BOARD PROCEDURE BYLAW - INDEX

BYLAW NO. 1512

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WHEREAS under Section 794(1) of the Local Government Act the Board must establish the procedures to be followed for the conduct of its business and, in particular, must, by bylaw,

(a) establish the general procedures to be followed by the Board and by Board committees in conducting their business, including the manner by which resolutions may be passed and bylaws adopted;
(b) provide for advance public notice respecting the time, place and date of Board and Board committee meetings and establish the procedures for giving that notice;
(c) identify places that are to be public notice posting places for the purposes of the application of section 94 [requirements for public notice] of the Community Charter to the Regional District.

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

PART I - GENERAL

1. TITLE

This bylaw may be cited for all purposes as the “Regional District of Nanaimo Board Procedure Bylaw No. 1512, 2006”.

2. INTERPRETATION

In this bylaw, unless the context requires otherwise:

“Administrator” means the Chief Administrative Officer of the Regional District.

“Advisory Commission” means an Advisory Commission appointed by the Board under the Local Government Act which does not include a Director.

“Advisory Committee” means an Advisory Committee or Commission appointed by the Board, which includes at least one Board member, but does not include a Standing or Select Committee.

“Amendment” means an alteration of a main motion by substituting, adding or deleting a word or words without materially altering the basic intent of the main motion.

“Board” means the governing and executive body of the District.

“Chairperson” means the Chairperson of the Board who is elected under Section 792 of the Local Government Act.
“Committee of the Whole” means a Committee of all Board members.

“Corporate Officer” means the person responsible for corporate administration under Section 198 of the *Local Government Act*.

“District” means the Regional District of Nanaimo.

“Director” means a member of the Board whether as a municipal director or an electoral area director.

“In Camera Meeting” means a meeting that is closed to the public in accordance with Section 90 and Section 92 of the *Community Charter*.

“Motion” means a formal proposal placed before a meeting or deliberative assembly in order that it may be debated to a conclusion.

“Public Notice Posting Place” means the notice board at the Regional District of Nanaimo Administration office.

“Quorum” the quorum of the Board or the Committee of the Whole, shall be nine Directors. In the case of a Committee, a quorum shall be a majority of the members of the Committee.

“Scheduled Standing Committee” means a liaise committee of one appointed by the Chairperson to a Committee listed in Schedule ‘A’.

“Select Committee” means a Select Committee appointed under Section 795 of the *Local Government Act* comprised solely of Board members.

“Standing Committee” means a Standing Committee appointed by the Chairperson under Section 795 of the *Local Government Act* comprised solely of Board members.

“Vice Chairperson” means the Vice Chairperson (or Deputy Chairperson) of the Board, who is elected under Section 792 of the *Local Government Act*.

3. APPLICATION

(1) This bylaw applies to all meetings of the following (except as otherwise provided in this bylaw):

   Board
   Advisory Committee
   Advisory Commission
   Select Committee
   Standing Committee
   Committee of the Whole

(2) Any one or more of the rules and orders contained in this bylaw may be temporarily suspended by an affirmative vote of not less than two thirds (2/3) of the members present, except those contained in Part III, Section 28 (Bylaws).
(3) When any matter relating to proceedings arises which is not covered by a provision of this bylaw, the matter shall be decided by reference to the New Roberts Rules of Order, 2nd Edition, 1998 to the extent those Rules are applicable in the circumstances and not inconsistent with this Bylaw, the Community Charter or the Local Government Act.

(4) In the event of any conflict between the provisions of this bylaw and those contained in the New Roberts Rules of Order, 2nd Edition, 1998, the provisions of this bylaw shall apply.

4. RULES OF CONDUCT AND DEBATE

(1) Every member shall address himself or herself to the Chair before speaking to any question or motion.

(2) Members shall address the Chair as “Mr. or Madam Chairperson” and shall refer to each other as “Director ________________”.

(3) No member shall:

(a) use offensive words in referring to the Board, a Director, or an officer or employee of the Regional District;

(b) speak beside the question in debate or reflect upon a vote of the Board, except for the purpose of moving that the vote be rescinded;

(c) leave his or her seat or make any noise or disturbance while a vote is being taken and until the result is declared;

(d) disobey the rules of the Board or resist a decision of the Board or Chairperson on questions of order or practice, or interpretation of the rules of the Board.

(4) A member who contravenes Section 4(3) may be suspended or removed from the remainder of a meeting, by the Chairperson, upon two-thirds vote of the Board.

5. INAUGURAL MEETING

(1) The Board shall meet on the second Tuesday in December of each year for its Inaugural meeting.

(2) The meeting shall be chaired by the Administrator who shall call the meeting to order and confirm the appointment of representatives from the member municipalities.

