

CARIBOO REGIONAL DISTRICT

PROCEDURE BYLAW NO. 5350, 2021

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CARIBOO REGIONAL DISTRICT

BYLAW NO. 5350, 2021

WHEREAS, under Section 225 of the *Local Government Act*, a board must, by bylaw, 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 Section 94 (requirements for public notice) of the *Community Charter* to the regional district.

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

PART 1 – INTRODUCTION

1. TITLE

This Bylaw may be cited as “Cariboo Regional District Procedure Bylaw No. 5350, 2021”.

2. DEFINITIONS

(1) In this Bylaw:

- (a) ‘Act’ means the *Local Government Act*;
- (b) ‘Alternate Director’ means the definition under the provisions of the *Act* and duly sworn in prior to voting on any matter before the Board;
- (c) ‘Board’ means the Board of the Cariboo Regional District;
- (d) ‘Board Chair’ means the member of the Board elected as Chair pursuant to section 215 of the *Act*;
- (e) ‘Board meeting’ means a regular, special, electronic, or other duly called meeting of the Board of the Cariboo Regional District;
- (f) ‘Chair’ means the member presiding at a meeting of the Board, committee, or commission as the context requires;

- (g) 'Charter' means the *Community Charter*;
- (h) 'Committee' means a Standing, Select or other Committee of the Board;
- (i) 'Manager of Corporate Services' means the Corporate Officer of the Regional District appointed pursuant to the *Act*;
- (j) 'Director' means an electoral area director or a municipal director pursuant to the *Act*;
- (k) 'Electronic meeting' means a regular or special Board meeting using electronic and communications media pursuant to B.C. Reg. 271/2005 – Regional Districts Electronic Meetings Regulation;
- (l) 'Meeting' means a meeting of the Board or a committee of the Board;
- (m) 'Notice board' means the public notice board in the Regional District main and sub-offices as well as the CRD webpage;
- (n) 'Portfolio' means a series of matters having the same general theme;
- (o) 'Regional District' means the Cariboo Regional District;
- (p) 'Select Committee' means a committee of the Board that is established to consider or inquire into any matter and report its findings and opinion to the Board, and is automatically dissolved upon its final report to the Board;
- (q) 'Special Board Meeting' means a Board meeting other than those on the adopted Board meeting schedule, which must be adopted by the Board no later than October 31st of each year;
- (r) 'Standing Committee' means a long-term committee established by the Chair of the Board to deal with issues of an ongoing nature;
- (s) "Webpage" means the Cariboo Regional District's World Wide Web internet site at www.cariboord.ca.

3. APPLICATION OF RULES OF PROCEDURES

- (1) The provisions of this Bylaw govern the proceedings of the Board, and the Board's committees, as applicable.

- (2) In cases not provided for under this Bylaw, the current edition of Robert's Rules in Plain English applies to the proceedings of the Board and the Board's committees to the extent that those rules are
 - (a) applicable in the circumstances, and
 - (b) not inconsistent with provisions of this Bylaw, the *Act* or the *Charter*.

PART 2 – BOARD MEETINGS

4. INAUGURAL MEETING

- (1) Following a general local election, the inaugural meeting of the Board must be held on the first Thursday following the first Monday after November 1st, provided it is held after the municipal directors have been appointed by their respective councils.
- (2) The Manager of Corporate Services, or their delegate, shall call the inaugural meeting to order and shall:
 - administer the necessary oaths and declarations; or
 - arrange for a Judge, Justice or Magistrate to administer the necessary oaths and declarations.

5. ELECTION OF BOARD CHAIR AND VICE-CHAIR

- (1) At the first meeting held after November 1st in each year, the Board must elect a Chair and a Vice-Chair. Each Director present at the meeting has one vote in each election for an office.
- (2) The Manager of Corporate Services, or their delegate, will call three times for nominations for the position of Chair of the Board. After the calling of nominations and all persons nominated have indicated if they desire to allow their name to stand, an election by secret ballot will be held. Prior to distribution of ballots (paper or electronic), candidates shall have the opportunity to address the Board. Voting shall be as follows:
 - (a) When only one candidate is nominated, the Manager of Corporate Services, or their delegate, shall declare the candidate elected by acclamation.

