Board.

170. All Directors who are not members of a standing committee and Associate Members or their Alternates may attend the meetings of any Advisory Committee, shall not be allowed to vote, but may take part in any discussion or debate by permission of a majority vote by the committee members.

Committee of the Whole (COW)

171. The Board may resolve to sit as a COW at any time.

172. The Chair may appoint another member to preside over the COW who shall maintain order therein and report the proceedings thereof to the Board.

173. The rules of the Board shall be observed in COW as far as may be applicable. Motions shall be seconded. Divisions in COW shall be decided by a show of hands. A motion in COW to rise without reporting, or that the Chair of the Committee do leave the Chair, shall always be in order and shall take precedence over any other motion. A motion to rise without reporting, if affirmed shall be considered as disposing of the matter before the Committee in the negative.

174. When all matters referred to the COW have been considered, a motion to rise and report shall be adopted. The COW may report progress and ask leave to sit again if the matter before it has not been disposed of. On the COW rising, the Chair shall report to the Board and an adoption of the report shall be moved.

175. Discussion in COW shall be strictly relevant to the item or clause under consideration.



Committee and Commission Procedures:

176. In the transaction of business, all committees and commissions shall adhere as much as possible to the rules governing proceedings and conduct of Directors in meetings of the Regional Board.

177. Alternate Directors are authorized to serve on committees and commissions of the Board in the absence of the Director. This does not apply to outside agencies where Directors are appointed at the request of the agency concerned.

178. Attendance at committee meetings by the public and delegations, as well as the structure and scheduling of committee and commission meetings shall be in keeping with the provisions of this bylaw and current Board policies.

179. No committee or commission will operate outside of its expressed mandate or terms of reference without prior approval of the Board.

Severability:

180. If any section, subsection, or other part of this bylaw is found by a court of competent jurisdiction to be invalid, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.

Repeal

181. The Regional District of Kitimat-Stikine "Procedure Bylaw No. 695, 2017" is hereby repealed.

READ a first time this _____ 21st _____ day of _____ October _____, 2022.

READ a second time this _____ 21st _____ day of _____ October _____, 2022.

READ a third time this _____ day of _____, 2022.

ADOPTED this _____ day of _____, 2022.

Chair

Director of Administration