6. CHAIRPERSON AND VICE CHAIRPERSON

(1) APPOINTMENT

(a) Annually at the Inaugural meeting, the Board shall elect a Chairperson and Vice Chairperson.
(b) The Administrator shall call for nominations for the position of Chairperson and Vice Chairperson.

(c) The Vice Chairperson has, during the absence, illness or other disability of the Chairperson, all the power of the Chairperson and is subject to all rules applicable to the Chairperson.

(2) **PURPOSE**

The Chairperson shall act as the Board’s Official spokesperson and shall chair all Board meetings except where the Chairperson is absent due to illness, disability or other reason where the Chairperson has left the Chair in accordance with Subsection (4) or has left the meeting in accordance with Section 793(7) of the *Local Government Act* and sections 100 and 101 of the *Community Charter*, and shall maintain order and preserve decorum by enforcing the rules of the Board.

(3) **GENERAL RESPONSIBILITIES**

Subject to being overruled by a majority vote of the Directors, which vote shall be taken without debate, the Chairperson:

(a) shall decide points of order without debate or comment, other than to state the rule governing;

(b) shall determine which Director has a right to speak;

(c) shall ascertain that all Directors who wish to speak on a motion have spoken thereon, and that the Directors are ready to vote by asking the question “Are you ready for the question?” and shall thereafter put the question to the vote;

(d) shall rule when a motion or an amendment is out of order, and site the rule or authority applicable thereto, subject to an appeal to the Board and decline to put any motion before the Board which he/she deems to be clearly out of order or contrary to law;

(e) may call a Director to order.

(4) Should the Chairperson desire to leave the Chair for the purpose of taking part in the debate, or otherwise, he/she shall call on the Vice Chairperson, or if the Vice Chairperson is absent, one of the Directors to take his/her place until the Chairperson resumes the Chair.

(5) The Chairperson may, at any meeting, cause to be expelled and excluded, any person who creates any disturbance or acts improperly during a meeting.
PART II - CONDUCT OF BOARD BUSINESS

7. LOCATION AND TIME OF REGULAR BOARD MEETINGS

(1) Regular meetings of the Board must take place at the Regional District Board Chambers unless the location is changed by resolution of the Board.

(2) Regular meetings of the Board must be held on the second Tuesday of each month commencing at 7:00 p.m.

Effective September 1st, 2004, regular meetings of the Board will take place on the fourth Tuesday of each month commencing at 7:00 p.m. Notwithstanding this provision, the regular Board meeting in December will take place annually on the second Tuesday in December in accordance with section 5(1) of this bylaw.

(3) Notwithstanding anything in this bylaw, one or more standing committee may be combined to meet as a Committee of the Whole.

8. NOTICE OF REGULAR BOARD MEETINGS

(1) 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 at the Public Notice Posting Place.

(2) At least 24 hours before a regular meeting of Board, the Corporate Officer must give further public notice of the meeting by:

(a) posting a copy of the agenda at the Public Notice Posting Place; and

(b) leaving copies of the outline of the agenda at the reception counter at the Regional District Administration Office for the purpose of making them available to members of the public.

(3) At least 24 hours before a regular meeting of the Board, the Corporate Officer must deliver a copy of the agenda to each member of the Board at the place to which the Board member has directed notices to be sent.

9. NOTICE OF SPECIAL BOARD MEETINGS

(1) Except where notice of a special meeting is waived by a unanimous vote of all Board members under Section 793(3) of the Local Government Act, at least 24 hours before a special meeting of the Board, the Corporate Officer must:

(a) give notice of the time, place and date of the meeting by way of a notice posted at the Public Notice Posting Place; and

(b) give notice of the special meeting in accordance with Section 793(3) of the Local Government Act.

(2) In the case of an emergency, notice of a special meeting may be given in accordance with section 793(5) of the Local Government Act.
10. **NOTICE OF STANDING COMMITTEE & COMMITTEE OF THE WHOLE MEETINGS**

(1) At least 72 hours before a regular meeting of a Standing Committee or Committee of the Whole, the Corporate Officer must give public notice of the time, place and date of the meeting by way of a notice posted at the Public Notice Posting Place.

(2) At least 24 hours before a regular meeting of a Standing Committee or Committee of the Whole, the Corporate Officer must give further public notice of the meeting by:
   (a) posting a copy of the agenda at the Public Notice Posting Place; and
   (b) leaving copies of the outline of the agenda at the reception counter at the Regional District of Nanaimo Administration Office for the purpose of making them available to members of the public.

(3) At least 24 hours before a regular meeting of a Standing Committee or Committee of the Whole, the Corporate Officer must deliver a copy of the agenda and time, date and place of the meeting to each member of the committee at the place to which the committee member has directed notices to be sent.

(4) At least 24 hours before a special meeting of a Standing Committee or Committee of the Whole, the Corporate Officer must give advance public notice of the purpose, time, place and date of the meeting by way of a notice posted at the Public Notice Posting Place.