- (b) In the case of two candidates having been nominated, the candidate receiving the highest number of votes from the members of the Board then present shall be declared elected. In the event of a tie vote, ballots will be redistributed, and the two candidates will again stand for election until one of them receives a clear majority of votes from the members of the Board ~~then present~~ participating in the meeting.
- (c) In the case of multi candidates where no candidate receives the highest number of votes, the candidate receiving the lowest number of votes will be removed from the ballot, ballots will be redistributed, and the remaining candidates will again stand for election. This process will continue until a candidate receives a clear majority of votes from the members of the Board ~~then present~~ participating in the meeting.
- (3) Election of Vice-Chair will subsequently be held following the above provisions.
- (4) If the office of Chair or Vice-Chair become vacant, the Regional Board shall elect another Chair or Vice-Chair from among its Directors at the first possible regular meeting of the Board after the vacancy occurs.
- (5) If the Chair and 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. For the purposes of elections under this section, each Director present at the meeting has one vote in each election for an office.

6. POWERS AND DUTIES OF BOARD CHAIR

Chief Executive Officer

- (1) The Board Chair is the head and chief executive officer of the Regional District and has the duties as set out in section 216 of the *Act* and sections 131, 132, 133 and 134 of the *Charter*.

Board Table Seating Arrangements

- (2) The Board Chair shall determine the seating arrangements around the meeting table.

Appointment of Portfolio Chairs/Standing Committees

- (3) Pursuant to section 218 of the *Act*, the Board Chair may:

- (a) establish standing committees for matters the Chair considers would be best dealt with by committee and may appoint persons to those committees;
- (b) for the calendar year, appoint portfolio chairs and may appoint such members as is deemed necessary at the Chair's discretion.

7. POWERS AND DUTIES OF BOARD VICE-CHAIR

The Vice-Chair has, during the absence of the Chair, all the powers of the Chair and is subject to all rules applicable to the Chair.

PART 3 - CONDUCT OF BOARD BUSINESS

8. TIME AND LOCATION OF MEETINGS

Prior to October 31st of each year, the Board shall, by resolution, set its annual schedule of regular meetings, including the date, location and time (biannual Board on the Road meeting locations to be announced as soon as they are determined) and shall post the schedule on the CRD website and public notice boards.

9. NOTICE OF REGULAR BOARD MEETINGS

- (1) The Board's annual schedule of regular meetings shall be posted on the public notice boards and published on the Regional District's webpage.
- (2) Upon resolution of the Board, the time, date and location of regular meetings may be changed. In such cases, notice of the change in the Board's annual meeting schedule will be posted on the public notice boards and published on the Regional District's webpage.

10. NOTICE OF SPECIAL BOARD MEETINGS

- (1) A special meeting shall be called by the Manager of Corporate Services, or their delegate, on the request of the Board Chair or of any two Directors, or by Board resolution, by electronic notice or notice otherwise delivered in writing, to each Director at least five days before the date of the meeting at the location given by the Director to the Manager of Corporate Services for that purpose;
- (2) Except where notice of a special meeting is waived by unanimous vote of all Board members under section 220(3) of the *Act*, at least 24 hours before a

special meeting of the Board, the Manager of Corporate Services, or their delegate, shall:

- (a) give advance public notice of the time, place and date of the meeting by way of a notice posted on the notice boards and on the Regional District's website; and
 - (b) provide each Board member with the agenda for the meeting.
- (3) Special meetings of the Board shall be posted on the public notice boards and published on the Regional District's webpage whenever this action is practical and possible.
 - (4) In the case of an emergency, notice of special meeting may be given, with the consent of the Board Chair and two Directors, less than five days before the date of the meeting and need not be given in writing.

