

**METRO VANCOUVER REGIONAL DISTRICT**  
**BYLAW NO. 1368, 2023**  
**A bylaw to regulate the proceedings of the**  
**Metro Vancouver Regional District Boards and Committees**

**WHEREAS** the *Local Government Act*, RSBC 2015, Chapter 1, as amended (the “*Act*”) requires the Board to establish the general procedures to be followed by the Board and Board committees in conducting their business;

**NOW THEREFORE** the Board of the Metro Vancouver Regional District enacts as follows:

**PART 1 - INTRODUCTION**

**Citation**

1. The official citation of this Bylaw is “Metro Vancouver Regional District Procedure Bylaw No. 1368, 2023”.

**Repeal of Bylaw**

2. “Metro Vancouver Regional District Procedure Bylaw Number 1205, 2014” and all amendments thereto are hereby repealed.

**Definitions**

3. In this Bylaw:

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

“audio and video recording devices” means any equipment enabling the recording and or transmission of sound and or visual images;

“Board” or “board” means the Board of Directors of the Metro Vancouver Regional District;

“Chair” means, where the context requires, the Chair of the Board elected pursuant to the *Act*, or the person appointed as the Chair, Vice Chair or other person presiding at a meeting of the Board or committee;

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

“committee” means, as the context requires, a select committee established by the Board, or a standing committee established by the Board Chair;

“Corporate Officer” means the officer assigned corporate administration responsibilities under the *Act* and includes that officer’s designate;

“Director” means a member of the Board, whether as a municipal director, as an electoral area director, or as a Treaty First Nation director pursuant to the *Act*;

“Electronic Meeting” means a meeting where some or all members are Electronic Participants;

“Electronic Participant” means a member who participates in a meeting by means of electronic or other communication facilities;

“In-Person Meeting” means a meeting where all members attend in-person;

“Meeting” or “meeting” means a meeting of the Board, or a meeting of a committee, as the context requires, and includes an Electronic Meeting and an In-Person Meeting;

“member” means a Director of the Board, or a person appointed to a committee, as the context requires;

“Unsafe Conditions” means any one or more of epidemics, pandemics, extreme weather conditions, fires, explosions, natural disasters, floods, riots, or road blockages;

“posting place” means the public notice board located on the 28th floor at the offices of the Metro Vancouver Regional District, 4515 Central Boulevard, Burnaby, British Columbia, V5H 0C6 and the MVRD website;

“Regional District” means the Metro Vancouver Regional District;

“select committee” means a committee established by the Board, pursuant to the *Act*, to consider or inquire into any matter and report its findings and opinion to the Board, after which the select committee disbands; and

“standing committee” means a committee established by the Board Chair, pursuant to the *Act*, that meets regularly to deliberate on matters the Chair considers would be better dealt with by committee.

#### **Application of Rules of Procedure**

4. (1) The rules of procedure as set out in this Bylaw apply to all Meetings except as otherwise provided.
- (2) In cases not provided for under this Bylaw, the current edition of *Robert’s Rules of Order, Newly Revised* will apply to the extent that those rules are applicable in the circumstances and are not inconsistent with the provisions of this Bylaw, the *Act*, or the *Charter*.

### **Motion to Suspend the Rules**

5. (1) Any member may give notice of a motion to temporarily suspend any one or more of the rules contained in this Bylaw, provided that such suspension is not inconsistent with or in contravention of any statutory requirement, by providing the Corporate Officer with a written copy of such motion no later than two working days prior to the scheduled Meeting, and the Corporate Officer shall add the motion to the agenda for said Meeting. The notice must specify which rule is to be temporarily suspended and the item on the agenda to which that suspension will apply.
- (2) At a Meeting, any member may at any time introduce a motion to temporarily suspend any one or more of the rules contained in this Bylaw provided that such suspension is not inconsistent with or in contravention of any statutory requirement.
- (3) A motion to suspend the rules may only be adopted by at least two thirds vote of the members present.

## **PART 2 – ELECTION OF CHAIR AND VICE CHAIR**

### **General Provisions**

6. (1) As provided in the *Act*:
  - (a) At the first Meeting held after November 1 in each year, the Board must elect a Chair and a Vice Chair.
  - (b) The Vice Chair has, during the absence, illness, or other disability of the Chair, all the powers of the Chair and is subject to all rules applicable to the Chair.
  - (c) If the Chair and the Vice Chair are not present at a Meeting of the Board, the Directors present may elect an acting Chair who, during that Meeting, has all the powers of the Chair and is subject to all rules applicable to the Chair.
  - (d) For the purposes of elections under this section, each Director present at the Meeting has one vote in each election for an office.

### **Nominations**

7. (1) The call for nominations for the office of Board Chair shall be conducted by the Corporate Officer, and the call for nominations for the office of Board Vice Chair shall be called by the Board Chair.
- (2) A candidate must consent to the nomination.
- (3) If a candidate is not present at the meeting, their written consent to the nomination must be provided to the Corporate Officer at the Meeting.