11. **ATTENDANCE OF PUBLIC AT MEETINGS**

(1) Except where the provisions of section 90 of the *Community Charter* apply, all Board meetings must be open to the public.

(2) Before closing a Board meeting or part of a Board meeting to the public, the Board must pass a resolution in a public meeting in accordance with Section 92 of the *Community Charter*.

(3) This section applies to meetings of bodies referred to in Section 93 of the *Community Charter*, including, without limitation:
   
   (a) Advisory Commissions
   (b) Advisory Committees
   (c) Board of Variance
   (d) Parcel Tax Review Panel
   (e) Select Committees
   (f) Standing Committees
   (g) Committee of the Whole

(4) Despite section 11(1), the Chairperson may expel or exclude a person from a Board meeting or meeting of a body referred to in section 11(3) of this Bylaw in accordance with section 133 of the *Community Charter*. 
12. **MINUTES OF MEETINGS**

(1) For the purposes of section 236(b) of the *Local Government Act*, minutes of Board meetings must be kept in accordance with Section 236 of the *Local Government Act*. For the purposes of section 236(b), the designated officer is the Corporate Officer.

(2) Minutes of Committee meetings referred to in Section 12(3) must be kept in accordance with Section 237 of the *Local Government Act*.

(3) Subsection (2) applies to meetings of:
   - (a) Select, Standing, Committee of the Whole and Advisory Committees of the Board; and
   - (b) Any other body composed solely of board members acting as board members.

13. **OPENING PROCEDURES**

(1) At the hour set for a meeting to convene, and provided that a quorum is present, the Chairperson shall take the chair and shall call the meeting to order.

(2) If the Chairperson does not attend at the time appointed for a meeting, the Vice Chairperson shall take the chair.

(3) In the absence of both the Chairperson and Vice Chairperson, the Directors present may elect an acting Chairperson who shall preside during the meeting, or until the arrival of the Chairperson or Vice Chairperson.

(4) Such person appointed as acting Chairperson shall have all the powers and be subject to the same rules as the Chairperson.

(5) Should there be no quorum present within fifteen (15) minutes after the time appointed for a meeting to convene:
   - (a) the Corporate Officer shall record the names of the Directors present and the meeting of the Board shall stand adjourned until the next day of meetings; or
   - (b) the Directors present may, upon the affirmative vote of those Directors, meet as a Committee of the Board.

14. **SPECIAL MEETINGS**

(1) A special meeting of the Board may be called in accordance with Section 793(3) of the *Local Government Act* on the request of the Chair or any two Directors.
15. AGENDAS AND REPORTS

(1) AGENDA PREPARATION

(a) Prior to each Regular Meeting of the Board, the Corporate Officer shall prepare an agenda approved by the Chairperson or his/her designate, setting out all items for consideration at that meeting.

(b) Only those matters included on the agenda shall be considered or dealt with at a regular meeting of the Board, unless a new matter for consideration is properly introduced as a late item, as outlined in Section 15(5).

(2) ENCLOSURES

(a) Whenever practical, the agenda for a meeting of the Board shall have attached to it, copies of all communications, reports and resolutions to be considered at that meeting.

(b) In cases where documents are too unwieldy to be readily reproduced, the Corporate Officer may omit these materials from the agenda and shall refer to those items in short form on the agenda and keep the document on file in the Corporate Officer’s office for reference purposes.

(3) ORDER OF BUSINESS

In preparing the Board agenda, the Corporate Officer shall cite the business for the consideration of the Board in accordance with the following headings:

1. Call to Order
2. Delegations
3. Board Minutes
4. Business Arising from the Minutes
5. Communications/Correspondence
6. Unfinished Business
7. Standing Committee, Select Committee and Commission Minutes and Recommendations
7.1 Electoral Area Planning Committee

Minutes
Communications/Correspondence
Recommendations
7.2 Committee of the Whole
   Minutes
   Communications/Correspondence
   Recommendations
7.3 Executive Standing Committee
   Minutes
   Recommendations
7.4 Commissions
   Minutes
   Recommendations
7.5 Scheduled Standing, Advisory Standing and Select Committee Reports
   Minutes
   Recommendations
8. Administrator’s Report
9. Addendum
10. Business Arising from Delegations or Communications
11. New Business
12. Board Information
13. Adjournment
14. In Camera. (resolution required)

(4) VARYING THE ORDER OF BUSINESS

Notwithstanding the provisions under Section 15(3), the Board may vary the order in
which business on the agenda shall be dealt with, by a majority vote of the Directors
present.

(5) LATE ITEMS

(a) An item not included on the agenda or addendum shall not be considered at a
meeting unless introduction of the late item is approved at the time allocated on
the agenda (Board Agenda - New Business), by way of a motion carried by a majority
vote of the Directors present.