11. ELECTRONIC MEETINGS/ELECTRONIC PARTICIPATION

- (1) Provided the conditions set out in the Regional Districts Electronic Meetings Regulation, B.C. Reg. 271/2005 and section 221 of the *Local Government Act* are met, a regular or special Board meeting may be conducted by means of visual and/or audio electronic or other communication facilities.
- (2) Provided the conditions set out in the Regional Districts Electronic Meetings Regulation, B.C. Reg. 271/2005 are met, a Director who ~~is unable to~~ does not attend a Board meeting other than a meeting convened under section 11(1), may participate in a meeting, by means of visual and/or audio electronic or other communication facilities, if the Director so chooses, provided that a Director who participates in accordance with subsection 11(2) does so at no more than four meetings per year.
 - ~~(a) Physical incapacity due to injury or illness;~~
 - ~~(b) Inclement weather;~~
 - ~~(c) Physical absence from the Regional District boundaries while acting in the capacity as a Director on Cariboo Regional District matters;~~

~~provided that a Director who participates in accordance with subsection 11(2) does so at no more than two meetings per year.~~
- (3) At a meeting conducted under section 11(2) the presiding member must not participate electronically.

- ~~(4) No more than two Directors at one time may participate at a meeting under section 11(2) unless otherwise authorized by the Chair.~~
- (4) Any Director participating at a meeting in accordance with section 11(2) must be in receipt of the agenda and any applicable staff reports as have been provided to Directors not participating electronically before the Board meeting and any information handed out at the Board meeting must be sent to that Director during the meeting or the matter will be adjourned to the next regular meeting.
- (5) The following requirements apply in relation to a meeting wherein a Director(s) is participating in accordance with section 11(2):
- the facilities must enable the meeting's participants to hear, or watch and hear, the participation of the member(s);
 - except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the participation of the member.
- (6) If the communication facilities fail or malfunction during a meeting, the meeting may be continued without the Director who is participating in accordance with section 11(2), assuming there is still a quorum without that Director, or the meeting may be adjourned.
- (7) Notice of a special Board meeting required under section 10 and conducted under section 11(1) must contain information of the way in which the meeting is to be conducted and the place where the public may attend to hear, or watch and hear, the proceedings of the meeting that are open to the public.
- (8) A Director participating electronically by audio means only must indicate their vote verbally unless they are able to vote using the CRD's agenda software.
- (9) A Director participating electronically must make every effort to eliminate background noise, including muting their line when not addressing the Board.
- (10) Directors are encouraged to attend meetings in person as it promotes concise communication and thorough discussion.

12. ATTENDANCE OF PUBLIC AT MEETINGS

- (1) Except where the provisions of section 90 of the *Community Charter [meetings that may or must be closed to the public]* apply, all meetings must be open to the public.
- (2) Before closing a meeting or part of a meeting to the public, the Board or committee must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter [requirements before meeting is closed]*.

- (3) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*.
- (4) Despite section 12(1), the Chair may expel or exclude from a meeting, a person in accordance with section 19(5) of this bylaw and section 133 of the *Community Charter (expulsion from meetings)*.

13. AGENDA

- (1) The Manager of Corporate Services, or their delegate shall prepare and publish at the direction of the Board Chair, an agenda in electronic, web-based format before every regular meeting of the Board. The agenda shall be published and accessible to Directors and the public via the Regional District's webpage at least seventy-two (72) hours before the applicable meeting. If there are late items, the agenda will be re-published and available on the evening preceding the meeting.
- (2) Immediately after the Chair has taken their seat, called the meeting to order, and acknowledged the traditional territory on which the meeting is being held, the Board shall consider a resolution to adopt the agenda and to include any other time-sensitive items that must be dealt with at the current meeting. The minutes of the preceding meeting shall then be considered by the Board in order to correct any errors and omissions. The minutes of the preceding meeting of the Board need not be read aloud prior to their adoption. All other business shall follow.
- (3) Any Director wishing to place an item on an agenda for consideration by the Board shall notify the Manager of Corporate Services as soon as possible, and no later than 7 working days prior to the Board meeting. The Director must supply background information along with their request whenever possible. Subject to the Board Chair's approval, the Manager of Corporate Services shall place the item on the agenda, with a report advising the Board that the applicable Director has requested Board consideration of the item and that any further action is at the discretion on the Board.
- (4) Notwithstanding sub-section (3), items contained on the Consent Calendar being considered by the Board, shall routinely be brought forward for consideration as a separate agenda item, when a Director makes such a request.

