

ACRD Procedure Bylaw Review and Rewrite

March 19, 2025

Committee of the Whole Meeting



Meeting #2

Section 15. Order of Proceedings and Business

Update when content of Bylaw has been established.



Section 16. Late Items

Section	Content	Proposed Change
16.a.	The CO shall, if required prepare a late agenda.	<p>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 the Agenda is approved, by way of a motion carried by a majority vote of the members.</p> <p>Items that may be considered as late items include:</p> <ul style="list-style-type: none">• 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. <p>Require that late items be submitted no later than <i>(specific time)</i> the day before the meeting date.</p>

Section 17. Voting at Meetings

June 2023 – A proposed amendment to the Procedure Bylaw, to change the way votes are recorded was proposed and not supported by the Board.

Proposal Included the following options for recorded votes:

- Carried unanimously
- Defeated unanimously
- In cases where unanimity is not reached, carried or defeated, record the names of those who voted against the motion.

The current practice in meeting minutes is to record one of the following options:

- CARRIED
- DEFEATED

Note: A recorded vote may be requested before the question is put forth (Board meetings only).

Remove Mover & Seconder?

Replace with “The motion was moved & seconded”.



Section 17. Voting

Section	Content	Proposed Change
17.a.(i)	When debate on a matter is closed the Chair must put the matter to a vote of members;	The vote on a motion will be taken when the Chair is satisfied that its intent is clear to Directors.
17.a.(ii)(iii), b, c	When the Board is ready to vote, the Chair must put the matter to a vote etc...	Simplify
17. d.	Subject to sections 5 (Election of the Chair & Vice-Chair) and section 9 (Electronic Meetings & Participation), whenever a vote of the Board on a matter is taken, each member present shall signify their vote by raising their hand	No proposed change
17. e.	The presiding member must declare the result of the vote	No proposed change
17. f. g.	Recording of votes (previous slide)	For committee discussion
NEW	Any member who abstains from voting shall be deemed to have voted in the affirmative	LGA 207 (3)
NEW	If the votes on a question, including the vote of the person presiding, are equal, the question is defeated.	LGA 207 (4)

Section 18. Chief Administrative Officer

Section	Content	Proposed Change
18. a.b.c	Section 18 references relationship between CAO and proceedings during meeting	Remove CAO section entirely. Not common practice to include this language in Procedure Bylaw.

Section 19. Delegations

A person or groups 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:

- Submit a request to CO (date, name of person(s), subject matter, etc) seven days prior to meeting (current = Thursday before);
- Provide any audio/visual presentation to CO 48 hours prior to meeting (current = Friday before).

Each delegation shall be limited to max 10 mins (unless extended by Board).

Max 3 delegations per meeting (no change).

NEW - Each delegation may, at least 7 days prior to meeting, provide the CO with an executive summary, of up to two pages, of the delegation's presentation for inclusion in the applicable Board or Committee agenda package.

CO may schedule delegations to another meeting as deemed appropriate according to the subject matter of the delegation (no change).



Section 19. Delegations continued

NEW - The Board must not permit a delegation to address a meeting regarding:

- A bylaw that is subject to a public hearing
- Personnel matters
- Any matter that is before the courts or on which the Board has authorized legal action
- The promotion of business
- A public procedure process for the provision of goods, services or construction for the ACRD 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.

NEW - Consider Presentations

Consider adding a Presentation Section to Agenda (immediately before Delegations).

- Board or Committee may invite a person, persons or organizations to make a presentation to meeting (ex. RCMP, Medical Health Officer, MLA, Provincial Agency)
- Staff presentations (staff awards)



