

ATTACHMENT 3

BOARD PROCEDURE BYLAW - I N D E X

**BYLAW NO. 1862**

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## REGIONAL DISTRICT OF NANAIMO

### BYLAW NO. 1862

#### A BYLAW TO ESTABLISH PROCEDURES TO GOVERN THE PROCEEDINGS OF THE REGIONAL DISTRICT OF NANAIMO BOARD AND COMMITTEE MEETINGS

WHEREAS under 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 date, time and place 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 the *Community Charter* to the Regional District.

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

#### 1. TITLE

This bylaw may be cited for all purposes as the “Regional District of Nanaimo Board Procedure Bylaw No. 1862, 2022”.

#### 2. DEFINITIONS

In this bylaw, unless the context requires otherwise:

**“Advisory Committee”** means an Advisory Committee appointed by the Board or Chair, as authorized by this bylaw and outlined in Schedule A, which includes at least one Board member, but does not include a Standing or Select Committee.

**“Chair”** means the Chair of the Board who is elected under the *Local Government Act*, and may include the Vice Chair and an acting chair acting where authorized under the *Local Government Act*.

**“Chief Administrative Officer”** and **“CAO”** means the person assigned chief administrative responsibility for the Regional District under the *Local Government Act*.

**“Committee”** means the Committee of the Whole or a Committee, Commission, Board or Panel of the Regional District, as listed in Schedule A to this bylaw.

**“Commission”** means a commission established by the Board under the *Local Government Act*.

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

**“Director”** means a member of the Board whether a municipal director or an electoral

area director.

**“Electronic Meeting”** means a meeting where all Members are able to participate electronically by means of electronic or other communication facilities including but not limited to videoconference, audioconference, or telephone.

**“Electronic Participation”** allows for a hybrid meeting where some Members of a Board or a Board Committee attend in person, and other Members attend by electronic or other communication facilities including but not limited to videoconference, audioconference, or telephone.

**“In Camera Meeting”** means a meeting that is closed to the public in accordance with the provisions of *Community Charter* made applicable to Regional Districts under the *Local Government Act*.

**“Member”** means a Director of the Board or a member of any Board or Committee of the Regional District, and includes their alternate if acting in the place of a Member.

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

**“Quorum”** means the number of Members who must be present to conduct business, being a majority of the Board or Committee.

**“Regional District”** means the Regional District of Nanaimo.

**“Regional District Officer”** means persons holding the offices of the Regional District as designated by bylaw.

**“Select Committee”** means a Select Committee appointed under the *Local Government Act* comprised solely of Directors.

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

**“Vice Chair”** means the Vice Chair of the Board, who is elected under the *Local Government Act*.

### 3. APPLICATION

- (1) The provisions of this bylaw govern the proceedings of the Board, Nanaimo Regional Hospital District Board, and all Committees, except as otherwise provided in this bylaw.
- (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 Section 23 (Bylaws).
- (3) In cases not provided for under this bylaw and where the *Community Charter* and the *Local Government Act* are silent, the current edition of Roberts’ Rules of Order Newly Revised applies to the proceedings of the Board and all Committees.

### 4. RULES OF CONDUCT AND DEBATE

- (1) Every Member must address himself or herself to the Chair before speaking to any question or motion.
- (2) Members will address the Chair as “Chair \_\_\_\_\_” and refer to each other as “Director \_\_\_\_\_”.
- (3) Members speaking at a Board meeting must:
  - (a) use respectful language;
  - (b) not use offensive gestures or signs;
  - (c) speak only in connection with the matter being debated; and
  - (d) adhere to the rules of procedure established under this Bylaw and to the decisions of the Chair and the Board regarding the rules and points of order.
- (4) A Member’s interaction with staff, the public and other Members must be respectful at all times.
- (5) If the Chair considers that a Member is acting contrary to subsection (3) or (4), or is otherwise acting improperly, the Chair may order the Member to leave the meeting.
- (6) Members who are in the room must promptly take their seats when a vote is called and must not leave until the vote has been taken.