14. LATE AGENDA

- (1) Items may be added to the late agenda by staff or Directors only if the item is time-sensitive and cannot practically wait until the next regular meeting.
- (2) Information pertaining to urgent items received after publishing the late agenda, shall be distributed to the Directors on coloured paper at the commencement of the

meeting or as soon thereafter as practical and possible. Directors will be given adequate time to review the late items.

15. IN-CAMERA AGENDA

- (1) The in-camera agenda will be prepared by the Manager of Corporate Services, or their delegate, at the direction of the Board Chair. The in-camera agenda will be available to Directors at least seventy-two (72) hours preceding the applicable Board meeting.
- (2) The in-camera agenda will be prepared in electronic format and will be accessible only to those who are permitted to attend the in-camera meeting.
- (3) A Director participating in an in-camera meeting via electronic means must take all necessary steps to ensure that no other person is able to overhear the discussion.
- (4) Late in-camera agendas, if necessary, will be created and available on the evening preceding the meeting.
- (5) Information pertaining to urgent items received after creation of the late in-camera agenda, shall be distributed to the Directors at the commencement of the meeting or as soon thereafter as practical and possible. Directors will be given adequate time to review the late in-camera items.
- (6) Access to the in-camera agendas will be prohibited after the conclusion of the in-camera meeting. All Directors will surrender any hard copy in-camera documents unless a specific Board resolution has been obtained to retain an in-camera report or other item.
- (7) In-camera agenda documents may not be printed or otherwise duplicated by Board members. *Should a Board member download an in-camera agenda, they must delete it from their computer immediately after adjournment of the in-camera meeting.*

16. PETITIONS AND DELEGATIONS

Public Delegations

- (1) Individuals or groups wishing to appear as a delegation before the Board, may do so only if they have first requested same, in writing, before the agenda has been prepared and circulated to the Board, and subject to the Board Chair's approval. On extraordinary occasions declared as such by the Board Chair, this requirement may be waived.
- (2) Unless otherwise permitted by the Board Chair, each delegation shall be allowed fifteen (15) minutes to present its petition or submission. Where the delegation is

requesting Board action, the matter will be referred to staff for a recommendation unless the matter under consideration is urgent.

- (3) In the absence of written requests, the Manager of Corporate Services shall not place a delegation on the agenda except where the Board Chair so designates.

Delegations Initiated by Board

- (4) Notwithstanding sub-section (3), the Board may by resolution, invite individuals or groups to appear as a delegation. Such delegations shall be limited to one per Board meeting, except on extraordinary occasions declared as such by the Board Chair.
- (5) All delegations shall be encouraged to be brief, concise and topic specific.

17. OPENING PROCEDURES

- (1) As soon after the appointed time of a meeting as a quorum is present, the Chair shall take the chair and call the meeting to order.
- (2) If the Chair is not in attendance within fifteen (15) minutes after the time appointed for the meeting, the Vice-Chair shall take the chair and call the meeting to order. If the Vice-Chair is also absent, the Manager of Corporate Services or their designate shall take the chair and call the meeting to order. If a quorum is present, the Directors shall elect an Acting Chair pursuant to Section 5(5).
- (3) If no quorum is present within thirty (30) minutes after the appointed time of the meeting, the Manager of Corporate Services or their designate shall record in the minutes the names of the Directors present and the meeting shall stand adjourned except where the Chair designates some other action be taken.

18. ACKNOWLEDGEMENT OF INDIGENOUS PEOPLES AND TERRITORIES

- (1) As soon as a Board or Committee meeting is called to order, the Chair shall verbally acknowledge that the meeting is being held on the traditional lands of the Indigenous peoples specific to that area. If the specific Indigenous group is not known, the following statement will be made:
 “We respectfully acknowledge the Indigenous peoples on whose traditional territories we are meeting.”

