

SALT SPRING ISLAND FIRE PROTECTION DISTRICT

Bylaw No. XXX

A bylaw to establish the procedures for the calling of meetings of the Board of Trustees and for the conduct of its business.

THE TRUSTEES of the **Salt Spring Island Fire Protection District** ENACT AS FOLLOWS

Definitions

1. In this bylaw,

"Board" means the trustees holding office as provided under Section 683 of the Local Government Act including the trustee elected as Chair;

"Chair" means the person elected pursuant to section 685 of the Local Government Act or other person presiding at a meeting of the Board or committee, as the context requires;

"Committee" means a standing or select committee of the Board, but does not include Committee of the Whole;

"Corporate Officer" means the person appointed by the Board whose position is established by bylaw and is assigned the responsibility of corporate administration under Section 695 of the Local Government Act;

"Delegation" means an individual or an organization addressing the Board or a committee about a specific item on the agenda of a meeting;

"District" means the Salt Spring Island Fire Protection District;

"District Offices" means the District's offices located at 105 Lower Ganges Road, Salt Spring Island, BC;

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

"Improper conduct" includes conduct which obstructs the deliberation of the Board, or statements considered by the Chair or person presiding as defamatory or profane;

"Point of Order" means an interruption of the debate or proceedings, during a meeting of the Board, with an inquiry whether something being said or done is in or out of order according to a statute, this bylaw or rules referred to in this bylaw;

"Point of Privilege" means an interruption of the debate or proceedings, during a meeting of the Board, with an inquiry respecting privilege under Sections 83, 84 or 85 of this bylaw or under the rules of order referred to in Section 105 of this bylaw.

“Presenter” means a person(s) or organization(s) invited by the District to make a presentation to the Board. It also includes a request to speak by a First Nations Elder or Chief and a federal, provincial or local government elected official.

“Public Notice Posting Place” means the notice board, whether electronic or not, located in the front foyer of the District Offices and the District’s Website;

“Quorum” means at least one half of the number of Trustees provided for in the District’s Letters Patent;

“Trustee” means an elected or appointed member of the Board;

Inaugural Meeting

2. The inaugural meeting in each year of the *Board* must be held after, but not later than 30 days after, the date in the year on which the annual general meeting has been held.
3. The time and place of the inaugural meeting in each year must be set by the *Corporate Officer*, or by a majority of the *Trustees*.
4. The presiding officer of the inaugural meeting shall be the *Corporate Officer* or in his or her absence, a *Trustee* elected as acting chair until such time as the *Chair* has been elected. The *Corporate Officer* or *Trustee* shall act as *Chair* only for the purposes of calling the meeting to order and conducting the election.

Election of Chair

5. The *Corporate Officer* shall call for nominations for the position of *Chair* at the inaugural meeting of the *Board*.
6. Nominations do not need to be seconded and a candidate must consent to the nomination.
7. If a candidate is not present at the meeting, his or her written consent to the nominations must be provided to the *Corporate Officer* at the meeting.
8. At the close of nominations, if more than one candidate has been nominated the *Corporate Officer* will conduct the vote by secret ballot in which the candidate receiving the highest number of votes shall be declared elected as *Chair*. Each *Trustee* shall have only one vote.
9. After the election has been held, if a definitive election result cannot be declared then the majority vote shall be determined by lot between the candidates receiving the highest number of votes.
10. The number of votes received by each candidate will not be disclosed to the *Board* unless a resolution requiring disclosure is passed.

Schedule and Notice of regular board meetings

11. At the inaugural meeting in each year, the *Board* shall establish the schedule of the date, time and place of regular *Board* meetings. The meeting schedule and any revision to the schedule shall be posted at the *Public Notice Posting Places* specified in this bylaw.
12. At least seventy-two (72) hours before a regular meeting of the *Board*, the *Corporate Officer* must give public notice of the time, place and date of the meeting by way of a notice and agenda posted at the *Public Notice Posting Place*.