Section 20. Points of Order

Combine into **Conduct and Debate** section of Bylaw



Section 21. Conduct and Debate

Section	Content	Proposed Change
21. a	A member may speak to a question or motion at Board meeting only if that member first addresses the chair.	No changes proposed.
b.	Members must address the presiding member by that person’s title of Mister/Madam Chairperson, Vice-Chairperson, or Director.	Members will address the Chair as “Chair_____” and refer to each other as “Director_____”.
c.	Members must address other non-presiding members by ‘Director’.	Remove. Addressed above.
d.	No member must interrupt a member who is speaking except to raise a point of order.	No changes proposed.
e.	If more than one member speaks the chair must call on the member who, in the chair’s opinion, spoke first.	No changes proposed.
f.	Members who are called to order by the Chair: <ul style="list-style-type: none"> i. must immediately stop speaking; ii. may explain their position on the point of order; and iii. may appeal to Board of its decision on the point of order. 	No changes proposed.
g.	Members speaking at a Board meeting: <ul style="list-style-type: none"> i. Must use respectful language ii. Must not use offensive gestures or signs iii. Must speak only in connection with the matter being debated iv. May speak about a vote of the Board only for the purpose of making a motion that the vote be rescinded or reconsidered v. Must adhere to the rules of procedure established under this bylaw and to the decisions of the Chair and Board in connection with rules & points of order. 	<ul style="list-style-type: none"> i. No changes proposed. ii. No changes proposed. iii. No changes proposed. iv. Remove. v. No changes proposed.

Section 21. Conduct and Debate continued

Section	Content	Proposed Change
21. h	If a member does not adhere to subsection (g) or the chair considers the member is acting improperly, the chair may order the member to leave the member's seat, and;	No proposed changes.
i.	<p>If the Member refuses to leave, the Chair may cause the Member to be removed by a peace officer from the Member's seat; and if the Member apologizes to the Board, the Board may, by resolution, allow the Member to retake the Member's seat.</p> <p>A Member may require the question being debated at a Board meeting to be read at any time during the debate if that does not interrupt another Member who is speaking.</p>	No proposed changes.
j.	<p>The following rules apply to limit speech on a matter being considered at a Board meeting:</p> <p>i. A Member may speak more than once in connection with the same questions only:</p> <ol style="list-style-type: none"> 1. With the permission of the Board; or 2. If the Member is explaining a material part of a previous speech without introducing a new matter; 3. A Member who has made a substantive motion to the Board may reply to the debate; 4. A Member who has moved an amendment, the previous question, or an instruction to a Committee may not reply to the debate; and 5. A Member may speak to a question, or may speak in reply, for longer than a total time of fifteen (15) minutes only with the permission of the Board. 	No proposed changes.
k.	If the Chair desires to leave the meeting, he/she shall call on the vice-Chair to take his/her place until he/she returns to the meeting.	No proposed changes.

Proposed - Notice of Motion

NEW - Incorporate a process for a Director to put forth a **Notice of Motion** by:

- 1) Providing the CO with a written copy of motion during the Board meeting
 - Once the Chair has acknowledged the Director, Notice of Motion is read out, included in the meeting minutes, and added to the agenda of the next Board meeting, or to agenda of Special Board meeting.

or

- 2) Providing the CO with a written copy of motion, no later than 7 days prior to the scheduled meeting, and the CO shall add the motion to the Board agenda.



Section 22. Motions Generally

Section	Content	Proposed Change
22. a	The Board may debate & vote on a motion only if it is first made & seconded.	No changed proposed. Typically, Board may debate & vote on a motion only if it is made and seconded. Best Practice.
NEW	If a motion is not seconded, the motion is “lost for lack of seconder”.	N/A
NEW	After a motion has been made, it is deemed to be in possession of the Board, but may, with permission of the Board, be ‘withdrawn’ at any time by the mover & the seconder, before decision or amendment.	N/A
22. b	A motion that <u>deals with a matter that is not on the agenda</u> of the Board meeting at which the motion is introduced may be introduced with the Board’s permission.	Remove in favour of the ‘Notice of Motion’ section that is proposed.
22. c	Member may make the following motions: refer, amend, table, postpone indefinitely, postpone to a certain time, move the previous question, & adjourn.	Consider adding; recess, point of order. Consider changing ‘move the previous question’ to ‘call the question’ & ‘refer to committee’ to ‘refer to committee or staff’.
22. d	Motion have precedence in order in which they appear: refer, amend, table, postpone indefinitely, postpone to a certain time, move the previous question, and adjourn. The following motions are not debatable or amendable: Table, postpone, move the previous question, withdraw, and adjourn.	Consider changing precedence to: adjourn, recess, point of order, call the question, refer, postpone indefinitely, postpone to a certain time, amend, table, withdraw.
22. e.	Board must vote separately on each distinct part of a question that is under consideration at a Board meeting if requested by a member.	No change.