## **5. INAUGURAL MEETING**

- (1) The Board will meet on the second Tuesday in November of each year for its Inaugural meeting.
- (2) The meeting will be chaired by the CAO until such time as the Chair has been elected.
- (3) The CAO will call the meeting to order and advise the Board of the appointment of municipal directors from the member municipalities.

## **6. CHAIR AND VICE CHAIR**

- (1) General Provisions
  - (a) Annually at the Inaugural meeting, the Board must elect a Chair and Vice Chair.
- (2) Election of the Chair
  - (a) The CAO will call for nominations for the position of Chair.
  - (b) Each nomination must be seconded and the nominee must consent to the nomination.
  - (c) If only one candidate is nominated for the position of Chair, that candidate will be declared elected by acclamation.
  - (d) If more than one candidate is nominated for an office, each candidate will be given three minutes to speak.
  - (e) At the conclusion of candidates’ speeches, an election will be held and voting will be conducted by secret ballot.

- (f) The distribution and collection of ballots, the counting of the votes and the subsequent destruction of ballots is the responsibility of the Corporate Officer or such other person as may be designated by the Corporate Officer.
- (g) Immediately after reviewing the voting results the Corporate Officer will provide the results to the CAO who will announce the name of the candidate who has been elected, as determined under subsection (h). The number of votes received by each candidate will not be disclosed to the Board unless a resolution requiring disclosure is passed.
- (h) The candidate with the most votes will be declared elected as Chair, provided that the candidate has received a majority of votes of the entire Board. In the event of a tie vote for the highest number of votes, subsection (3)(a) applies. In the case of more than two candidates in the election, the candidate with the lowest number of votes is removed from the election and the vote must be held for the remaining candidates until a candidate is elected by a majority vote or as determined under subsection (3)(a). In the event of a tie vote for the lowest number of votes, subsection (3)(b) applies.

(3) Tie vote

- (a) In the event of a tie vote for the highest number of votes, those candidates remain in the election. If a definitive election result cannot be declared after an additional three elections have been held, the Board may elect an acting Chair for those portions of the agenda not related to the election of the Chair or Vice Chair, then return the chair to the CAO to recess the meeting to a date and time as determined by the CAO. Should an acting Chair not be elected, the CAO may recess the meeting immediately to a date and time as determined by the CAO.
- (b) In the event of a tie vote for the lowest number of votes, all candidates remain in the election, unless there would be two or more candidates remaining, in which case the lowest tied candidates are removed from the election and the vote is held for the remaining candidates until a candidate is elected by a majority vote or as determined under subsection (a).

(4) Election of Vice Chair

The election for the position of Vice Chair will be conducted by the Chair immediately following the election of the Chair and the same rules as apply to the election of the Chair will apply in the case of the election of the Vice Chair.

(5) Role of the Chair and Vice Chair

- (a) The Chair will act as the Board's official spokesperson and will chair all Board meetings except where the Chair is absent due to illness, disability or other reason, and must maintain order and preserve decorum by enforcing the rules of the Board.
- (b) The Vice Chair has, during the absence, illness or other disability of the Chair, all the power of the Chair and is subject to all rules applicable to

the Chair.

- (c) Subject to being overruled by a majority vote of the Members, which vote must be taken without debate, the Chair:
  - i. must decide points of order without debate or comment, other than to state the rule governing;
  - ii. must determine which Member has a right to speak;
  - iii. must ascertain that all Members who wish to speak on a motion have done so, that the Members are ready to vote and then put the question to the vote;
  - iv. must rule when a motion or an amendment is out of order, and cite the rule or authority applicable, subject to an appeal to the Board, and decline to put any motion before the Board which the Chair considers to be clearly out of order or contrary to law;
  - v. may call a Member to order in accordance with Section 4.
- (d) Should the Chair desire to leave the Chair for the purpose of taking part in the debate, or otherwise, the Chair must call on the Vice Chair, or if the Vice Chair is absent, one of the Directors to take the Chair's place until the Chair resumes the Chair.