### **Acclamation**

8. If only one candidate is nominated for an office, that candidate shall be declared elected by acclamation.

## **Election**

9. (1) If more than one candidate is nominated for an office, an election by voting shall be held and voting shall be conducted by secret ballot.
- (2) At the close of nominations, each candidate will be given a maximum of three 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.
- (3) For elections that take place during an Electronic Meeting, if voting by secret ballot is not practicable, Board Members may place their vote by way of an individual, confidential phone call to the Corporate Officer.
- (4) The counting of ballots shall be conducted by the Corporate Officer together with the Treasurer or Corporate Solicitor. Immediately thereafter the ballots shall be destroyed.
- (5) The candidate with the most votes for an office shall be declared elected to that office.

## **Tie Vote**

10. In the event of a tie vote for the most votes of two or more candidates, the candidates who are tied remain in the election. If a definitive election result cannot be declared after three elections have been held, then the result of the election is determined by lot between those candidates as follows:
  - (a) the name of each candidate is to be written on a separate piece of paper, as similar as possible to all other pieces prepared for the determination;
  - (b) the pieces of paper are to be folded in a uniform manner in such a way that the names of the candidates 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, and the container is to be shaken for this purpose;
  - (d) a person who is not a candidate shall be asked to withdraw one paper; and
  - (e) the candidate whose name is on the paper that was drawn shall be declared elected to that office.

## **PART 3 – MEETINGS**

### **Regular Board Meetings – Date, Time, and Place**

11. (1) No later than the last board meeting in November, the Corporate Officer shall provide an annual schedule of regular 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.
- (2) For the purposes of advance public notice, the Corporate Officer shall post the annual schedule of regular board meetings at the posting place.
- (3) Regular board meetings may be cancelled, postponed, or rescheduled by the Corporate Officer in consultation with the Chair and Chief Administrative Officer.
- (4) In the case of regular board meetings conducted as Electronic Meetings, either the Corporate Officer or designate must be in attendance at a specified place where the public may attend to hear the portions of the proceedings that are open to the public.

- (5) In the case of regular board meetings conducted as Electronic Meetings, advance public notice must include:
  - (a) the way in which the Electronic Meeting will be conducted; and
  - (b) the place where the public may attend to hear, or watch and hear, the portions of the proceedings that are open to the public.
- (6) In the event of a change to a regular board meeting date, time, place, way in which the Electronic Meeting will be conducted, or place where the public may attend to hear, or watch and hear, the proceedings of an Electronic Meeting that are open to the public, the Corporate Officer shall as soon as possible post the change at the posting place.

#### **Regular Committee Meetings – Date, Time, and Place**

12. (1) As soon as possible after the Board Chair has established committees, the Corporate Officer shall establish an annual schedule of committee regular meetings including the date, time, and place of the meetings and provide the annual schedule of committee regular meetings to each member of each committee.
- (2) For the purposes of advance public notice, the Corporate Officer shall post the annual schedule of committee regular meetings at the posting place.
- (3) In the case of regular committee meetings conducted as Electronic Meetings, advance public notice must include:
  - (a) the way in which the Electronic Meeting will be conducted; and
  - (b) the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public.
- (4) A committee Chair may call additional meetings, or cancel a meeting, change the date, time, or place of a regular meeting where circumstances require.
- (5) In the event of a change to a regular committee meeting date, time, place, way in which the Electronic Meeting will be conducted, or place where the public may attend to hear, or watch and hear, the proceedings of an Electronic Meeting that are open to the public, the Corporate Officer shall as soon as possible post the change at the posting place.

#### **Special Meetings – Calling and Conduct**

13. (1) Pursuant to the *Act*, on the request of the Chair or any two members, a special meeting shall be called by the Corporate Officer by posting a copy of the notice at the regular board meeting place and public notice posting places, and by leaving one copy for each member at the place given by each member to the Corporate Officer for that purpose at least 24 hours in advance in advance of the meeting.
- (2) The notice shall state the general purpose of the meeting and the day, time, and place of the meeting, as well as whether the meeting is to be conducted as an Electronic Meeting or an In-Person Meeting.
- (3) The notice of special meeting must be signed by the Chair or Corporate Officer.
- (4) In the case of Special Meetings conducted as Electronic Meetings, notice must include:
  - (a) the way in which the Electronic Meeting will be conducted; and
  - (b) the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public.

- (5) In the case of Special Meetings conducted as Electronic Meetings either the Corporate Officer or designate must be in attendance at a specified place where the public may attend to hear the portions of the proceedings that are open to the public.
- (6) The notice of any special meeting may be waived by a unanimous vote of the Board or committee, as the context requires.
- (7) In an emergency, notice of a special meeting may be given with the consent of the Chair and two members, and notice of the meeting does not need to be given in writing.