19. MINUTES

- (1) Minutes of meetings shall:
 - (a) be legibly recorded;
 - (b) contain:

- i) the time the meeting was called to order;
 - ii) the date of the meeting;
 - iii) the location of the meeting;
 - iv) attendees;
 - v) movers and seconders of all motions;
 - vi) results of all votes - either "carried" or "defeated";
 - vii) a disposition of all items on the agenda including a record of all decisions made at the meeting and include a brief anecdotal description of non-decision business (i.e. delegations), but shall not include any opinions expressed at the meeting; and
 - viii) time of adjournment.
- (c) be certified as correct by the Manager of Corporate Services;
 - (d) be signed by the Board Chair or other member presiding at the meeting in the Board Chair's place, or at the next meeting at which they are adopted; and
 - (e) be open for public inspection at the Board offices during its regular office hours in accordance with the applicable provisions of the Act.
- (2) Subsection 18(1)(e) does not apply to minutes of a meeting or portion of a meeting from which persons were excluded under section 90 of the *Community Charter (meetings that may be closed to the public)*. Access to in-camera minutes shall be limited to Board members (unless otherwise restricted by a resolution of the Board), the Chief Administrative Officer, and persons designated by the Chief Administrative Officer, and shall only be viewed at the CRD office in Williams Lake and may not be copied or taken from the office unless otherwise ordered by a competent authority. Board members will not be permitted access to in-camera minutes of past meetings that took place when the member was not on the Board, unless authorized by specific resolution of the Board.

20. RULES OF CONDUCT AND DEBATE

- (1) A Director may speak to a question or motion only if that Director first addresses the Chair and is recognized by the Chair.
- (2) Directors shall address the Chair as "Chair (last name) and shall refer to each other as "Director (last name)).
- (3) Directors shall address staff who are present at the meeting through the Chair who, in turn, shall defer to the Chief Administrative Officer who shall recognize staff if required.
- (4) No Director shall:

- (a) speak disrespectfully of the Reigning Sovereign, a member of the Royal Family, the Governor-General, or a Lieutenant-Governor;
 - (b) speak disrespectfully of, defame, or use offensive words against the Corporation, the Regional Board, a Director, employee or any individual, group or entity;
 - (c) speak in a contradictory manner on a decision reached by the Board or reflect upon a vote of the Regional Board, except for the purpose of moving that the vote be rescinded;
 - (d) leave their seat or make any noise or disturbance while a vote is being taken and until the result is declared;
 - (e) interrupt a Director who is speaking, except to raise a point of order;
 - (f) conduct themselves during the meeting in a manner that is disrespectful to other Board members, staff, or guests;
 - (g) disobey the rules of the Regional Board or resist a decision of the Regional Board or Board Chair on questions of order or practice, or interpretation of the rules of the Board.
- (5) If the Board Chair considers that a Director or other person at the meeting is acting improperly, the Chair may order that the person is expelled from the meeting. If the person who is expelled does not leave the meeting, a peace officer may enforce the Chair's order as if it were a court order.
- (6) If any person at the meeting, offending any of the provisions of Section (4) apologizes to the Regional Board, the Board Chair may permit the person to forthwith resume their seat.
- (7) The following rules apply to limit speech on matters being considered at a Board meeting:
- (a) Directors are limited to speaking twice on any matter except:
 - (i) with the permission of the Board Chair; or
 - (ii) if the Director is explaining a material part of a previous speech without introducing a new matter;
 - (b) Where practical, all Directors will be given the opportunity to speak once on a matter before a Director is recognized a second time;
 - (c) A Director who has made a substantive motion to the Board may reply to the debate;

- (d) A Director who has moved an amendment on the previous question may reply to the debate;
 - (e) Directors are encouraged to speak succinctly and to not repeat information that has already been heard;
 - (f) Procedures for limiting debate pursuant to section 21(4) apply.
- (8) After a question is finally put by the Chair, no Director shall speak to the question, nor shall any other motion be made until the result of the vote has been declared. The decision of the Chair as to whether the question has been finally put shall be conclusive.
- (9) If the Chair desires to leave the chair for the purpose of taking part in the debate or otherwise, he/she shall make an announcement to that effect and call on the Vice-Chair, or if the Vice-Chair is absent, one of the Directors, to take his/her place until he/she resumes the chair.