Schedule and Notice of special board meetings

13. The *Chair* may call a special meeting at any time and is required to call a meeting if requested in writing by a majority of the *Trustees*, or the Inspector of Municipalities.
14. At least seven (7) days notice must be given in writing, unless all *Trustees* are present or those who are absent have in writing, waived notice of the meeting or consented to the meeting being held in their absence.
15. At least twenty-four (24) hours before a special meeting of the *Board*, the *Corporate Officer* must give public notice of the date, time, place, and purpose of the special meeting by way of a notice and agenda posted at the *Public Notice Posting Place*.
16. The time period for giving notice of a special meeting can be waived by unanimous consent of all *Trustees*.

Notice of the annual general meeting.

17. Public notice of the date, time and place of the annual general meeting must be given at least fourteen (14) days in advance by advertising in a local newspaper and/or sending by ordinary first-class mail.

Meetings and Adjournment

18. Regular and special meetings shall be adjourned no later than three (3) hours from the scheduled start time of the meeting unless the *Board* resolved to proceed beyond that time by an affirmative vote of the majority of the *Trustees* present.

Recessing and Reconvening a meeting

19. The *Board* may by resolution adjourn any special or regular meeting for purposed of reconvening on a date and at a time and location specified in the resolution.

Cancellation of Regular or Special meeting

20. The *Board* may by resolution at a regular or special meeting cancel any regular or special meeting by causing the *Corporate Office* to provide:

- a) Written notice to *Trustees* confirming cancellation of the meeting forty-eight (48) hours before the scheduled start of the meeting using procedures stated in Section 12; and
- b) Public notice of the cancellation of the meeting by posting notice of cancellation at the regular meeting place and the *Public Notice Posting Place*.

21. If the *Corporate Officer* has been advised in writing by *Trustees* that they cannot attend and consequently a *Quorum* will not be present, the *Corporate Officer* will cancel the regular or special meeting by providing:

- a) Written notice to *Trustees* confirming cancellation of the meeting at least six (6) hours before the scheduled start of the; and
- b) Public notice of the cancellation of the meeting by posting notice of cancellation at the regular meeting place and the *Public Notice Posting Place*.

Attendance of public at meetings

22. All meetings of the *Board* are open to the public and no person should be excluded except for *Improper Conduct* except where the *Board* passes a resolution to close the meeting, or a portion of it, to the public. The resolution must state in general terms the reason(s) for closing the meeting.

23. The requirement in section 22 applies to meetings of standing, select, and advisory committees of the *Board* and committees of the whole without exception.

24. The annual general meeting must be open to all members of the public and no person should be excluded except for *Improper Conduct*.

Meeting Minutes

25. Accurate minutes of all regular *Board* meetings, special *Board* meetings, and the annual general meeting must be legally recorded. The minutes must be adopted with such corrections as necessary by a majority of *Trustees* present at the following meeting of the *Board* before being certified as correct by the *Corporate Officer* and signed by the *Chair* of the meeting or by the *Chair* presiding at the following *Board* meeting.

26. The minutes of all *Board* meetings are available to the public except for those meetings or parts of meetings that are closed to the public.

27. The *Corporate Officer* must maintain the minutes of the *Board* meetings and keep them safe.

Opening Procedures

28. As soon as possible after the time appointed for the meeting, the chair will call the meeting to order. If the *Chair* does not attend within fifteen (15) minutes after the time appointed for the meeting, an acting chair must be appointed from the *Trustees* present who will preside until such time as the *Chair* arrives.

29. If there is no *Quorum* within thirty (30) minutes after the time appointed for the meeting, the *Corporate Officer* must record in the minute book the names of the *Trustees* present and that the meeting did not convene.