### **Electronic Meetings**

14.
  - (1) A meeting may be conducted as an Electronic Meeting or an In-Person Meeting.
  - (2) Electronic Meetings must abide by the rules established by the Procedure Bylaw and Board policies pertaining to Electronic Meetings.
  - (3) Electronic Meetings may be held:
    - (a) using a hybrid model of simultaneous use of electronic facilities and the Metro Vancouver boardroom or other location; or
    - (b) using only electronic facilities, through which all members must join the meeting.

### **In-Person Meetings**

15.
  - (1) Certain meetings throughout the calendar year may be determined to require in-person attendance by members, when:
    - (a) established as In-Person Meetings on the annual Board and committee schedules referred to in Part 3;
    - (b) carried by resolution of the Board or committee; or
    - (c) given the nature of one or more items on the agenda, the Chair determines in-person attendance as a requirement, subject to members being provided with seven days of advance notice of the requirement to attend in person. The advance notice of any change of a scheduled meeting to an In-Person Meeting may be waived by a unanimous vote of the Board or committee, as the context requires.
  - (2) If the Chair determines that Unsafe Conditions exist that have the potential to cause risk to the health and/or safety of members scheduled to attend an In-Person Meeting, then notwithstanding Section 15(1), the Chair may permit members to participate by means of electronic or other communication facilities.
  - (3) Subject to section 15(4), if a member is unable to attend an In-Person Meeting due to extenuating circumstances, that member may request authorization from the Chair or the Chair's designate to participate electronically notwithstanding Section 15(1).
  - (4) Section 15(3) does not apply to the first meeting held after November 1 in each year, at which the board elects a Chair and a Vice Chair.

### **Attendance of Public at Meetings**

16. Pursuant to the *Act* and the *Charter*, a meeting must be open to the public, except as provided in section 17(1).

### **Meetings That May or Must Be Closed to the Public**

17. (1) A meeting, or part of a meeting, may or must be closed to the public only if the matter falls under section 90 of the *Charter*.
- (2) As provided in the *Charter*, before holding a meeting or part of a meeting that is to be closed to the public, the Board or committee must state, by resolution passed in a public meeting:
- (a) the fact that the meeting or part is to be closed, and
  - (b) the basis under the applicable subsection of section 90 of the *Charter* on which the meeting or part is to be closed.

### **Other Persons attending Closed Meetings**

18. (1) As provided in the *Charter*, if all or part of a meeting is closed to the public, the Board or committee may allow one or more Regional District officers and employees to attend or exclude them from attending, as it considers appropriate.
- (2) As provided in the *Charter*, if all or part of a meeting is closed to the public, the Board or committee may allow a person other than Regional District officers and employees to attend:
- (a) in the case of a meeting that must be closed under section 17(1), if the Board or committee considers this necessary and the person:
    - (i) already has knowledge of the confidential information, or
    - (ii) is a lawyer attending to provide legal advice in relation to the matter;and
  - (b) in other cases, if the Board or committee considers this necessary.
- (3) The minutes of a meeting or part of a meeting that is closed to the public must record the names of all persons in attendance.

### **Meetings and Hearings Outside Regional District**

19. As provided in the *Act*, the following meetings may take place outside the boundaries of the Regional District:
- (a) board meetings;
  - (b) committee meetings;
  - (c) other public meetings conducted by or on behalf of the Board or a board committee;
  - (d) board hearings that are required by law or authorized by an enactment; and
  - (e) board proceedings in which a person is entitled under the *Act* to make representations to the Board.

### **Duty to Respect Confidentiality**

20. Pursuant to the *Charter*, a member or former member must, unless specifically authorized by the Board or committee:
- (a) keep in confidence any record held in confidence by the Regional District, until the record is released to the public as lawfully authorized or required, and

- (b) keep in confidence information considered in any part of a meeting that was lawfully closed to the public, until the Board or committee discusses the information at a meeting that is open to the public or releases the information to the public.

**Corporate Officer to Attend**

- 21. The Corporate Officer or their designate shall attend all meetings and record the business, proceedings and reports thereof.

**PART 4 – QUORUM**

**Chair to Preside at Meetings**

- 22. (1) The Chair, if present, shall preside at all Meetings. In the absence of the Chair from a meeting, the Vice Chair shall preside.
- (2) In the absence of both the Chair and Vice Chair, the Corporate Officer shall call the Meeting to order and call for a motion from the members present to appoint a member to preside as acting Chair pursuant to the *Act*.
- (3) If the Chair or Vice Chair arrives after commencement of a Meeting at which an acting chair is presiding, he or she shall preside on arrival.

**Quorum**

- 23. (1) A quorum of the Board is a majority of all the Directors having among them a majority of all the votes and a quorum of a committee is a majority of the members appointed to that committee.
- (2) The Chair will call the Meeting to order as soon as quorum is present, but not before the time the Meeting was scheduled to commence.
- (3) If a quorum is not present within thirty minutes after the time established for a meeting, the Corporate Officer shall record the names of the members present and the Meeting shall stand adjourned.