(b) Information pertaining to late items for possible consideration at any meetings of
the Board shall be distributed to the Directors at the commencement of the
meeting.
(6) DIRECTOR AGENDA ITEMS

Any Director wishing to place an item on an agenda for consideration by the Board shall notify the Corporate Officer in writing prior to the completion of the Agenda. The Corporate Officer shall place the item on the agenda with the written request attached to the agenda, under the applicable heading with the Director’s name beside it, to indicate that the Director will be speaking to the item at that meeting.

16. ADDENDUM

(1) ESSENTIAL ITEMS

These would include matters arising after the preparation of the agenda and which, if not acted upon in a timely manner, would prejudice or compromise either the District’s position or the position of a constituent or group of constituents. These topics would be of a legal or legislative nature.

(2) ELECTIVE ITEMS

These would include matters which are purely administrative and require no background information to support them. Examples of this type of action would be: appointments to Advisory Committees; the appointment of Directors to attend as District representatives at meetings of outside organizations; and endorsing recommendations from other jurisdictions, where the rationale for the recommendation has been provided and there is concurrence among Board members regarding the rationale and the recommendation.

17. NEW BUSINESS

(1) Only informational matters not covered under other sections of the agenda, including a point of order or a point of privilege, may be brought forward by a Director under the “New Business” section of the agenda (Board Agenda - New Business).

18. DELEGATIONS

(1) When a person or group of persons wish to appear as a delegation before the Board, on a matter within the jurisdiction of the Board, the person or persons shall adhere to the following process:

   (a) Submit a letter to the Corporate Officer requesting to appear as a delegation including the date of the meeting at which the person or persons wish to appear, the subject or topic to be discussed, the name and correct mailing address of the spokesperson, and telephone number where the representative of the delegation can be reached during the day.

   (b) Submit a written brief clearly setting out the topic and include specific concerns of the delegation relative to the topic which shall be included in the Board agenda. No letters, affidavits or other documents shall be attached to the briefs unless the subject matters of the same are embodied in the petitions or briefs.
(2) The spokesperson or persons for a group presentation shall be made known prior to publication of the Board agenda and shall give their full names and addresses to the Board prior to making their presentation.

(3) A delegation may be afforded a maximum of ten (10) minutes to make their presentation and shall be restricted to the summarizing of their brief, as included on the agenda. Additional time may be available at the discretion of the Chairperson, for answering questions presented by members.

A delegation wishing to speak on a Development Permit or Development Variance Permit will be afforded that opportunity at the time the item is being considered on the agenda and will be afforded a maximum of 5 minutes to make their presentation.

(4) In the absence of written requests, the Corporate Officer shall not place a delegation on the agenda except where the Chairperson so designates.

(5) Notwithstanding Subsection (4), the Board may by resolution, grant individuals or groups not listed in the agenda, an opportunity to be heard on matters either related to agenda items, or matters not listed on the agenda. Such delegation may be afforded a maximum of five (5) minutes to make their presentation. In order for late delegations to be placed on an “Addendum”, they must be received in writing no later than 1:00 pm on the day of the meeting.

(6) The Chairperson shall advise the spokesperson before he or she commences the presentation, that comments must be confined to the contents of the brief that has been filed with the Corporate Officer.

(7) Spokespersons for any one delegation shall be limited to one, except where the Board otherwise permits, and the total time allowed for any one delegation to make its presentation, shall not be more than ten (10) minutes, exclusive of the time required to answer questions by the Board.

(8) The Chairperson may deny any delegation, at the Board meeting, the right to be heard if, in the Chair’s opinion, the spokesperson or any member of the delegation:

(a) uses offensive words in referring to any member or to any official of the Board or member of the Public;

(b) shouts, immoderately raises his/her voice, or uses profane, vulgar or offensive language, gestures or signs;

(c) the remarks of the delegation’s spokespersons are likely to be scandalous, criminal, or offensive to the accepted rules of address to an elected body;

(d) addresses issues not contained within the brief.

(9) After initial presentation, the Chairperson may grant other persons or a spokesperson for a group of persons in gallery attendance, permission to address the Board on the subject matter.
(10) Time will be allowed on the agenda to allow members to question the individuals making the presentation.

(11) The Board may defer any discussion on a presentation until members have had sufficient time for study and discussion.

(12) If the decision is delayed, the spokesperson of the presentation will be informed by the Administration when the topic will be placed on a future agenda.

19. PETITIONS AND COMMUNICATIONS

(1) A letter, petition or other communication intended to be presented to the Board shall:

(a) be printed, typewritten, duplicated or legibly written;

(b) clearly set out the matter at issue and the request that is being made of the Board;

(c) be signed with the correct name of the writer and contain the correct mailing address of the writer; and

(d) in the case of a petition:

(i) be signed by each petitioner;

(ii) set out the printed name and residential address of each petitioner;

(iii) each page of the petition shall include the purpose for which the signatures have been petitioned.