## **7. LOCATION AND TIME OF REGULAR BOARD MEETINGS**

- (1) Regular meetings of the Board take place at the Regional District Board Chambers unless the location is changed by resolution of the Board.
- (2) Regular meetings of the Board are held on the second and fourth Tuesday of each month commencing at 1:00 p.m. unless decided otherwise by resolution of the Board.
- (3) Board and Committee of the Whole meetings exceeding four hours in length will require a motion to extend the meeting.

## **8. NOTICE OF REGULAR BOARD AND COMMITTEE MEETINGS**

- (1) At least 72 hours before a regular meeting of the Board or a Committee, 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 outline at the Public Notice Posting Place; and
  - (b) posting a copy of the agenda on the RDN website, unless prevented due to technical issues.
- (3) At least 24 hours before a regular meeting of the Board, the Corporate Officer must provide a copy of the agenda to each Member in the manner which the

Member has directed it be sent.

## 9. SPECIAL MEETINGS

- (1) A special meeting of the Board may be called in accordance with the *Local Government Act* on the request of the Chair or any two Directors.
- (2) Notice of a special meeting is to be provided in accordance with the *Local Government Act*. The notice of a special meeting may be waived by a unanimous vote of all Members.

## 10. ELECTRONIC MEETINGS AND ELECTRONIC PARTICIPATION

### Electronic Meetings

- (1) Provided the requirements set out in the *Regional District Electronic Meetings Regulation* are met, Regular Board meetings, Special Board meetings, and Board Committee meetings may be conducted as an Electronic Meeting if the Chair, or, in the absence of the Chair, the Vice Chair, determines it is advisable based on an emergency, or health, safety, environmental, or urgent Regional District business, and the number of Members able to attend the meeting in person is insufficient to achieve quorum.
- (2) Advance notice of Electronic Meetings will be provided advising the way in which the meeting is to be conducted by means of electronic or other communication facilities, and the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public, as follows:
  - (a) Notice of the meeting will be provided, pursuant to the *Local Government Act* and *Community Charter*;
  - (b) The agenda cover sheet will include details on the way in which the meeting is to be conducted by means of electronic or other communication facilities; and
  - (c) Details will be included on the agenda cover sheet and the Regional District's website noting the place where the public may attend to hear, or watch and hear, the meeting.
- (3) For Regular Board meetings and Special Board meetings, the public may attend the meeting at a specified place to hear, or watch and hear, any part of the meeting that is open to the public with a designated Regional District Officer in attendance.

### Electronic Participation by Members at Hybrid Meetings

- (4) Provided the requirements set out in the *Regional District Electronic Meetings Regulation* are met, a Member who is unable to attend in person at a Regular Board meeting, a Special Board meeting or a Board Committee meeting may participate in the meeting by means of electronic or other communication facilities.

Electronic Meeting and Electronic Participation Conduct

- (5) A Member participating by audio means only must indicate their vote verbally.
- (6) A Member who participates in a Regular Board meeting, Special Board meeting, or Board Committee meeting by electronic or other communication facilities must, if applicable, ensure no person other than themselves or a person authorized under section 91 of the *Community Charter* is able to hear, or watch and hear, that part of a meeting that is closed to the public.

**11. ATTENDANCE OF PUBLIC AT MEETINGS**

- (1) Except where the Board has resolved to close a meeting or a portion of a meeting to the public in accordance with the *Community Charter* or an enactment requires a meeting to be closed to the public, 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 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 Committees
  - (b) Board of Variance
  - (c) Commissions
  - (d) Parcel Tax Review Panel
  - (e) Select Committees
  - (f) Standing Committees
- (4) Despite subsection (1), the Chair may expel a person from a Board meeting or meeting of a body referred to in subsection (3) if the Chair considers that the person at the meeting is acting improperly.