**PART 5 – ORDER OF BUSINESS**

**Order of Business**

- 24. (1) The Corporate Officer, in consultation with the Chief Administrative Officer, shall prepare an agenda and circulate a copy of the agenda to each member. If necessary, a supplementary agenda for a Meeting of the Board may be circulated up to 24 hours before the meeting.
- (2) Unless otherwise determined by resolution of the Board or committee, the order of business for regular board meetings shall be as follows:
  - (a) Adoption of the Agenda
  - (b) Adoption of the Minutes
  - (c) Delegations
  - (d) Invited Presentations
  - (e) Consent Agenda
  - (f) Items Removed from the Consent Agenda



- (g) Reports from Committee or Chief Administrative Officer (not included on the Consent Agenda)
  - (h) Motions for Which Notice Has Been Given
  - (i) Other Business
  - (j) Resolution to Close Meeting
  - (k) Adjournment or Conclusion.
- (3) Unless otherwise determined by resolution of the Board or committee, the order of business for regular closed board meetings shall be as follows:
- (a) Adoption of the Agenda
  - (b) Adoption of the Minutes
  - (c) Delegations
  - (d) Invited Presentations
  - (e) Reports from Committee or Chief Administrative Officer
  - (f) Motions for Which Notice Has Been Given
  - (g) Other Business
  - (h) Adjournment or Conclusion.
- (4) Unless otherwise determined by resolution of the Board or committee, the order of business for regular committee meetings shall be as follows:
- (a) Adoption of the Agenda
  - (b) Adoption of the Minutes
  - (c) Delegations
  - (d) Invited Presentations
  - (e) Reports from Committee or Chief Administrative Officer
  - (f) Information Items
  - (g) Other Business
  - (h) Resolution to Close Meeting
  - (i) Adjournment or Conclusion.
- (5) Unless otherwise determined by resolution of the Board or committee, the order of business for regular closed committee meetings shall be as follows:
- (a) Adoption of the Minutes
  - (b) Delegations
  - (c) Invited Presentations
  - (d) Reports from Committee or Chief Administrative Officer
  - (e) Information Items
  - (f) Other Business
  - (g) Adjournment or Conclusion.
- (6) Unless otherwise determined by resolution of the Board or committee, the order of business for special board or committee meetings shall be as follows:
- (a) Adoption of the Agenda
  - (b) Reports from Committee or Chief Administrative Officer
  - (c) Resolution to Close Meeting
  - (d) Adjournment or Conclusion.
- (7) Unless otherwise determined by resolution of the Board or committee, the order of business for special closed board or committee meetings shall be as follows:
- (a) Adoption of the Agenda
  - (b) Reports from Committee or Chief Administrative Officer

- (c) Adjournment or Conclusion.

#### **Addition of Agenda Items by a Member**

- 25. (1) At a meeting, a member may, at the time adoption of the agenda is being considered, propose to place an additional item on the agenda. The item must be added to the agenda only if the resolution is adopted by at least two thirds vote of the members present.
- (2) Notwithstanding section 24(1), after the meeting agenda has been adopted, a member may propose to place an item of an urgent matter on the agenda. The item must be added to the agenda only if the resolution is adopted by at least two thirds vote of the members present.

#### **Minutes**

- 26. (1) As provided in the *Act*, minutes of board meetings must be:
  - (a) legibly recorded;
  - (b) certified as correct by the Corporate Officer;
  - (c) signed by the Chair or other member presiding at the meeting or at the next meeting at which they are adopted; and
  - (d) made available to the public.
- (2) As provided in the *Act*, minutes of a committee meeting must be:
  - (a) legibly recorded;
  - (b) signed by the Chair or member presiding at the meeting; and
  - (c) made available to the public.
- (3) The Corporate Officer may, after the minutes have been approved, correct errors in grammar, spelling, and punctuation in the minutes or may insert words necessary to the meaning or continuity of a sentence, but must not make any other change to the minutes which would alter or affect, in a material way, the actual decision made by the Board.

#### **Consent Agenda**

- 27. (1) The consent agenda portion of a board agenda shall consist of staff or committee report items that contain clear 'take action, give approval, or receive for information' recommendations.
- (2) Directors may vote on and adopt in one motion all recommendations appearing on the consent agenda portion of a board agenda.
- (3) At any time prior to the vote under section 27(2), a Director may for the purposes of:
  - (a) debate or discussion,
  - (b) voting in opposition to a recommendation on the consent agenda, or
  - (c) declaring a conflict of interest with respect to an item on the consent agenda, request that an item be removed from the consent agenda. The item will be considered immediately after the consideration of the consent agenda.

#### **Adjourn**

- 28. (1) A meeting which has been in session for four hours from the time the meeting was convened is deemed to be adjourned unless the Board or committee resolves to extend the meeting.

- (2) Notwithstanding section 28(1), a motion to adjourn shall always be in order; if said motion fails, no second motion to the same effect shall be made until some intermediate proceeding shall have been taken.