(2) On receipt of a communication intended for the Board, the Administrator may:

(a) include it as an item on the agenda for the next regular meeting of the Board, in full or summary form as the Administrator sees fit; or

(b) refer it to the appropriate Committee for a report to the Board. An acknowledgment shall be mailed to the writer on receipt of the communication, advising where the matter has been referred.

20. IN CAMERA MEETINGS

(1) It shall be the responsibility of the Chairperson and the Administrator, collectively or individually to determine the subject matter which is to be submitted as “In Camera”.

(2) In Camera subject matters shall be restricted to matters set out in Section 90 of the Community Charter.

(3) All In Camera agendas shall be marked “In Camera”.
(4) In the event that staff normally utilized for the recording of the board minutes are excused from the Boardroom during discussion periods, the Board will appoint an Acting Corporate Officer for recording purposes. In this context, a recording book will be established and be made available in the Boardroom during all regularly scheduled and special Standing, Select Committee or Advisory Committee meetings. The book shall be retained outside of the meeting times by the Corporate Officer in the interest of confidentiality.

(5) The Board may, by motion, passed by a majority vote of the Directors present, bring forward to the public portion of the Board meetings, any of the written material marked “In Camera”.

(6) Any topics to be discussed verbally “In Camera” may also be brought forward, by resolution, to the public session of the Board meeting on a majority vote of the Directors present.

(7) The content of “In Camera” Board deliberations shall not be released, disclosed or announced publicly unless specific authorization to do so has been given by Board resolution adopted at a duly constituted meeting by a majority of the Directors present.

(8) The release of “In Camera” deliberations shall, unless otherwise specified by Board resolution, include the entire content of the relevant section of the appropriate “In Camera” minutes.

(9) Directors wishing to explain their personal position on the matter shall be given an opportunity to do so in conjunction with the release, or at any time thereafter.

(10) The Chairperson of an “In Camera” meeting may expel or exclude from a meeting of the Board, a member who, in the Chairperson’s opinion, has disclosed confidential information and is, therefore, guilty of improper conduct. The Chairperson may also exclude persons other than Board members from an In Camera meeting.

(11) Board Members, or Alternate Board Members in a Board Member’s absence, are the only persons permitted to participate in discussion at an In Camera meeting unless otherwise authorized by the Chairperson.

21. MINUTES

(1) ADOPTION AND DISTRIBUTION

The Corporate Officer shall ensure that:

(a) the minutes of the proceedings of the Board are legibly recorded.

(b) a copy of the minutes of every meeting of the Board is distributed to each Director prior to the meeting at which they are proposed to be adopted.
The minutes of a Board meeting as prepared by the Corporate Officer shall be, whenever possible, adopted at the next regular meeting of the Board and, once adopted, shall be certified correct by the Corporate Officer and signed by the Chairperson or person presiding at the meeting at which they are adopted.

PART III - BOARD RESOLUTIONS AND BYLAWS

22. GENERAL

(1) A motion is made by a member securing the recognition of the Chairperson, stating “I move that......”.

(2) A motion shall be worded in affirmative terms.

(3) All main motions must be seconded by another Director making a statement to that effect, and if not seconded, the motion is “lost for lack of a seconder”.

(4) When seconded, the Chairperson then restates the motion and by so doing puts the question to the meeting and opens the debate.

(5) There shall only be one main motion before a meeting at any one time.

(6) When any question is under consideration, no other main motion nor input from a delegation, shall be received.

(7) Motions, other than routine motions (including motions to adopt a report, to receive and file, to refer to a Standing Committee, Select Committee, Committee of the Whole or Commission, or to an official to introduce or pass a bylaw or adjourn), shall, if required by the Chairperson, be put in writing, and seconded before being debated.

(8) Every motion shall be recorded in writing by the Corporate Officer.

(9) Withdrawal:

After a motion has been made, it shall be deemed to be in the possession of the Board, but may, with the permission of the Board, be withdrawn at any time by the mover and the seconder, before decision or amendment.

23. AMENDMENTS

(1) Any Director may move to amend a motion that is under debate provided that the amendment is relevant to the main motion and does not materially change its purpose.

(2) An amendment may propose that certain words be left out, that certain words be omitted and replaced by others, or that certain words be inserted or added.

(3) Every amendment must be strictly relevant to the question being considered.
(4) An amendment that would simply negative the effect of the main motion is not acceptable, such an intention being properly fulfilled by merely voting against the motion.

(5) Once the question on the amendment has been put and dealt with by the Board, it shall be in order for a Director to again amend the main motion or amend the previous amendment. Only two (2) such amendments may be entertained at the same time.