**12. IN CAMERA MEETINGS**

- (1) In Camera subject matters must be restricted to matters set out in the *Community Charter*.
- (2) No items may be added to a closed (in camera) meeting agenda while such a meeting is in progress unless authorized by resolution at an open meeting.
- (3) The Board may, by motion passed by a majority vote of the Members present, bring forward to the open meeting, any of the motions and/or written material received in a closed meeting.
- (4) Board Members or Alternate Directors 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 Chair.
- (5) An Alternate Director is permitted to attend an In Camera meeting when the Board member is present but may not participate in discussion unless



subsection (4) applies.

### 13. AGENDA

- (1) Prior to each Regular Meeting of the Board, the Corporate Officer must prepare an agenda, approved by the CAO or the CAO's designate, setting out all items for consideration at that meeting.
- (2) The deadline for the public to submit items of correspondence related to agenda items to the Corporate Officer for inclusion on the agenda is 24 hours prior to the meeting.
- (3) The deadline for the public to submit items of correspondence to the Corporate Officer for inclusion on the agenda, for topics unrelated to agenda items, is 11:00 a.m. on the Monday of the week preceding the meeting.
- (4) Correspondence intended to be presented to the Board or a committee must:
  - (a) be legibly written, typed or printed;
  - (b) not be libelous, obscene, impertinent or improper;
  - (c) be dated.
- (5) Only those matters included on the agenda may 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 14.
- (6) Whenever practical, the agenda for a meeting of the Board will have attached to it, copies of all communications, reports and resolutions to be considered at that meeting.
- (7) In cases where documents are too unwieldy to be readily reproduced, the Corporate Officer may omit these materials from the agenda and instead 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.
- (8) The order of business for Regular Board meetings will ordinarily be as follows, and this order may be modified at any Regular Board meeting by a majority vote:
  - Call to Order
  - Territorial Acknowledgement
  - Approval of the Agenda
  - Adoption of Minutes
  - Invited Presentations
  - Delegations – Items not on the Agenda
  - Correspondence
  - Unfinished Business
  - Committee Minutes
  - Consent Agenda (This heading used for Board agenda only)
  - Items Removed from the Consent Agenda (This heading used for Board agenda)

- only)
- Committee Recommendations (Items not on the Consent Agenda)
- Reports
- Bylaws – With no Accompanying Report
- Business Arising from Delegations and Correspondence
- Motions for Which Notice Has Been Given
- New Business
- In Camera
- Adjournment

#### **14. LATE ITEMS**

- (1) An item not included on the agenda must not be considered at a meeting unless introduction of the late item is approved at the time allocated on the agenda (Approval of the Agenda), by way of a motion carried by a majority vote of the Members.
- (2) Items that may be considered as late items include:
  - (a) Matters arising after the preparation of the agenda and which, if not acted upon in a timely manner, would prejudice or compromise either the Regional District's position or the position of a constituent or group of constituents.
  - (b) Requests to appear as a delegations on an item already on the Agenda, received at least 24 hours prior to the meeting, or in accordance with [Section 17\(12\)](#).
- (3) Information pertaining to late items for possible consideration at any meetings of the Board will be distributed to the Directors prior to the meeting.

#### **15. OPENING PROCEDURES**

- (1) At the hour set for a meeting to convene, and provided that a quorum is present, the Chair will call the meeting to order.
- (2) If the Chair does not attend at the time appointed for a meeting, the Vice Chair must take the chair.
- (3) In the absence of both the Chair and Vice Chair, the Members present may appoint an acting Chair to preside during the meeting, or until the arrival of the Chair or Vice Chair.
- (4) Such person appointed as acting Chair will have all the powers and be subject to the same rules as the Chair.
- (5) Should there be no quorum present within fifteen (15) minutes after the time appointed for a meeting to convene, the Corporate Officer must record the names of the Members present and the meeting will stand adjourned until the next meeting date or until another meeting has been called in accordance with this bylaw.