## **PART 6 – KEEPING ORDER**

### **Expelling a Person**

29. (1) Persons speaking at a Board or committee meeting must:
  - (a) Use respectful language;
  - (b) Not use offensive gestures or signs;
  - (c) Must not engage in bullying or harassing behaviour;
  - (d) Must adhere to the rules of procedures established under this Bylaw and to the decisions of the presiding member and the Board in connection with the rules and points of order.
- (2) If a person who has contravened the general rules of conduct as set out in section 29(1), the presiding member may permit the person to apologize and if the person does so apologize, the presiding member may:
  - (a) permit the person to remain in the meeting; or
  - (b) order the person to leave the meeting immediately if the presiding member is of the opinion that the apology was inadequate.
- (3) The Chair may expel a person from a meeting as provided in the *Charter* as follows:
  - (a) If the Chair considers that another person at the meeting is acting improperly, the person presiding may order that the person is expelled from the meeting.
  - (b) If a person who is expelled does not leave the meeting, a peace officer may enforce the order under subsection (a) as if it were a court order.

### **Use of Audio or Video Recording Devices**

30. (1) No person shall use or operate any audio and or video recording devices at a meeting unless audio and or video recording devices are placed in a location designated by the Chair for that purpose and remain in that location during the course of the meeting.
- (2) Notwithstanding section 30(1), audio and or visual recording devices must not be used or operated during a closed meeting.

### **Points of Order**

31. The Chair shall preserve order and decide all points of order which may arise.

### **Appeal**

32. (1) Any decision of the Chair made under Section 31 may be appealed by a member and on an appeal by a member from the decision of the Chair, the question shall be immediately put by the Chair and decided without debate, "Shall the decision of the Chair be sustained?" and the Chair shall be governed by the vote of the majority of the members then present excluding the Chair.
  - (a) In the event of the votes being equal, the question shall pass in the affirmative.
  - (b) The names of the members voting for or against the question shall be recorded in the minutes.

- (2) If the Chair refuses to put the question "Shall the decision of the Chair be sustained?" per section 32(1), the Board or committee shall immediately appoint a member to preside temporarily and the member so temporarily appointed shall proceed in accordance with Section 32(1) and Subsections 32(1)(a) and 32(1)(b).
- (3) Any resolution or motion carried under the circumstances mentioned in Section 32(2) is as binding as if carried out with the Chair presiding.

## **PART 7 - DEBATE**

### **General Provisions**

33. (1) Where there is a motion under debate a member shall not speak other than on that motion under debate and the matters relating to that motion as set out in Section 34(2).
- (2) No Director shall speak on any question for longer than three minutes without leave of the Chair.
- (3) Section 33(2) does not apply to committees.
- (4) Any member may require the motion under discussion to be read at any time during the debate, but not so as to interrupt a member while speaking.
- (5) No Director shall speak more than once to the same motion without leave of the Chair except:
  - (a) in explanation of a material part of their speech which may have been misunderstood, provided in doing so that Director does not introduce any new matter, and no debate shall be allowed upon such explanation; or
  - (b) in reply by a Director who moved the main motion to the Board, but not to any Director who has moved an amendment or a secondary motion.
- (6) Section 33(5) does not apply to committees.
- (7) If, during debate on a motion, a motion to refer or postpone that motion is put while there remain members who have indicated an intention to speak, the Chair may refuse to accept the seconding of such motion of postponement or referral until those on the list of speakers for the first motion have been heard. No other names shall be added to the said speakers list and, following the hearing of those entitled to speak, the Chair shall ask if there be a seconder to the motion to postpone or refer and, receiving an affirmative response, shall call the question on such motion.
- (8) At any time during debate on a motion, a Director may move "That the vote on the motion be called" and that motion shall be decided without amendment or debate. If the motion "That the vote on the motion be called" is adopted by at least two thirds vote of the members present, the motion consequent thereon shall be immediately called and voted upon without further debate or amendment.
- (9) Section 33(8) does not apply to committees.

## **PART 8 – MOTIONS**

### **General Provisions**

34. (1) A motion shall be made and seconded before being debated or finally put by the Chair.

- (2) When a motion is under debate it is deemed to be in possession of the Board or committee and no motion shall be received unless to amend it, to refer it, to table it, to postpone it to a certain time, to withdraw it, to adjourn, or to call the question.

### **Amendments**

35. (1) Amendments shall be voted on in the reverse order to that in which they are moved.
- (2) Every amendment submitted shall, when requested by any member, be reduced to writing and be decided upon or withdrawn before the main question is called.
- (3) Amendments shall be allowed to the main motion but only one amendment shall be allowed to an amendment, provided that such amendments shall be a modification and not a nullification of the main motion.

### **Referral**

36. A motion to refer, until it is decided, shall take precedence over the main motion and motions to amend the main motion.

### **Chair Determines Contrary to Rules**

37. When the Chair is of the opinion that a motion put before the Board is contrary to the rules of the Board or committee, the Chair shall declare the motion to be not in order and cite the rule or authority applicable in the circumstances.