(6) An amendment to an amendment must be relevant to the amendment.

(7) If two (2) amendments are entertained at the same time, one of the amendments must be disposed of before any new amendment can be entertained.

(8) There is no limit to the number of amendments admissible to a question provided Subsections (5) and (6) are observed.

(9) When a Director moves to amend a motion, the Chairperson shall state the original motion, followed by the amendment and then shall propose the question of the amendment to the Board.

(10) An amendment or motion to refer, once defeated by the Board, shall not be moved a second time.

(11) When the question on the amendment is resolved, the Chairperson shall again propose the main question and debate may ensue thereon, or other amendments may be submitted.

24. **DEBATE ON THE MOTION**

(1) No Director may speak twice on any motion, except under the following circumstances:

(a) receiving permission from the Chairperson or presiding member to speak, explain a part of the speech, but may not introduce any new matter and there shall be no debate on the explanation;

(b) When a Director who has moved a substantive motion, other than a motion that the main question before the Board be immediately put to a vote, he/she may close the debate after all other Directors have been given an opportunity to speak;

(c) No Director shall speak a second time to the same question as long as any Director who desires to speak has not spoken to that question;
(d) Before the debate has been closed, and the question called, provided no other Director has the floor, a Director may, during the debate:

(i) ask a question which

- relates directly to the debate,
- contains no argument, and
- introduces no new material on the motion; or

(ii) request that the motion, or a part thereof, be read aloud.

(2) No Director shall speak longer than

(a) five minutes on any original motion before the Board;

(b) three minutes on any amendment before the Board; or

(c) three minutes for closing debate on an original motion or on an amendment.

(3) When a Director has closed debate, the Chairperson or presiding member shall put the motion to a vote, without further discussion or debate.

(4) When the motion has been declared put, no Director shall debate further on the question or speak any words except to request that the motion be read aloud.

25. CEASING AND LIMITING DEBATE

(1) A motion to “Call for the previous question” shall always be in order. If seconded, the debate shall immediately halt and the Chairperson shall put the question “shall the main question be now put?”. If carried by a two-thirds (2/3) vote, all debate immediately ceases and the Chairperson shall immediately “call for the question”.

(2) A motion to limit debate or adjourn shall always be in order, need not be in writing, and shall be decided without debate or amendment. In this instance, a motion may be made to limit the time allowed each speaker, or the number of speeches on each side, or to appoint a time at which debate shall close and the question be put forth. No second motion to the same effect shall be made until some intermediate proceedings have occurred.

26. VOTING

(1) All votes pertaining to Board Business, shall be taken by a show of hands.

(2) Subsection (1) does not apply to the selection of Chairperson and Vice Chairperson.

(3) Directors who are in the room shall always take their places when a vote is called for and shall not leave until the vote has been taken.
(4) (a) Whenever a vote of the Board is taken for any purpose, each Director present in the Boardroom shall signify his or her vote upon the question, openly and individually by raising his/her hand and the Chairperson shall declare the motion carried unanimously, carried or defeated as the case may be.

(b) Each Director present in the Boardroom, who does not signify his or her vote upon the question openly and individually by raising his/her hand, shall be recorded as voting in the affirmative.

(5) Where a Director calls for a recorded vote, the names of the Directors voting in favour and those opposed shall be recorded by the Corporate Officer. A call for a recorded vote on any motion must be made before the question is put forth.

(6) Recorded votes shall only be permitted at Regular or Special Board meetings.

27. RECONSIDERATION

(1) After a vote has been taken on any question, except one of tabling or postponing a subject, a member who voted in the majority may move a reconsideration of the motion at the same or the next regular or special meeting of the Board.

(2) Despite Subsection (1), a member who is absent from a meeting at which a vote was taken on a question, except one of tabling or postponing a matter, may move reconsideration of the motion at either the next regular or special meeting of the Board.

(3) A motion to reconsider requires two-thirds of the votes cast to pass. If the motion to reconsider is successful, the matter shall be put before the Board for reconsideration and may be dealt with by the Board by a majority vote.

(4) The Board shall not reconsider any question that:

(a) has been acted upon by any officer or employee of the Regional District;

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

(c) has been reconsidered under section 219 of the Local Government Act or section 27(1) of this Bylaw.

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

28. BYLAWS

(1) GENERAL

(a) Every proposed bylaw shall be printed or typewritten before it is introduced for consideration by the Board.
(b) The Corporate Officer shall cause the bylaw to be copied in full and forwarded to the Directors with an agenda.

(c) A bylaw other than a bylaw referred to in Subsection (2) (Zoning/OCP Bylaws) may be voted upon by way of a motion to give it first, second and third reading.

(d) (i) Subject to provisions of the *Local Government Act*, no bylaw may be adopted unless it has received three readings and is reconsidered by the Board not less than one (1) day after third reading.