Agenda

30. The *Corporate Officer*, under the direction of the *Chair*, shall prepare an agenda and shall circulate a copy of the agenda to each *Trustee* at least seven (7) days before the meeting. If necessary, a supplementary agenda for a meeting of the *Board* will be circulated at least twenty-four (24) hours before the meeting. At any meeting other than a special meeting, the *Chair* may add items of an emergent or time sensitive nature to the agenda.
31. The deadline for submissions from *Trustees* for submissions to be included in the agenda is ten (10) days prior to the scheduled meeting date.
32. At a meeting, a *Trustee* may, at the time adoption of the agenda is being considered, proposed to place an additional item of an emergent or time sensitive nature on the agenda. The item must be added to the agenda only if the resolution is adopted by at least two-thirds (2/3) of those *Trustees* present at the meeting.

Petitions and Delegations

33. A person who wishes to present a petition to, or a *Delegation* who wants to appear before the *Board* at a meeting of the *Board* shall, at least seven (7) business days prior to the meeting, deliver the request in writing to the *Corporate Officer*. The request shall identify the petitioner(s) or members of the *Delegation* who wish to address the *Board* and the subject of the petition or *Delegation*.
34. Each petitioner's or *Delegation's* presentation shall be limited to ten (10) minutes unless approved by the *Chair* before the meeting or by a two-thirds (2/3) vote of those *Trustees* present at the meeting. The order of speakers will be based on the order in which the request was received.
35. If required by the *Corporate Officer*, each *Delegation* shall provide the number of copies of their material for distribution at the time of the *Delegation's* appearance.
36. The *Corporate Officer* may schedule petitions and *Delegations* to another *Board* meeting or to an advisory *Committee* meeting as deemed appropriate according to the subject matter of the *Delegation* or petition.
37. As an alternative to addressing a meeting as a *Delegation*, a person may submit their comments in writing to the *Corporate Officer* for circulation to *Trustees* in advance of the next meeting.
38. When written application has not been received as prescribed in section 33, an individual or *Delegation* may address the meeting if approved by a unanimous vote of the *Trustees* present.

39. Any video presentations used as part of a *Delegation's* address to the *Board* will count toward the time limit permitted for the *Delegation*.
40. After a presentation, the *Board* may dispose of the *Delegation's* submission at the meeting, refer the subject matter of the submission to a *Committee*, or take such other action as the *Trustees* consider appropriate.
41. The *Board* shall not permit a *Delegation* to address a meeting of the *Board* regarding a matter dealt with as a grievance under a collective agreement, or that is within the exclusive mandate of *District's* Bargaining Agent.
42. The subject matter upon which a *Delegation* wishes to speak must be within the jurisdiction of the *Board* or within the terms of reference of the *Committee* for which the *Delegations* wishes to appear.
43. The *Chair* may deny any *Delegation* the right to address a meeting if, in the *Chair's* opinion, there has been *Improper Conduct* by the spokesperson or any member of the *Delegation*.
44. Every petition presented to the *Board* must include the name of each petitioner with their address and description of the property of which they are the owner or which they occupy in the *District*. In the case of a corporation, the authority given by the corporation to sign the petition must be produced if requested.

Presentations

45. The *District* may invite a person, persons, or organization(s) to make a presentation to the *Board*. The *Corporate Officer* shall include the subject of the presentation and the designated speaker on the meeting agenda.
46. With the *Chair's* approval, the *Corporate Officer* shall include a request to speak by a *Presenter* on the meeting agenda.
47. All presentations shall be limited to ten (10) minutes unless a longer period is approved by a majority vote of those *Trustees* present.

Town Hall session

48. At every regular meeting, there will be a "Town Hall" session which is an opportunity for guests and members of the public to address the *Board*, to enquire about any item of business on the agenda, express concerns, or ask questions about matters that are within the *District's* jurisdiction. An individual's address shall be limited to four (4) minutes unless a longer period is approved by a majority vote of those *Trustees* present.
49. At a special meeting, the "Town Hall" session will be an opportunity for guests and members of the public to address the *Board* on items of business on the agenda.
50. The *Chair* may limit or deny any guest or member of the public the right to address a meeting for *Improper Conduct*.