21. POINTS OF ORDER

- (1) The Chair shall preserve order and decide all points of order which may arise, subject to an appeal to the other Directors of the Board or committee then present.
- (2) On an appeal by a Board member from the decision of the Chair, the question shall be immediately put by the member, and decided without debate, "Shall the Chair's decision be sustained?" and the Chair shall be governed by the vote of the majority of the Directors then present, excluding the Chair. In the event of the votes being equal, the question shall pass in the affirmative. The names of the members of the Board voting for or against the question shall be recorded in the minutes.
- (3) If the Chair refuses to put the question "Shall the Chair's decision be sustained?", the Vice-Chair shall preside temporarily. The Vice-Chair shall proceed in accordance with sub-section 20(2).
- (4) Any resolution or motion carried under the circumstances mentioned in sub-section 20(3) is as effectual and binding as if carried under the presidency of the Chair.

22. MOTIONS

- (1) A motion shall be made and seconded before being debated and voted on. A motion may only be made or seconded by a member with voting rights on the topic, even if the motion is for deferral or referral.
- (2) A motion that has been seconded may be read by the Manager of Corporate Services or their designate, before debate, at the request of any Director.
- (3) After a motion is presented, it shall be deemed to be in the possession of the Board or committee but may be withdrawn at any time before decision or amendment, if no one objects.
- (4) When a motion is under consideration, no motion shall be received unless to:
 - (a) defer it,
 - (b) refer it,
 - (c) amend it,
 - (d) postpone it to later in the meeting, or
 - (e) "call the question" (end debate and vote on the motion).

23. AMENDMENTS

- (1) Every amendment submitted shall be decided upon or withdrawn before the main question is put to a vote. Only two amendments shall be allowed to a motion.
- (2) Amendments shall be voted on in the reverse order to that in which they are moved. Once all amendments have been voted on, the Board shall vote on the main motion.
- (3) A motion to commit the subject matter to a committee of the Board, until it is decided, shall preclude all amendment(s) of the main question.
- (4) A question of referral or deferral, until it is decided, shall preclude all amendments to the main question.

24. RECONSIDERATION

- (1) Without limiting the authority of the Board to reconsider a matter, the Board Chair may require the Board to reconsider and vote again on a matter that was the subject of a vote, subject to the provisions of the *Act*, at the next meeting of the Board.

- (2) After a vote has been taken on any question, except one of tabling or postponing a matter, a Director 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.
- (3) Despite subsection 2, a Director 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.
- (4) A motion to reconsider requires a seconder, and 2/3's 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.
- (5) The Board shall not reconsider any resolution calling for action where that action has been acted upon, or substantially acted upon, by any officer or employee of the Regional District, or which has received the assent of the electors.
- (6) After a question has been reconsidered, it shall not be reintroduced for a period of six months except by unanimous consent of all Directors.

25. VOTING

- (1) The following procedures apply to voting at all Board meetings:
 - (a) Voting on questions, resolutions and bylaws are governed by the *Act*.
 - (b) The Chair participates in all voting unless the vote is on the question, "Shall the Chair be sustained?"
 - (c) All votes pertaining to Board business shall be taken according to the method of attendance at the meeting; if participating virtually, either by electronic vote or verbally; if in person, by a show of hands, with the exception of election of Board Chair and Board Vice-Chair which is covered elsewhere in this bylaw.
 - (d) A vote on a motion shall be deemed to be carried if it receives enough votes in favour. The Chair will state aloud that the vote is carried or defeated.
 - (e) As soon as the Chair has announced the results of the vote on a question, any Director who voted in opposition may request the Chair to have their name so recorded in the minutes. A vote in opposition will not be recorded in the minutes unless a Director requests that it be done.
 - (f) When the question under consideration contains distinct propositions, a Director may request that the vote upon each proposition be taken

separately, and the matter shall be put to a vote requiring agreement by way of 2/3's of the votes cast.

- (g) Each Director present who does not signify their vote upon the question by raising their hand shall be recorded as voting in the affirmative.
- (h) A tie vote is defeated, as majority is not obtained.

26. CONFLICT OF INTEREST

The provisions of this section shall apply to all meetings.

(1) Declaration:

If a Director considers that he or she is not entitled to participate in the discussion of a matter or to vote on a question in respect of the matter, the Director shall declare a conflict of interest and state the general nature of why the Director considers this to be the case.