Section 23. Motion to Commit

Section	Content	Proposed Change
23. a.	Motion to Commit. Until it is decided, a motion made at a Board meeting to refer to Committee precludes an amendment of the main question.	Remove as precedence already covers this situation ('refer' takes precedence over 'amend').

Section 24. Motion for the Main Question & Section 25. Amendments

Section	Content	Proposed Change
24. a. b.	Motion for the Main Question	Remove this section in entirety and utilize Amendments section to address
25. a. b.	A member may, without notice, move to amend a motion that is being considered at a Board meeting. An amendment may propose removing, substituting for, or adding to the works of an original motion.	Combine: 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.
25. c.	A proposed amendment must be reproduced in writing by the mover if requested by the Chair.	Remove
25. d.	A proposed amendment must be decided on or withdrawn before the motion being considered is put to a vote, unless there is a call for the main question.	A proposed amendment must be decided on or withdrawn before the motion being considered is put to a vote.
25. e.	An amendment may be amended only once.	No change.
25. f.	An amendment that has been negated by a vote of the Board cannot be proposed again.	An amendment that has been defeated by a vote of the Board cannot be proposed again.
25. g.	A member may propose an amendment to an adopted amendment	No change.

Section 25. Amendments Continued

Section	Content	Proposed Change
25. h. i.	<p>The Chair must put the main question and its amendments in the following order for the vote of the Board:</p> <ul style="list-style-type: none">ii. a motion to amend the main question, or an amended motion amending the main question if the vote under subparagraph (i) is positive; and iii. The main question.	<p>Simplify wording.</p> <p>The Chair shall put the original motion and its amendments in the following order for voting:</p> <ol style="list-style-type: none">1) firstly, any amendments to an amending motion,2) Secondly, the amending motion as amended, and3) Finally, the original motion as amended by the amending motion. <p>Or alternatively state: Amendments shall be voted on in the reverse order to that in which they are moved.</p>

Section 26. Reconsideration by Member

RECONSIDERATION

- (1) After a vote has been taken on any motion, except one of postponing a subject, a Member who voted with the prevailing side may move a reconsideration of the motion.
- (2) 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*.
- (3) 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 subsection (1) of this Bylaw.
- (4) On a reconsideration under this section, the Board:
 - (a) must deal with the matter as soon as convenient, and
 - (b) on that reconsideration, has the same authority it had in its original consideration of the matter, subject to the same conditions that applied to the original consideration.
- (5) If the original decision was the adoption of a bylaw or resolution and that decision is rejected on reconsideration, the bylaw or resolution is of no effect and is deemed to be repealed.

Section 27. Reports from Committees

Section	Content	Proposed Change
27	<p>The Board may take any of the following actions in connection with a resolution it receives from a Committee:</p> <ul style="list-style-type: none">• Agree or disagree with the resolution• Amend the resolution• Refer the resolution back to the Committee; or• Postpone its consideration of the resolution	<p>Remove. All committee recommendations are subject to the approval of the Board.</p>

Section 28. Adjournment

Section	Content	Proposed Change
28. a.	A Board may continue a Board meeting after 5:30pm only by an affirmative vote of 2/3 of the Members present;	A meeting which has been in session for 3.5 hours from the time the meeting was convened is deemed to be adjourned unless the Board or committee resolves to extend the meeting.
28. b.	A motion to adjourn either a Board meeting or the debate at a Board meeting is always in order if that motion has not been immediately proceeded at that meeting by the same motion.	Notwithstanding the above section, a motion to adjourn shall always be in order; if said motion fails, no second motion to the same effect shall be made until some intermediate proceeding shall have taken place.
28. c.	Subsection (a) does not apply to either of the following motions: i. A motion to adjourn to a specific day; or ii. A motion that adds an opinion or qualification to a preceding motion to adjourn.	Remove

Thank you

Comments or Questions?