## 16. MINUTES

- (1) Minutes of the proceedings of the Board must be legibly recorded in the format established by the Corporate Officer, and signed by the Corporate Officer and the Chair or the person presiding at such meeting or at the next meeting at which they are adopted.
- (2) Minutes of proceedings of Committees must be legibly recorded in the format established by the Corporate Officer and signed by the Chair, or Member presiding.
- (3) Subject to subsection (4), and in accordance with the *Community Charter*, minutes of the proceedings of the Board or Committee must be open for public inspection at the Regional District Administration Office during regular office hours.
- (4) Subsection (3) does not apply to minutes of a Board meeting or Committee or that part of the meeting from which persons were excluded under Section 12.

## 17. DELEGATIONS

- (1) A person or group of persons wishing to appear as a delegation before the Board, on a matter within the jurisdiction of the Board or within the terms of reference of the Committee for which the delegation wishes to appear, must:
  - (a) Submit a request to appear as a delegation to the Corporate Officer or designate, including: the date of the meeting at which the person or persons wish to appear, the subject matter to be discussed, the name of the spokesperson, the telephone number or email where the representative of the delegation can be reached during the day, and the specific action which is being requested of the Board or the Committee.
  - (b) Submit an executive summary, of up to two pages, of the delegation's presentation for inclusion in the applicable Board or Committee agenda package.
  - (c) Provide any audio/visual presentation to the Corporate Officer or designate no later than 24 hours prior to the scheduled meeting.
- (2) Delegation requests to speak to items not on the agenda must be received no later than seven working days prior to the meeting.
- (3) Requests to appear as a delegation on an agenda item must be received no later than 24 hours prior to the scheduled meeting.
- (4) The number of delegations permitted at a Board or Committee meeting for non-agenda items is three (3) per meeting.
- (5) Each delegation will be provided up to five (5) minutes to make a presentation to the Board or a Committee, unless otherwise determined by the Chair.
- (6) Disruptive or disrespectful conduct by a Delegation is prohibited.

- (7) Delegations speaking to items on the agenda will be placed at the item on the agenda. Delegations speaking to items not on the agenda will be placed close to the start of the agenda as per **Section 13(8)**.
- (8) A person, persons or organizations wishing to speak on a Development Permit with Variance, a Development Variance Permit, or a Temporary Use 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 verbal presentation. Visual presentations may be submitted no later than 24 hours prior to the scheduled meeting.
- (9) An owner wishing to speak on an Unsightly Premises or a Building Bylaw Contravention will be afforded that opportunity to verbally present at the time the item is being considered on the agenda. Visual presentations may be submitted no later than 24 hours prior to the scheduled meeting.
- (10) No person, persons or organization may appear as a delegation more than once to the same item except to introduce new and material information.
- (11) Notwithstanding subsection (3), the Chair may grant individuals or groups not listed on the agenda, an opportunity to be heard on matters related to agenda items in circumstances where the Chair is satisfied that circumstances prevented the person, persons or organizations from giving earlier notice of their desire to appear before the Board or Committee. Such delegation may be afforded a maximum of five (5) minutes to make a verbal presentation.
- (12) After initial presentation, the Chair may grant other persons or a spokesperson for a group of persons in gallery attendance, permission to address the Board on the subject matter.
- (13) The Board must not permit a delegation to address a meeting regarding:
  - (a) A bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a pre-requisite to the adoption of the bylaw
  - (b) Matters where legal proceedings are ongoing and judgement hasn't been rendered
  - (c) Other delegation's requests
  - (d) Matters that are the subject of a claim for damages
  - (e) Personnel matters
  - (f) Publicly tendered contracts or proposal calls for the provision of goods, services or construction for the Regional District of Nanaimo between the time that such contract or proposal has been issued and the time such contract or proposal call has been awarded either by the Board or staff
- (14) Additional time will be allowed for Members to question the individuals making the presentation in order to seek clarification.