(2) Following a Declaration:

A "conflict of interest" declaration requires that the following procedure be carried out:

- (a) The Director is not considered as part of the quorum for the vote on which the Director declared a conflict of interest;
- (b) The Director:
 - (i) shall not take part in the discussion of the matter and is not entitled to vote on any question in respect of the matter;
 - (ii) shall immediately leave the meeting or that part of the meeting during which the matter is under consideration, including disconnecting from electronic participation; and
 - (iii) shall not attempt in any way, whether before, during, or after the meeting, to influence the voting on any question in respect of the matter.
- (c) The Director is entitled to return to the meeting, but only after all discussion and voting on the matter is complete. If the Director has disconnected from electronic participation, the Chief Administrative Officer or their designate will contact the Director to advise when the item has been concluded so that they may re-join the meeting.

- (3) Administrative Requirements:
 - (a) Recording Secretary Responsibilities:

After a Director makes a “conflict of interest” declaration, the Recording Secretary shall record in the minutes of the meeting, the member’s declaration, the reason(s) given for it, and the times of the Director’s departure from the meeting room and, if applicable, of the Director’s return.

PART 4 - BYLAWS

27. GENERAL

- (1) Where the *Act* requires that a Public Hearing be held, the bylaw shall be initially presented for consideration of two readings, with the Public Hearing to be held following second reading and prior to consideration of third reading.
- (2) Bylaws which do not require Public Hearings prior to third reading, may be given three readings at the same meeting of the Regional Board.
- (3) Pursuant to section 228 of the *Act*, a bylaw that does not require approval, consent or assent under the *Act* or *Charter* 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 2/3 of the votes cast.
- (4) Procedure, voting and enforcement of bylaws shall be in accordance with the applicable provisions of the *Act* and *Charter*.

28. BYLAWS MUST BE SIGNED

Once a bylaw is adopted it shall be signed by the member presiding as Chair at the meeting at which it was adopted, and the Manager of Corporate Services.

PART 5- COMMITTEES

29. DUTIES / GENERAL

- (1) Standing and select committees may be established pursuant to the *Act*.
- (2) The general duties of all the committees of the Regional Board shall be as follows:

- (a) To consider items referred to it by the Board; and
 - (b) To carry out the instructions of the Board expressed by resolution, or bylaw, in regard to any matters referred by the Board; and
 - (c) In addition to the foregoing sub-sections (a) and (b), to carry out the duties and follow the procedures established by its terms of reference.
- (3) In the transaction of business, all committees shall adhere as much as possible to the rules governing proceedings and conduct of Directors, in meetings of the Regional Board.
 - (4) Alternate directors are authorized to serve on committees of the Board in the absence of the Director. This does not apply to outside agencies where Directors are appointed at the request of the agency concerned.
 - (5) Attendance at committee meetings by the public and delegations, as well as the structure and scheduling of committee meetings shall be in keeping with the provisions of this bylaw and current Board policies.

PART 6 - GENERAL

30. QUORUMS

- (1) In the case of the Board, a simple majority, one member more than 50% of the members shall constitute a quorum.
- (2) In the case of commissions or committees of the Board, quorums are specified by the individual terms of reference or bylaws.
- (3) When any order, resolution or question is lost by reason of the Board or committee breaking up for want of a quorum, the order, resolution or question lost shall be included as an item of business to be proceeded with and disposed of at the next meeting.

31. 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, such decision will not affect the validity of the remaining portions of this bylaw.

32. REPEAL

“Cariboo Regional District Procedure Bylaw No. 5070, 2016” is hereby repealed.

READ A FIRST TIME THIS ____ DAY OF ____, 2021.

READ A SECOND TIME THIS ____ DAY OF ____, 2021.

READ A THIRD TIME THIS ____ DAY OF ____, 2021.

ADOPTED THIS ____ DAY OF ____, 2021.

Chair

Manager of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5350, cited as "Cariboo Regional District Procedure Bylaw No. 5350, 2021", as adopted by the Cariboo Regional District Board on the ____ day of ____, 2021.

Manager of Corporate Services