



COWICHAN VALLEY REGIONAL DISTRICT

Bylaw No. 2922

(As Amended by Bylaw No. 3459, 3677, 3699, 4149 and 4322)

CVRD BYLAW NO. 2922

– BOARD COMMITTEE AND COMMISSIONS PROCEDURE BYLAW, 2007

CONSOLIDATED FOR CONVENIENCE ONLY

(April 7, 2020)

The amendment bylaw(s) listed below have been incorporated into enactment Bylaw No. 2922 for convenience purposes only. Persons making use of the consolidated version of Bylaw No. 2922 are advised that it is not a legal document and that for the purpose of interpreting and applying the law, the original bylaw(s) must be consulted. Certified copies of original bylaws are available through the Corporate Secretary's office.

AMENDMENT BYLAW

**Bylaw No. 3459
Bylaw No. 3677
Bylaw No. 3699
Bylaw No. 4149
Bylaw No. 4322**

EFFECTIVE DATE

**May 13, 2011
February 13, 2013
May 8, 2013
October 11, 2017
March 25, 2020**



COWICHAN VALLEY REGIONAL DISTRICT

Bylaw No. 2922 - Consolidated for Convenience with Amending Bylaw No. 3459, 3677, 3699, 4149 and 4322

A Bylaw to Regulate the Proceedings of Committees and Commissions

WHEREAS Section 225 of the *Local Government Act* requires the Board, by bylaw, to establish the general procedures to be followed by Board Committees in conducting their business;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to establish procedures for the proceedings and conduct of meetings of Board Committees and Commissions;

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

PART 1 – INTRODUCTION

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 2922 – Committee and Commissions Procedures Bylaw, 2007**".

2. DEFINITIONS

In this bylaw:

"Board" means the Board of Directors of the Cowichan Valley Regional District.

"Chair" means the person presiding at a meeting of the Committee and shall include the Vice Chair or any other person who for the time being is the presiding officer unless the context otherwise requires.

"Committee" means a standing Committee created by the Board Chair; a select committee created by the Board; or a Commission established by bylaw.

"Member" means a person appointed to a Committee.

"Public Notice Posting Place" means the notice board located at the front entrance of the Regional District Office located at 175 Ingram Street, Duncan, BC.

"Office of Primary Responsibility" means the CVRD Department responsible for the preparation of a Committee's agenda and minutes.

"Quorum" means a majority of Committee members unless otherwise specified in the Terms of Reference for a Committee or in a Commission establishment bylaw.

"Regional District Website" means the information resource found at an internet address provided by the Regional District.

3. APPLICATION OF RULES OF PROCEDURE

- a) The provisions of this Bylaw govern the proceedings of Committees and Commissions but do not apply to Sub-Committees or Advisory Committees.
- b) In cases not provided for under this Bylaw, Robert's Rules of Order shall apply to the proceedings of Committees to the extent that those Rules are:
 - (i) applicable in the circumstances; and,
 - (ii) not inconsistent with provisions of this Bylaw, the *Community Charter* or the *Local Government Act*.

PART 2 – ADVANCE PUBLIC NOTICE OF MEETINGS

4. NOTICE OF REGULAR COMMITTEE MEETINGS

At least 72 hours before a regular Committee meeting, the office of primary responsibility shall:

- a) give public notice of the time place and date of the meeting by way of a notice posted at the Public Notice Posting Place.
- b) deliver a copy of the agenda to each member of the Committee at the place to which the member has directed notices to be sent; and,
- c) post a copy of the agenda on the Regional District website.

5. NOTICE OF SPECIAL COMMITTEE MEETINGS

At least 24 hours before a Special Committee meeting, the office of primary responsibility shall:

- a) give public notice of the time place and date of the meeting by way of a notice posted at the Public Notice Posting Place.
- b) deliver a copy of the agenda to each member of the Committee at the place to which the member has directed notices to be sent; and,
- c) post a copy of the agenda on the Regional District website.

PART 3 – DESIGNATION OF CHAIR AND VICE CHAIR

6. ABSENCE OF THE CHAIR AND/OR VICE CHAIR

- a) 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.

- b) If both the Chair and Vice Chair are absent from a Committee meeting, the members present may appoint by resolution an acting Chair who, during that meeting, or until the Chair or Vice Chair arrives, has all the powers of the Chair and is subject to all rules applicable to the Chair.