## **PART 9 – NOTICE OF MOTION**

### **Points of Order**

38. (1) Any Director desiring to bring before the Board a matter that is not listed on the meeting agenda, other than a point of order or of privilege, shall do so by way of motion; provided however, that any new matter of major import, which may require further information than could or would normally be available to the Board at such meeting, may be ruled by the Chair as a notice of motion and shall be dealt with as provided by Section 38(2).
- (2) Any Director may give notice of a motion to the Board by:
  - (a) providing the Corporate Officer with a written copy of such motion during a meeting of the Board and the Corporate Officer shall, upon the Director being acknowledged by the Chair and the notice of motion being read to the Meeting, include it in the minutes of that Meeting as notice of motion and shall add the motion to the agenda of the next regular Board Meeting, or to the agenda of a special Board Meeting scheduled for that purpose; or
  - (b) providing the Corporate Officer with a written copy of such motion, no later than nine working days prior to the scheduled meeting, and the Corporate Officer shall add the motion to the agenda for said meeting.
- (3) A Notice of Motion may not proceed in the absence of the mover, unless the mover has provided the Corporate Officer with written notification that the Notice of Motion may proceed in their absence.

## PART 10 – RECONSIDERATION, RESCISSION OF A RESOLUTION

### Chair May Propose Board Reconsideration of a Matter

39. Notwithstanding section 25(1), as provided the *Act* and the *Charter*, the Chair may require Board reconsideration of a matter as follows:
- (1) Without limiting the authority of a Board to reconsider a matter, the Chair may require the Board to reconsider and vote again on a matter that was the subject of a vote.
  - (2) In exercising the power under subsection (1), the Chair may return the matter for reconsideration at the meeting of the Board following the original vote.
  - (3) A matter may not be reconsidered under this section if:
    - (a) it has had the approval of the electors or the assent of the electors and was subsequently adopted by the Board,
    - (b) there has already been a reconsideration under this section in relation to the matter, or
    - (c) some action integral to the resolution to be reconsidered has been taken as a result of the previous decision and that action is impossible to undo.
  - (4) On a reconsideration under this section, the Board:
    - (a) must deal with the matter as soon as convenient, and
    - (b) on that reconsideration, has the same authority it had in its original consideration of the matter, subject to the same conditions that applied to the original consideration.
  - (5) 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.

### Director, Other Than the Chair, May Propose Board Reconsideration of a Matter

40. (1) After a vote has been taken on any motion, a Director (except the Chair), who voted with the majority for or against that resolution may, at the next regular meeting of the Board following the original vote, introduce a motion to reconsider that resolution in accordance with section 25(1) or section 38(2)(b).
- (2) If a motion to reconsider is defeated, the same or substantially the same motion may not be brought before the Board for at least six months, unless the Board permits this by unanimous resolution.

### General Provisions for Board Reconsideration

41. (1) When a motion to reconsider has been presented, no discussion of the main question shall be allowed unless the motion to reconsider has been adopted.
- (2) No resolution shall be reconsidered more than once on the same question, nor shall a vote to reconsider be reconsidered.

### Rescission or Amendment of a Previously Decided Resolution

42. (1) At a Board Meeting, any Director may at any time introduce a motion to rescind or amend a previously decided resolution which has been adopted in the affirmative or

- negative in accordance with section 25(1) or section 38(2)(b), and at a committee Meeting, any member may do so in accordance with section 25(1).
- (2) Notwithstanding section 42(1) a member may at any time introduce a motion to rescind or amend a previously decided resolution if the motion is made at the same meeting as the previously decided resolution.
  - (3) Notwithstanding section 42(1), a motion to rescind or to amend a resolution is not in order under the following circumstances:
    - (a) If some action integral to the resolution now being rescinded or amended has been taken as a result of the previous decision and that action is impossible to undo; or
    - (b) If the resolution is so intimately connected with another resolution that the resolution cannot be considered as a distinct proposition.
  - (4) If a motion to rescind or amend a previously decided resolution is defeated, the same motion or substantially the same motion may not be brought before the Board for at least six months, unless the Board permits this by unanimous resolution.

## **PART 11 - VOTING**

### **Tie Votes**

43. In all cases where the votes of the members present and entitled to vote, including the vote of the Chair, are equal for and against a question, the question shall be declared in the negative, and it shall be the duty of the Chair or other member presiding to so declare.

### **Abstention**

44. Any member present who abstains from voting shall be deemed to have voted in the affirmative.

### **Recorded Vote**

45.
  - (1) At a board meeting, a Director may call for a recorded vote, and if so called, the Corporate Officer shall record in the minutes the names of each Director present, the manner in which that Director has voted, and the number of votes assigned to such Director.
  - (2) Section 45(1) does not apply to committees.