## 18. VOTING

- (1) Voting rules will be in accordance with the *Local Government Act*.
- (2) All votes pertaining to Board business must be taken by a show of hands of all members, including the Chair, and the Chair must declare the motion carried or defeated as the case may be.
- (3) Subsection (2) does not apply to the election of Chair and Vice Chair, or to a member participating electronically by audio means only.
- (4) Each Director present in the Boardroom, who does not signify his or her vote upon the question openly and individually by raising their hand, will be recorded as voting in the affirmative.
- (5) On any motion where the number of votes, including the vote of the person presiding, are equal, the motion is defeated.
- (6) The names of the members who moved and seconded a motion presented to the Board will not be recorded in the minutes.
- (7) All votes on motions will be recorded as either:
  - (a) Adopted on Consent;
  - (b) Carried Unanimously;
  - (c) Defeated Unanimously; or,
  - (d) In cases where unanimity is not reached, Carried or Defeated, with the names of those who voted against the motion recorded in the minutes.

## **19. MOTIONS GENERALLY**

- (1) The Board may debate and vote on a motion only if it is first made by one Member and then seconded by another.
- (2) Any Member may move a motion unless the Member would not be entitled to vote on the motion. Any Member may second a motion.
- (3) If a motion is not seconded, the motion is “lost for lack of a seconder”.
- (4) A motion must be worded in affirmative terms.
- (5) No Member may speak on any motion for longer than three minutes without leave of the Chair.
- (6) Subsection (5) does not apply to Committees.
- (7) No Member may speak a second time to the same motion as long as any Member who desires to speak has not spoken to that motion.
- (8) When any motion is under consideration, no other main motion or input from a delegation may be received.
- (9) After a motion has been made, it is 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.
- (10) Any Member, once recognized by the Chair, may move to “Call the question” if they believe that debate on a motion has continued beyond that required. If

seconded, the Chair must ask for the vote on closing debate. A motion to “Call the question” requires two-thirds of the votes cast to pass. If carried, the Chair must immediately close debate and call for a vote on the question.

- (11) Any Member may bring before the Board any new matter, other than a point of order or of privilege, by way of a written motion; provided however, that any new matter of major import, which may require further information than could or would normally be available to the Board at such meeting, may be ruled by the Chair as a notice of motion and be dealt with as provided by Section 21.

## **20. AMENDMENTS TO A MOTION**

- (1) Any Member 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) When a Member moves to amend a motion, the Chair will state the original motion, followed by the amendment and then put the question of the amendment to the Board.
- (3) A proposed amendment must be decided or withdrawn before the main motion is put to a vote.
- (4) Only one amendment to an amendment can be considered at any one time.

## **21. NOTICE OF MOTION**

- (1) Any Member may serve a notice of motion on the Board:
  - a) During the new business portion of a meeting, or with the Chair’s consent, at any other time during consideration of a related matter; or
  - b) By providing the Corporate Officer with a written copy of such motion, no later than six (6) working days prior to the scheduled meeting, and the Corporate Officer must add the motion to the agenda for consideration at said meeting and notify the Board or relevant Committee of the Notice of Motion.
  - c) A copy of the motion under subsection (1)(a) must be given to the Corporate Officer for inclusion on the next regular meeting agenda.
- (2) A motion for which notice has been given shall be postponed until the next regular meeting if the Member who introduced it is not present at the meeting it is on the agenda, unless that Member has provided consent or if the majority of the Board resolves to proceed.

## **22. RECONSIDERATION**

- (1) After a vote has been taken on any motion, except one of tabling or postponing a subject, a Member who voted with the prevailing side 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 motion, 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 by the Board to pass. If the motion to reconsider is passed, the matter must be put before those eligible to vote on the original motion for reconsideration and voted upon in accordance with the *Local Government Act*.
- (4) The Board must not reconsider any motion 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 the *Local Government Act* or subsection (1) of this Bylaw.
- (5) After a motion has been reconsidered, it must not be reintroduced for a period of six months except by unanimous consent of all Members.

## **23. BYLAWS**

- (1) A bylaw may be introduced at a meeting only if it is on the agenda and a copy of it has been provided to each Director before the meeting, or if it has been duly added as a late item under Section 14.
- (2) A bylaw is deemed to be read when its title or bylaw number is stated.
- (3) A bylaw other than a bylaw referred to in subsection (4) (Zoning / Official Community Plan (OCP) / Regional Growth Strategy (RGS) Bylaws) may be voted upon by way of a motion to give it first, second and third reading.
- (4) A zoning, OCP or RGS bylaw may be voted upon by way of a motion to give it first and second reading.
- (5) The Corporate Officer is empowered to correct any typographical error that may not have been corrected at the time of submission to the Board and the bylaw will have the same status as if the Board had corrected same.