51. The “Town Hall” session at a meeting will be limited to twenty (20) minutes in total time unless a longer period is approved by a majority vote of those *Trustees* present.

Order of proceedings and business

52. The order of business at all regular meetings shall be as follows:

- a. Approval of Agenda
- b. Town Hall, Petitions and Delegations, Presentations
- c. Adoption of minutes of the previous meeting(s)
- d. Committee Reports
- e. Other Reports
- f. Business arising from the minutes and unfinished business
- g. Bylaws
- h. Resolutions
- i. New Business
- j. Motion to close the meeting in accordance with the applicable provision of the Community Charter
- k. Adjournment

53. The order of business at all special meetings shall be as follows:

- a. Approval of Agenda
- b. Petitions and Delegations, and Presentations
- c. Special Meeting Matters
- d. Motion to close the meeting in accordance with the applicable provision of the Community Charter
- e. Adjournment

54. The order of business at all closed meetings whether regular or special shall be as follows:

- a. Approval of Agenda
- b. Approval of Minutes of Previous Closed Meeting(s)
- c. Closed Meeting Matters
- d. Rise and Report
- e. Adjournment

55. An item of business not included on the approved agenda must not be considered unless introduction of the late item is approved by unanimous vote of those *Trustees* present. Information pertaining to late items must be distributed to the *Board* members.

56. A change to the prescribed order of business may be ordered by the *Chair* or moved by a *Trustee* and approved by unanimous consent.

Voting on questions

57. If a *Board* member believes that he or she has a direct or indirect pecuniary interest in a matter before the *Board* that is not held in common with electors of the *District* generally, the *Board* member must:

- a. declare his or her interest in the matter;

- b. not take part in the discussion or vote on any question related to the matter;
 - c. immediately leave the meeting or the part of the meeting during which the matter is under consideration; and,
 - d. not attempt in any way, whether before, during, or after the meeting, to influence the voting on the question.
58. If a *Trustee* refrains from voting when a question is put, for any reason other than that referred to in Section 57, he/she must be deemed to have voted in the affirmative and their vote will be counted accordingly.
59. All acts authorized or required by the Local Government Act to be done by the *Board*, and all other questions, including questions of adjournment, that may come before the *Board* must, except where otherwise stated, be done and decided by the majority of the *Board* members who are present at a meeting.
60. In all cases where the votes of the *Trustees* who are present, including the vote of the *Chair*, are equal for and against a question, the question is defeated.
61. The names of those who vote for and against the question must be recorded in the minutes whenever requested by a *Trustee*.
62. When the question under consideration contains distinct propositions, upon request of any *Trustee*, the vote upon each proposition can be taken separately.
63. The following procedures apply to voting at *Board* meetings:
- a) when debate on a matter is closed the *Chair* must put the matter to a vote of the *Trustees*.
 - b) when the *Board* is ready to vote, the *Chair* must put the matter to vote by stating: "Those in favour raise your hands." and then "Those opposed raise your hands."
 - c) when the *Chair* is putting the matter to a vote under paragraphs (a) and (b) a *Trustee* must not: cross or leave the room; make a noise or other disturbance; or interrupt the voting procedure under paragraph (b) unless they are raising a *Point of Order*;
 - d) after the *Chair* finally puts the question to a vote under paragraph (b), *Trustees* must not speak to the question or make a motion concerning it;
 - e) the *Chair's* decision about whether a question has been fully put is conclusive;
 - f) whenever a vote on a matter is taken, each *Trustee* must signify their vote by raising their hand; and
 - g) the *Chair* must declare the result of the voting by stating that the question is decided in either the affirmative or the negative.