(ii) The title and the intended object only of the bylaw shall be read by the Chairperson at each reading of the bylaw, unless a majority of the Directors require that it be read in full.

(iii) In the case of a bylaw requiring the consent or assent of the electors or the approval of a Provincial Ministry, such bylaw shall not be adopted unless it shall have obtained three readings and such assent or approval as the case may be.

(e) The Board may give clause by clause consideration to the provisions of a bylaw, only upon consideration of a motion to give second reading of such bylaw, and clause by clause consideration may be conducted only after the Board shall have resolved by majority vote to conduct such detailed considerations.

(f) A bylaw may be reconsidered pursuant to Section 27 of this bylaw.

(g) The Corporate Officer shall be empowered to correct any typographical error that may not have been corrected at the time of submission to the Board and the bylaw shall have the same status as if the Board had corrected same.

(h) When a bylaw has been given three readings and has been adopted by the Board, it

(i) becomes an enactment of the District; and

(ii) is effective immediately unless the bylaw or an applicable provincial statute provides otherwise.

(2) ZONING/OCP BYLAWS

(a) Nothing in this Section shall require the Board to introduce a bylaw nor give it any reading or readings.

(b) A bylaw respecting a community plan or zoning bylaw shall not be adopted by the Board unless a public hearing is held or where a public hearing is waived in accordance with the *Local Government Act*.

(c) A bylaw referred to in Subsection (b) may be given only first and second reading at the time of introduction of such bylaw.
(d) The public hearing referred to in Subsection (b) shall be held after second reading, but prior to third reading of the community plan or zoning bylaw, as the case may be.

(e) A zoning bylaw referred to in Subsection (b) other than a bylaw in respect of a community plan, may be voted upon by way of a motion to give it first and second reading.

(f) A bylaw in respect of a community plan referred to in Subsection (b) shall be voted upon at each reading of the bylaw. The bylaw shall not be orally recited at each reading and further provided that individual motions in respect of each reading shall not be made unless the Board shall, upon motion, vote in the affirmative for separate motions in respect of each reading of the bylaw.

(3) **RESOLUTIONS**

(a) A resolution may be introduced at a Board meeting only if a written copy is given to each Director before consideration unless the Board agrees to waive this requirement.

(b) The Chairperson may have the Corporate Officer read the resolution and request a motion that the resolution be introduced.

**PART IV - CONDUCT OF COMMITTEE BUSINESS**

29. **COMMITTEE OF THE WHOLE**

(1) During any meeting of the Board, the Directors may, by motion, resolve itself into Committee of the Whole to consider specific matters.

(2) The Chairperson of the Board shall act as Chairperson of the Committee of the Whole.

(3) When all matters referred to Committee of the Whole have been considered, a motion to rise and report the Committee’s recommendations to the Board shall be adopted.

(4) On resumption of business of the Board, the Chairperson of the Committee of the Whole, shall report to the Board and the Board may:

   (a) adopt the report; or

   (b) reject the report; or

   (c) adopt the report with amendments; or

   (d) commit the subject matter for further consideration, either in part or in total; or

   (e) postpone action on the report; or

   (f) approve a request of Committee to sit again, the Committee having reported progress after partial consideration of the subject.
30. STANDING, SELECT AND ADVISORY COMMITTEES

(1) STANDING COMMITTEES

The Electoral Area Planning and Executive Committees shall be Standing Committees of the Board whose broad terms of reference are as follows:

(a) Electoral Area Planning Committee

To consider matters pertaining to Electoral Area Planning under Part 26 of the Local Government Act.

(b) Executive Standing Committee

To consider matters pertaining to employment contracts, Board appointments, Board procedures or other matters as determined by Board resolution. The Executive Committee shall comprise of eight members and shall include the Chairperson, Vice Chairperson and Chairperson of the Electoral Area Planning Committee. Where there are less than six Directors eligible to sit on the Executive Committee, the Board Chairperson shall appoint Board Members as necessary to establish its composition.

The Executive Committee shall review annually the list of Scheduled and Advisory Standing Committees as identified in Schedule ‘A’ to this bylaw.

(2) SCHEDULED STANDING COMMITTEES

Board members appointed to Scheduled Standing Committees are appointed as Committees of One, to act as a liaison committee between the Board and the organizations named in Schedule ‘A’ to this bylaw.

(3) ADVISORY COMMITTEES

An Advisory Committee is one which includes members of the public and at least one Board member to provide advice and recommendations to the Board on specific matters as determined by Board resolution.

(4) SELECT COMMITTEES

(a) Select Committees are those established and appointed by the Board and made up of Board members to consider or inquire into any matter and report its findings and opinions to the Board. Select Committees’ minutes shall be forwarded to the Board for information and included under Section 7.5 of the Board Meeting Order of Business.