## **24. COMMITTEES**

- (1) Standing Committees

**Standing Committees are established with terms of reference as below.**

The Committee of the Whole, Electoral Area Services Committee, and Executive Committee are Standing Committees of the Board whose broad terms of reference are as follows:

- (a) Committee of the Whole

To consider any matters of the Board, in an environment that provides for less formal discussion and debate. The Committee of the Whole comprises all members of the Board and its meetings are scheduled at

the call of the Chair.

(b) Electoral Area Services Committee

To consider matters pertaining to:

- Current Planning Approvals and Long Range Planning
- Community Parks
- Emergency Preparedness
- Fire Protection
- Bylaw Enforcement
- Building Inspection
- Electoral Area Services
- Other matters relating to Electoral Areas only

The Electoral Area Services Committee comprises all Electoral Area Directors.

(c) Executive Standing Committee

To consider matters pertaining to employment contracts, Board procedures or other matters as determined by Board resolution. The Executive Committee comprises of eight members and includes the Chair, Vice Chair and the Chair of the Electoral Area Services Committee.

The Executive Committee will review annually the list of Advisory Committees, Commissions and external organizations to which Board members are appointed, as identified in Schedules A and B to this bylaw for the purpose of recommending any appropriate changes.

(d) Other Standing Committees

As established by the Chair for matters the Chair considers would be better dealt with by Committee and with Terms of Reference applicable to the purpose of the committee.

(2) Select Committees

Select Committees are those established 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.

(3) Advisory Committees and Commissions

Advisory Committees are established and appointed by the Board or Chair, as authorized by this bylaw and outlined in Schedule A. These Committees and Commissions include members of the public and at least one Board member to provide advice and recommendations to the Board (or designated Committee through to the Board) on specific matters, as determined by the Committee's



### Terms of Reference.

- (4) Appointment to Committees and Commissions
- (a) The Board delegates to the Chair the power to appoint Directors to a Select Committee, and to appoint Directors to an Advisory Committee as identified in Schedule A.
  - (b) The Chair must review and update annually, as soon as possible after the Inaugural meeting, and not later than December 31<sup>st</sup>, the list of Standing Committee members, Advisory Committees appointed by the Chair, and Chairs and Vice Chairs.
  - (c) As soon as possible after the inaugural meeting, and not later than December 31<sup>st</sup>, the Board will appoint persons to fill vacancies on Advisory Committees appointed by the Board and Commissions.
  - (d) Unless specifically prohibited by an enactment, members of all Standing Committees, Select Committees, Advisory Committees, Commissions and the Board of Variance may, regardless of the designated termination date of their respective position as a Committee, Commission or Board of Variance 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.
- (5) Voting at Committees
- (a) Notwithstanding the number of votes assigned to Directors of the Board, under the *Local Government Act* any Director appointed to a Committee has 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 Chair is an ex-officio, a voting member of all Committees and when in attendance, possesses all the rights, privileges, powers and duties of other Committee members.
  - (d) The Chair, when in attendance in accordance with subsection (c), may be counted as one member for the purpose of constituting a quorum.
- (6) Committee Recommendations
- All Committee recommendations are subject to the approval of the Board, except where the Committee has, by bylaw, been delegated a power, duty or function of the Board.

**25. EXTERNAL APPOINTMENTS**

- (1) Board members may be appointed annually to represent the Board on external organizations, as listed in Schedule 'B' to this bylaw.
- (2) The Board delegates to the Chair the power to appoint Directors to external organizations.

**26. SEVERABILITY**

If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction the section, subsection or clause may be severed from the bylaw and the decision will not affect the validity of the remaining portions of this bylaw.