Rules of conduct and debate

64. Every *Trustee* must address the *Chair* before speaking to any question or motion. *Trustees* must address the *Chair* as "Mr. or Madam Chair" and refer

to each other as "Trustee". No *Trustee* may speak more than once to the same question without leave of the *Trustees*, except in explanation of a material part of their speech which may have been misconceived, and in doing so they may not introduce any new matter.

65. No *Trustee* may interrupt a member who is speaking except to raise a *Point of Order*.
66. *Trustees* must use respectful language; must not use offensive gestures or signs; must speak only in connection with the matter being debated; may not speak about a vote of the *Board* only for the purpose of making a motion that the vote be rescinded; and must adhere to the rules of procedure established under this bylaw and to the decisions of the *Chair* and *Board* in connection with the rules and *Points of Order*.
67. After a question is finally put by the *Chair*, no *Trustee* may speak to the question, nor may any other motion be made until after the result of the vote has been declared. The decision of the *Chair* as to whether the question has been finally put is conclusive.
68. A *Trustee* may speak to a question, or may speak in reply, for longer than a total time of ten (10) minutes only with the permission of the *Board*.

Motions

69. Motions other than routine motions (including motions to adopt a report, to receive and file, to refer to a *Committee* or an official, to introduce or pass a bylaw, or adjourn) must be seconded before being debated or put from the *Chair*.
70. A motion that has been seconded must be read by the *Chair* or *Corporate Officer* before debate if requested.
71. When a question is under consideration, no motion will be received except for the following to:
 - a) refer to committee
 - b) amend
 - c) lay on the table
 - d) postpone indefinitely
 - e) postpone to a certain time
 - f) move the previous question
 - g) adjourn
72. The seven motions listed in Section 75, above, have precedence in the order in which they are named, and the last five are neither amendable nor debatable.
73. A *Board* member may, without notice, move to amend a motion that is being considered at a meeting.
74. An amendment may propose removing, substituting for, or adding to the words of an original motion.

75. Amendments to a motion must be decided before the main question is put to a vote. Only one amendment is allowed to an amendment.
76. An amendment that has been turned down by a vote of the *Board* cannot be proposed again.
77. A motion to commit the subject matter to a *Committee*, until it is decided, precludes all amendments of the main question.
78. A motion to adjourn the meeting or the debate is always in order, but if such motion is negative, no second motion to the same effect may be made until some intermediate business or matter has been disposed of.

Points of Order

79. No *Trustee* may interrupt another *Trustee* who is speaking except to raise a *Point of Order*.
80. The *Chair* will preserve order at every meeting and has the power to make such ruling as are necessary to do so, including the power to rule on all *Points of Order* and discipline a *Trustee* for *Improper Conduct*.
81. At the time any ruling is made by the *Chair* on a *Point of Order*, the *Chair* must inform the meeting of the ground upon which the ruling is made.
82. A *Trustee* may appeal any ruling of the *Chair* on a *Point of Order* to the meeting. The *Chair* must put to the meeting the question "Should the ruling of the *Chair* be sustained?". The question must be put to the meeting at once by the *Chair* and the question must be immediately voted upon by *Trustees* without debate. The *Chair* is governed by the vote of the majority of *Trustees* then present (excluding the *Chair*). If the votes for and against the question are equal, the *Chair* is sustained. The names of the *Trustees* voting for or against the question will be recorded in the minutes.

Points of Privilege

83. A *Trustee* may require that a motion being debated be read for the *Trustee's* information but may not interrupt another *Trustee* who is speaking unless the other *Trustee* consents.
84. A *Trustee* may require the *Chair* to state the reasons for the *Chair's* ruling on a *Point of Order*, which the *Chair* must do at once without debate.
85. A *Trustee* may put a question to the *Chair* regarding any matter connected to the affairs of the *Board*, which the *Chair* may require to be put in writing.