7. PARTICIPATION IN MEETINGS ELECTRONICALLY – STANDING OR SELECT COMMITTEE

- a) A Member who is unable to attend a Standing or Select Committee meeting for reasons pertaining to absence from the Regional District, health or poor travel conditions, may, upon authorization of the Chair, participate in the meeting by means of electronic or other communication facilities.
- b) A Member wishing to participate in a Standing or Select Committee meeting electronically must advise the Recording Secretary at least 24 hours in advance of the meeting.
- c) A Member participating in a Standing or Select Committee meeting under this section is deemed to be present at the meeting.
- d) Standing or Select Committee meetings may be conducted by either audio only or a combination of audio and visual means but must be conducted in a manner which allows the public to hear or watch and hear the proceedings, unless the meeting is closed to the public under the authority of Section 90 of the *Community Charter*.
- e) The Member presiding over a Standing or Select Committee meeting must be physically present. In the event the Standing or Select Committee Chair opts to participate electronically, the Standing or Select Committee Vice-Chair must assume the chair. In the absence of the Vice-Chair, the Standing or Select Committee members present must elect a presiding Member for that Standing or Select Committee meeting.
- f) A Standing or Select Committee member participating by audio means only must indicate their vote verbally.
- g) Although the Regional District will make every effort to accommodate electronic participation in Standing or Select Committee meetings as required, nothing in this bylaw will be construed to guarantee any Standing or Select Committee member electronic access to a Regional District meeting. Electronic participation in meetings will be restricted by equipment capacity.

PART 4 – COMMITTEE PROCEEDINGS

8. ATTENDANCE OF PUBLIC AT MEETINGS

- a) Except where the provisions of Section 90 of the *Community Charter* apply, all Committee meetings must be open to the public. Despite this section, the Chair may expel or exclude from a Committee meeting a person in accordance with section 133(1) of the *Community Charter*.
- b) Before closing a Committee meeting or part of a Committee meeting to the public, the Committee must pass a resolution in a public meeting in accordance with Section 92 of the *Community Charter*.

9. MEETING MINUTES TO BE MAINTAINED AND AVAILABLE TO THE PUBLIC

- a) Minutes of the proceedings of the Committee must be:
 - (i) legibly recorded;
 - (ii) certified as correct by the Recording Secretary; and
 - (iii) signed by the Chair or other member presiding at the meeting or at the next meeting at which the minutes are adopted.
- b) Minutes of the proceedings of the Committee, except for the minutes of a Committee meeting from which persons were excluded under Section 90 of the *Community Charter*, must be open for public inspection at the Regional District Office during its regular office hours.

10. CALLING MEETING TO ORDER

- a) As soon after the time specified for a Committee meeting as there is a quorum present, the Chair, if present, must take the Chair and call the Committee meeting to order, however, when the Chair is absent, the Vice Chair must take the Chair and call such meeting to order.
- b) If a quorum of the Committee is present, but the Chair and the Vice Chair are not in attendance, a Manager for the office of primary responsibility must call to order the members present; and the members present must choose a member, by resolution, to preside at the meeting until the Chair or Vice Chair arrives.

11. ADJOURNING MEETING WHERE NO QUORUM

If there is no quorum of the Committee present within fifteen (15) minutes of the scheduled time for a Committee meeting, the Recording Secretary must record the names of the members present, and those absent, and the Committee shall stand adjourned until the next meeting date or until another meeting is called in accordance with this bylaw.

12. AGENDA

- a) Prior to each Committee meeting, the office of primary responsibility must prepare an agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.
- b) The deadline for submissions by the public to the office of primary responsibility of items for inclusion on the Committee agenda is 1:30 p.m., one week prior to the meeting.
- c) The Committee must not consider any matters not listed on the agenda unless a new matter for consideration is added at the time the agenda is approved.