**27. REPEAL**

"Regional District of Nanaimo Board Procedure Bylaw No. 1754, 2017" and any amendments thereto are hereby repealed.

Public Notice given this 28th day of September, 2022.

Introduced and read three times this 11th day of October, 2022.

Adopted (by at least 2/3 of the vote) this 11th day of October,  
2022.

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CHAIR

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CORPORATE OFFICER

Schedule 'A' to accompany  
"Regional District of  
Nanaimo Board Procedure  
Bylaw No. 1862, 2022"

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Chair

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Corporate Officer

## **SCHEDULE A**

### **1. STANDING COMMITTEES**

- Committee of the Whole
- Electoral Area Services Committee
- Executive Committee
- Community Grants Committee
- Oceanside Services Committee
- Oceanside Services Recreation Grants Sub-Committee
- Regional Parks and Trails Committee
- Solid Waste Management Committee
- Transit Committee

### **2. SELECT COMMITTEES**

### **3. ADVISORY COMMITTEES**

#### **(a) ADVISORY COMMITTEES APPOINTED BY THE BOARD**

- Agricultural Advisory Committee
- Benson Creek Falls Regional Park Creekside Place Staging Area Advisory Committee
- Climate Action Technical Advisory Committee
- Electoral Area A Parks, Recreation and Culture Committee
- Gabriola Island Recreation and Electoral Area B Parks and Trails Master Plan Advisory Committee
- Parks and Open Space:
  - o Electoral Area B Parks and Open Space Advisory Committee
  - o East Wellington/Pleasant Valley Parks and Open Space Advisory Committee
  - o Nanoose Bay Parks and Open Space Advisory Committee
  - o Electoral Area G Parks and Open Space Advisory Committee
  - o Electoral Area F Parks and Open Space Advisory Committee
  - o Electoral Area H Parks and Open Space Advisory Committee

The Board delegates to the Chair the power to appoint RDN Board members and to appoint the Committee Chair and Vice Chair to the following committees as shown below:

- Liquid Waste Management Plan Monitoring Committee (Chair and RDN Members)
- Solid Waste Management Plan Monitoring Advisory Committee (Chair, Vice Chair and RDN Members)
- Fire Services Advisory Committee (Chair and Vice Chair)
- Climate Action Technical Advisory Committee (Chair)

#### **4. BOARDS**

- Board of Variance
- Nanaimo Regional Hospital District Board

#### **5. PANELS**

- Parcel Tax Review Panel

Schedule 'B' to accompany  
"Regional District of Nanaimo  
Board Procedure Bylaw No.  
1862, 2022"

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Chair

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Corporate Officer

## **SCHEDULE B**

### **1. EXTERNAL APPOINTMENTS**

- Arrowsmith Water Service Management Board
- Ballenas Track Renewal Steering Committee
- BC Social Procurement Initiative (BCSPI)
- City of Nanaimo/RDN District 68 Sports Field and Recreation Committee
- Early Learning & Childcare Council in Oceanside (ELCCO)
- Englishman River Water Service Management Board
- Island Coastal Economic Trust (ICET) – North Island Sunshine Coast Regional Advisory Committee (NISCRAC)
- Island Coastal Economic Trust (ICET) – Central South Island Regional Advisory Committee (CSIRAC)
- Island Corridor Foundation
- Mount Arrowsmith Biosphere Region Roundtable
- Municipal Finance Authority
- Municipal Insurance Association of BC
- North Island 911 Corporation
- Oceanside Homelessness Task Force
- Parksville Qualicum Beach Tourism Association
- Port Liaison (Protocol Agreement)
- Qualicum First Nation Cooperation Protocol Working Group
- Snuneymuxw First Nation/Regional District of Nanaimo Protocol Agreement Working Group
- Te'mexw Treaty Negotiations Committee
- Vancouver Island & Coastal Communities Climate Leadership Plan Steering Committee
- Vancouver Island & Coastal Communities Committee on Solid Waste and Circular Economy (VICC-CSWCE)
- Vancouver Island Regional Library Board
- Yellow Point Ecological Society (YES)