Bylaws

86. Bylaws can be passed at any legally convened meeting of the *Board*.

87. Every bylaw must be read a first time upon motion "that the (bylaw citation) now be introduced and read a first time". The title and intended object of the bylaw will be given and the question will be decided without amendment or debate.
88. The provisions of a bylaw may be debated upon second reading with such changes as appear necessary. The bylaw may then be passed upon the motion "that the (bylaw citation) be adopted. The *Board* may give readings and adopt a bylaw at the same meeting.
89. Bylaws must be sealed with the seal of the *District* and signed by the *Corporate Officer* and by the *Chair* at the meeting at which the bylaw is passed.
90. The *Corporate Officer* must maintain all bylaws and keep them safe. Bylaws must be available to the public.

Standing and Select Committees

91. The *Board* may establish standing and select committees. The *Chair* of a *Committee* will be determined by a majority of the committee members. The *Board* must establish the purpose of a *Committee* by resolution at the time of the creation of a committee.
92. The *Board* makes the *Committee* appointments. The *Board* may appoint persons who are not *Trustees* to select and standing committees. However, there must be at least one *Trustee* on each *Committee*.
93. The *Quorum* for a *Committee* is a majority of all of its members.
94. A motion made at a meeting of a *Committee* is not required to be seconded.
95. Standing committees must consider, inquire into, report, and make recommendations to the *Board* about matters that are related to the general subject indicated by the name of the committee and matters that are assigned by the *Board*.
96. Standing committees must report and make recommendations to the *Board* when required by the *Board*, or at the next *Board* meeting, if a time is not specified.
97. Select committees must consider, inquire into, report and make recommendations to the *Board* about the matter(s) referred to the committee by the *Board*.
98. Select committees must report and make recommendations to the *Board* at the next *Board* meeting unless the *Board* specifies a different date and time. Upon completion of its assignment, a select committee is dissolved, unless decided otherwise by the *Board*.
99. Notice of select and standing committee meetings must be given by the *Chair* of the committee to the committee members by giving notice in writing

or by other means at least three days in advance of the meeting, unless otherwise approved by the majority of the committee members.

100. Accurate minute of all *Committee* meetings must be legibly recorded. The minutes must be adopted with such corrections as necessary by the majority of committee members at the following meeting before being certified as correct by the *Corporate Officer* and signed by the *Chair* of the committee meeting or the *Chair* presiding at the following committee meeting.
101. *Trustee* who are not appointed to a *Committee* may attend meetings of that *Committee* and may take part in any discussion or debate by permission of a majority of the Committee Members present but may not vote.
102. No *Committee* will operate outside of its expressed mandate or terms of reference without prior approval of the *Board*.
103. The minutes of all meetings must be open to public inspection except for those meetings or parts of meetings that are closed to the public.

Application of Rules of Procedure

104. The provisions of this bylaw govern the proceedings of the *Board*, Committee of the Whole, and all standing and select committees of the *Board*, as applicable.
105. In cases not provided for under this bylaw, The New Robert's Rules of Order, 2nd Edition, 1998, apply to the proceeding to the extent that those Rules are applicable to the circumstances and are not inconsistent with the provisions of this bylaw or the Local Government Act.
106. No provision of this bylaw relating to the procedure of the *Board* shall be altered unless notice of the proposed amendment is given to *Trustees* at least seven (7) days before the meeting at which the amendment shall be introduced.

Suspension of Rules of Procedure

107. Except for those provision of this Bylaw that are statutorily mandated, the rules of procedure contained in this Bylaw may be suspended for a temporary time period specified by the *Board* with a two-thirds (2/3) vote of those *Trustees* present at a meeting.

108. That bylaw #119 cited as the “meeting Procedures Bylaw 2012” is hereby repealed.

Citation

109. That bylaw may be cited as “Meeting Procedures Bylaw 2019”

INTRODUCED and given first reading by the Trustees on the day of 2019.

RECONSIDERED and finally passed by the Trustees on the day of 2019.