### **Distinct Propositions**

46. When the motion under debate contains several parts, each of which is capable of standing as a complete proposition if the others are removed, a separate vote upon each such proposition shall be taken if requested by any member.

### **Members Attendance for Vote**

47. Members who are in the room shall always take their place when a vote is called for and shall not leave until the vote has been taken unless a member has declared a conflict of interest.

## PART 12 - BYLAWS

### Copies of Proposed Bylaws to Directors

48. Every proposed bylaw shall be in written form before it is considered by the Board and a copy shall be provided to each Director when it is under discussion.

### Introducing, Reading, and Adoption Bylaws

49. (1) Every proposed bylaw shall be introduced by motion.  
(2) A bylaw shall be deemed to be read when its title or bylaw number is stated.  
(3) Every proposed bylaw must be given first, second, and third reading before it is passed and finally adopted.  
(4) Every proposed bylaw may be introduced and given first, second, and third readings at the same meeting by one motion for all three readings.  
(5) Bylaws that require statutory public hearings prior to their adoption shall be read for the first and second time prior to the holding of the public hearing.  
(6) A separate motion that a proposed bylaw be passed and finally adopted must be made at a subsequent meeting, except that as provided in the *Act*, a bylaw that does not require approval, consent, or assent under the *Act* 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 vote of the Directors present.  
(7) As provided in the *Charter*, a Board must not vote on the reading or adoption of a bylaw when its meeting is closed to the public.

### Certification and Storage

50. (1) When a bylaw is read at a board meeting, the Corporate Officer shall certify the readings and dates at the end of such bylaw. After a bylaw has been adopted the Corporate Officer shall be responsible for its correctness, including any amendments.  
(2) Every bylaw which has been adopted by the Board shall be signed without delay by the Chair and the Corporate Officer, and retained by the Corporate Officer for safekeeping.  
(3) After their adoption by the Board, all bylaws shall be filed in their regular order and shall have an index prepared for the same.

### Repeal of a Bylaw

51. The repeal of any bylaw or part of any bylaw shall not, unless a contrary intention appears, revive any bylaw or Part thereof not in force or existing at the time at which a bylaw takes effect or prevent the effect of any saving clause therein.

## PART 13 - DELEGATIONS

### General Provisions

52. (1) No person, persons or organization shall appear as a delegation more than once to the same subject matter within six months except to introduce new and material information.



- (2) Each delegation shall be limited to a maximum time of five minutes to make a presentation to the Board or a committee unless otherwise determined by leave of the Chair.
- (3) The Board or committee shall be limited to a maximum of five minutes in which to direct questions to the respective delegation unless otherwise determined by leave of the Chair.
- (4) No more than three delegations may appear at each meeting except with unanimous approval of the Board or committee before which the delegations wish to appear.
- (5) Each delegation may provide the Corporate Officer with an executive summary, of up to two pages, of the delegation's presentation for the record.
- (6) The subject matter upon which a delegation wishes to speak must:
  - (a) be within the jurisdiction of the Regional District; and
  - (b) if the delegation wishes to speak to a committee, be within the terms of reference of the committee for which the delegation wishes to appear.
- (7) A request to appear as a delegation at a Council of Councils Committee will not be accepted unless a meeting of the Councils of Council's Committee has been called for the express purpose of hearing delegations on a matter.
- (8) A request to appear as a delegation at a board or committee meeting will not be accepted if it relates to:
  - (a) a bylaw for which a public hearing has already been held and where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw;
  - (b) a matter to be dealt with as a grievance under a collective agreement, or similar employee or labour relations matter;
  - (c) any matter that is before the courts or on which the Board has authorized legal action;
  - (d) a matter in respect of which the Regional District-led public consultation process is planned or in progress;
  - (e) the promotion of commercial projects or services;
  - (f) the promotion of a political party or of a candidate for elected office;
  - (g) a public procurement process for the provision of goods, services or construction for Metro Vancouver Regional District between the time that such procurement process has been posted and the time any resulting contract or proposal call has been awarded, or other final decision made; or
  - (h) any matter on which the delegate has already spoken to the Board and where no new significant information is provided.
- (9) The Corporate Officer or designate shall make the determination on section 52(8) and notify the requestor if the request to appear as a delegation is not accepted.

### **Regular Delegation - Committee**

53. (1) Any person, persons or organization wishing to appear as a regular delegation before a committee shall submit a written request to the Corporate Officer at least seven working days prior to the scheduled meeting.
- (2) The written request must stipulate:
  - (a) the subject matter upon which the delegation wishes to speak;
  - (b) the name of the designated speaker; and

- (c) the specific action which is being requested of the committee by the delegation.
- (3) Each delegation may, at least seven working days before a scheduled meeting, provide the Corporate Officer with an executive summary, of up to two pages, of the delegation's presentation for inclusion in the applicable committee agenda package.
- (4) The Corporate Officer shall, at a time reasonably in advance of the meeting, notify the delegation of the date, time and place of the meeting at which the delegation is scheduled to appear.
- (5) The delegation appearance and the subject of the delegation will be included on the meeting agenda.