(b) The Board delegates to the Chairperson the power to appoint a Select Committee.
(5) APPOINTMENT TO COMMITTEES AND COMMISSIONS

(a) The Chairperson shall review and update annually, as soon as possible after the Inaugural meeting, and not later than December 31st of any year, the list of Standing Committee members and Chairpersons and the list of Scheduled Standing Committee members.

(b) As soon as possible after the inaugural meeting, and not later than January 31st of the following year, the Board shall review and appoint persons to fill vacancies on Advisory Committees and Advisory Commissions.

(c) Unless specifically prohibited by an enactment, members of all Standing Committees, Select Committees, Advisory Committees and Advisory Commissions shall, regardless of the designated termination date of their respective position as a Committee or Commission member, continue to serve until such time as a replacement has been appointed, or until such time as the said member’s term is officially extended.

(6) QUORUM

(a) In any Standing or Select Committee, a majority of the Directors or members appointed to that Committee shall be a quorum.

(b) When a Standing or Select Committee is meeting and if the quorum is lost, the meeting shall either stand adjourned or meet as a Committee of the Whole. If the Standing or Select Committee meets as a Committee of the Whole, the minutes and recommendations from that meeting shall be referred to the next regular Standing or Select Committee meeting for endorsation prior to proceeding to the Board.

(7) VOTING

(a) Notwithstanding the number of votes assigned to Directors of the Board, any Director appointed to a Standing, Select or Committee of the Whole who attends a meeting of a Standing, Select or Committee of the Whole shall have only one vote on matters under consideration by the said Committee.

(b) Members of the Board may attend meetings of any Standing, Select or Advisory Committee and may participate in discussions; however, only Directors who have been appointed to a Committee or an Alternate Director attending in the absence of an appointed Director, may introduce a resolution or vote on the proceedings.

(c) The Chairperson shall be an ex-officio, a voting member of all Committees and when in attendance, possess all the rights, privileges, powers and duties of other Committee members.

(8) DUTIES

The general duties of a Standing Committee and Committee of the Whole shall be as follows:
(a) To consider and report to the Board from time to time, or whenever desired by the Board and as often as the interest of the Regional District may require, on all matters referred to it by the Chairperson, or the Board, or coming within its purview, and to recommend such action by the Board in relation thereto as it deems necessary or expedient.

(b) To carry out the instructions of the Board expressed by resolution in regard to any matter referred by the Board for immediate action. In such cases the instructions of the Board shall be specific and the Committee shall report its action in detail at the next regular, or other meeting, of the Board thereafter, as specified in the instructions of the Board.

(9) DELEGATIONS

When a person or a group of persons wish to appear as a delegation before a Standing, Select or Advisory Committee on a matter within the jurisdiction of the Committee, they shall be subject to the requirements set out in this bylaw.

(10) COMMITTEE RECOMMENDATIONS

Standing, Select, Committee of the Whole or Advisory Committee recommendations, shall be subject to the approval of the Board, except where the Standing, Select, Committee of the Whole or Advisory Committee have been delegated administrative power by the Board.

31. REPEAL

“Regional District of Nanaimo Board Procedure Bylaw No. 1393, 2004” and any amendments thereafter are hereby repealed.

Introduced and read three times this 28th day of November, 2006.

Adopted this 28th day of November, 2006.

__________________________________          ________________________________
CHAIRPERSON                        SR. MANAGER, CORPORATE ADMINISTRATION
SCHEDULE A

1. SCHEDULED STANDING COMMITTEES

- Arrowsmith Water Project Management Committee
- Deep Bay Harbour Authority
- Island Corridor Foundation
- Mount Arrowsmith Biosphere Foundation
- Vancouver Island Biosphere Centre
- Municipal Finance Authority
- Municipal Insurance Association (MIA)
- North Island 911 Corporation
- RDN Emergency Planning Committee
- Regional Library Board
- Regional Transportation Advisory Committee
- Treaty Advisory Committee
- Te’Mexw Treaty Negotiations Committee
- Oceanside Tourism Association
- Vancouver Island Health Authority Project Building Committee
- Vancouver Island Health Authority Joint Capital Planning Committee
2. ADVISORY STANDING COMMITTEES

Electoral Area ‘A’ Recreation & Greenspaces Advisory Committee

Gabriola Island Parks & Open Space Advisory Committee

East Wellington/Pleasant Valley Parks & Open Space Advisory Committee

NanOOSE Bay Parks & Open Space Advisory Committee

Electoral Area ‘G’ Parks & Open Space Advisory Committee

Electoral Area ‘H’ Parks & Open Space Advisory Committee

Grants-in-Aid Committee

Regional Growth Monitoring Advisory Committee

Regional Solid Waste Advisory Committee

Regional Parks & Trails Advisory Committee

3. COMMISSIONS

District 69 Recreation Commission