13. ORDER OF PROCEEDINGS AND BUSINESS

- a) The agenda for all Regular Committee meetings contains the following matters in the order in which they are listed below unless otherwise directed by the Chair at the meeting:
- a) Approval of Agenda
 - b) Adoption of Minutes
 - c) Business Arising from the Minutes
 - d) Public Input Period
 - e) Delegations
 - f) Correspondence
 - g) Information
 - h) Reports
 - i) Unfinished Business
 - j) New Business
 - k) Question Period (*only applies if membership of the Committee is comprised of 50% or greater of Elected Officials*)
 - l) Closed Session; and
 - m) Adjournment
- b) Particular business at a Committee meeting must in all cases be taken up in the order in which it is listed on the agenda unless otherwise directed by the Chair.

14. VOTING AT MEETINGS

- a) Directors of the Board who are not members of a Committee may attend meetings of that Committee, and may take part in any discussion or debate, and may vote on issues in which their jurisdiction participates or proposes to participate.
- b) Each member shall have only one (1) vote.
- c) If a member does not indicate how he or she votes, the member is deemed to have voted in the affirmative.
- d) The name of a member who votes against the question shall only be entered into the minutes upon the request of the member.

- e) On any question where the number of votes, including the vote of the person presiding, are equal, the question is defeated.

15. DELEGATIONS

- a) An individual or a delegation may address the Committee at a meeting provided written application on a prescribed form has been received by the office of primary responsibility by 1:30 pm, one week prior to the meeting. Each address must be limited to ten (10) minutes unless a longer period is agreed to by unanimous vote of those members present.
- b) The number of delegations permitted at a Committee meeting is two (2).
- c) Where written application has not been received by the office of primary responsibility prior to the close of the application period, or two delegations have already been received for the meeting, an individual or delegation may address the meeting if approved by the unanimous vote of the members present.
- d) The Committee must not permit a delegation to address a meeting of the Committee regarding 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.
- e) The Committee must not permit a delegation to address the Committee regarding development applications that require public hearings/meetings as part of the regular process.
- f) Delegations requesting to appear on an issue that has already been decided by the Committee or Board may only appear if the delegation has new information to present and may only appear at one subsequent meeting.

16. CONDUCT AND DEBATE

- a) The Chair shall at all times conduct the manner and order of speaking so that all sides of a question may be as fully presented as the circumstances warrant, and shall insure that each member is allowed equal opportunity to speak.
- b) A member may speak to a question or motion at a Committee meeting by addressing the Chair.
- c) If more than one member speaks, the Chair will call on the member who, in the Chair's opinion, first spoke.
- d) No member must interrupt a member who is speaking except to raise a point of order.
- e) A member may require the question being debated at a Committee meeting to be read at any time during the debate if that does not interrupt another member who is speaking.
- f) A member who is called to order by the Chair must immediately stop speaking.

- g) Members speaking at a Committee meeting:
 - (i) must use respectful language;
 - (ii) must not use offensive gestures or signs;
 - (iii) must speak only in connection with the matter being debated; and
 - (iv) must adhere to the rules of procedure established under this Bylaw and to the decisions of the Chair in connection with the rules and points of order.
- h) If a member does not adhere to Subsection (g), the Chair may expel the member from the meeting: and
 - (i) if the member refuses to leave, the Chair may cause the member to be removed from the meeting by a peace officer; and
 - (ii) the Committee may, by resolution, allow the member to retake the member's seat.

17. MOTIONS GENERALLY

- a) The Committee may debate and vote on a motion only if it is first moved by one Member and then seconded by another.
- b) The Committee must vote separately on each distinct part of a question that is under consideration at a Committee meeting if requested by a member.

18. AMENDMENTS GENERALLY

- a) A member may, without notice, move to amend a motion that is being considered at a Committee meeting.
- b) An amendment may propose removing, substituting for, or adding to the words of an original motion.
- c) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.
- d) An amendment may be amended once only.
- e) An amendment that has been defeated by a vote of the Committee cannot be proposed again.
- f) A member may propose an amendment to an adopted amendment.

PART 5 – GENERAL

- 19. 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.
- 20. This bylaw may not be amended or repealed and substituted unless the Board first gives notice in accordance with section 225(2) of the *Local Government Act*.

READ A FIRST TIME this 14th day of February , 2007.

READ A SECOND TIME this 14th day of February , 2007.

READ A THIRD TIME this 14th day of February , 2007.

ADOPTED this 14th day of February , 2007.

W.J. (Jack) Peake
Chairperson

Joe Barry
Corporate Secretary