#### **Late Delegation - Committee**

54. (1) Any person, persons, or organization who deems their interests to be affected by a report on a committee agenda and who, because of circumstances, could not have been expected to give earlier notice pursuant to section 53(1), may request to appear as a late delegation before the committee by submitting a written request, before the meeting is convened, to the Corporate Officer, stipulating:
- (a) the circumstances preventing the delegation from giving earlier notice;
  - (b) how the delegation's interests are affected by a report on a committee agenda;
  - (c) the name of the report that the delegation wishes to speak to;
  - (d) the name of the designated speaker; and
  - (e) the specific action which is being requested of the committee by the delegation.
- (2) The Corporate Officer shall advise the committee Chair of the late delegation request and circulate the written request and the executive summary, if available, to the committee members on table at the committee meeting.
- (3) The committee shall, at the time adoption of the agenda is being considered, determine if the delegation will be heard, by proposing to place the late delegation request as an additional item on the agenda in accordance with section 25(1).

#### **Delegation - Board**

54. (1) Any person, persons or organization who deems their interests to be affected by a report on a board agenda may request to appear as a delegation before the Board by submitting a written request to the Corporate Officer no later than forty-eight hours prior to the scheduled board meeting stipulating:
- (a) how the delegation's interests are affected by a report on a board agenda;
  - (b) the name of the report that the delegation wishes to speak to;
  - (c) the name of the designated speaker; and
  - (d) the specific action which is being requested of the Board by the delegation.
- (3) The Corporate Officer shall, at a time reasonably in advance of the meeting, notify the delegation of the date, time and place of the meeting at which the delegation is scheduled to appear.
- (4) The Corporate Officer shall advise the Board Chair of the delegation request and circulate the written request and the executive summary, if available, to the Board members on table at the board meeting.
- (5) The Board shall, at the time adoption of the agenda is being considered, determine if the delegation will be heard, by proposing to place the delegation request as an additional item on the agenda in accordance with section 25(1).

- (6) Where the number of delegation requests exceed three, unanimous consent of the Board is required for adding excess delegations to the agenda.
- (7) Any person, persons, or organization who wishes to appear before the Board with respect to an urgent matter may, before the meeting is convened, request the Chair to grant approval to the person, persons, or organizations to appear before the Board, by clearly demonstrating the urgent nature of the request. The Chair shall not be obliged to grant approval of any such late delegation request unless the Chair is satisfied that the nature of the urgent matter prevented the person, persons or organizations from giving earlier notice of their desire to appear before the Board.

#### **Invited Presentation – Board or Committee**

55. (1) The Chair may, under exceptional circumstances, invite a person, persons, or organizations to make a presentation to the meeting. Time permitting, the Corporate Officer shall include the subject of the presentation and the designated speaker on the meeting agenda.
- (2) The Corporate Officer shall, at a time reasonably in advance of the meeting, notify the designated speaker of the date, time and place of the meeting at which the designated speaker is scheduled to appear.

### **PART 14 - COMMITTEES**

#### **Conduct of Business**

56. Committees shall conduct business under the rules of procedure as set out in Parts 1, 3, 4, 5, 6, 7, 8, 10, 11, 13, and 14 as the context requires and unless otherwise provided.

#### **Appointment of Select and Standing Committees**

57. (1) Select and standing committee appointments may be made pursuant to the *Act* as follows:
  - (a) A board may appoint a select committee to consider or inquire into any matter and report its findings and opinion to the board.
  - (b) The Chair may establish standing committees for matters the Chair considers would be better dealt with by committee and may appoint persons to those committees.
  - (c) Subject to subsection (d), persons who are not Directors may be appointed by the board to a select committee or by the Chair to a standing committee.
  - (d) A majority of the members of a committee, except the Council of Councils' Committee and the Committee responsible for the Regional Economic Prosperity Service, shall be Directors.

#### **Membership**

58. The Board Chair and Board Vice Chair shall be ex-officio members of all standing committees but shall not be entitled to vote, and shall not constitute quorum.

#### **Voting**

59. At a committee meeting, a member of a committee shall have one vote only.

**Matters Referred to Committee by the Board**

60. (1) A committee shall consider and report respectively within the time period established by the Board, on every matter referred to it by the Board, including staff reports, and the committee Chair shall raise the matter before the Board.
- (2) Any committee member shall have the right to submit a minority report.
- (3) Where delegations are heard by a committee, the committee's report to the Board shall include the committee recommendation, notification of the appearance of delegations, and a synopsis of the delegations' submissions to the committee.
- (4) No action of any committee shall be binding on the Board unless the committee has delivered its report to the Board and the Board has adopted such action.

Read a first, second, and third time this 29<sup>th</sup> day of SEPTEMBER, 2023.

Adopted this 29<sup>th</sup> day of SEPTEMBER, 2023.



George V. Harvie, Chair



Dorothy Shermer, Corporate Officer