

**GREATER VANCOUVER TRANSPORTATION AUTHORITY
POLICE BOARD
BYLAW NO. 02-2006**

A Bylaw to adopt the “*Rules of Procedure to Govern Police Board Meetings*”

INTERPRETATION

In this Bylaw:

“**Act**” means the *Police Act, RSBC 1996, Chapter 367*;

“**Board**” means the Greater Vancouver Transportation Authority Police Board established under s. 4.1(7) of the *Police Act*;

“**Board Committee**” means a committee of the members of the Board established by the Greater Vancouver Transportation Authority Police Board;

“**Board Secretary**” means the person appointed as Secretary to the Board by the Greater Vancouver Transportation Authority Police Board;

“**Chief Officer**” means the Chief Officer in command of the Greater Vancouver Transportation Authority Police Service;

“**Chair**” means Chair of the Greater Vancouver Transportation Authority Police Board;

“**GVTAPS**” means Greater Vancouver Transportation Authority Police Service established under s. 4.1(7) of the *Police Act*;

“**Member**” means a member of the Greater Vancouver Transportation Authority Police Board;

“**Minister**” means the Minister of Public Safety and Solicitor General of the Province of British Columbia.

1. BOARD MEMBERS AND CHAIR

- 1.1 Pursuant to s. 4.1(9) of the *Act*, the Minister appoints the Chair and Members that govern GVTAPS.
- 1.2 The Chair, if present, shall preside at all Board meetings. In the absence of the Chair, a Member chosen by other Members then present shall preside, and during such meeting, will be the Acting Chair and shall have all the powers and be subject to the same rules as the Chair.

1.3 The Chair shall be an ex-officio member of all Board Committees.

1.4 The Chief Officer is not a member of the Board.

2. QUORUM

2.1 A quorum at meetings of the Board shall be a majority of the Members holding office under s. 4.1(8) of the *Act*.

2.2 As soon after the hour of the meeting as quorum is present, the Chair shall take the chair and call the meeting to order.

2.3 If a quorum is not present within thirty minutes after the time appointed to commence the meeting of the Board, or the resumption of a meeting after adjournment, or should a quorum at a meeting be lost for a period of thirty consecutive minutes, the Board Secretary shall record the names of the Members present and the meeting shall stand adjourned until the date of the next regular meeting or a special meeting called to deal with the matters on the agenda of the meeting adjourned.

2.4 If a Member withdraws from the consideration of an item of business at a Board meeting after declaring himself or herself disqualified by reason of conflict of interest, the quorum requirements set out in Section 2.1 will not apply and the quorum will instead be fifty percent of the remaining Members.

3. MEETING SCHEDULE

3.1 Regular meetings of the Board shall be held at least four times a year, and more frequently as necessary to transact the business of the Board; and shall be held at the place and time as may be designated by the Board.

3.2 Board Committees shall determine where and when the committee meetings shall be held.

4. SPECIAL MEETINGS

Notice

4.1 A special meeting of the Board or any Board Committee may be called by the Board Secretary, on the request of the Chair or a majority of the Members or Board Committee members as the case may be. Members shall be given notice at least two clear business days in advance of the meeting, unless the notice period is waived by the unanimous consent of all Members or Board Committee members.

4.2 The notice calling a special meeting shall:

- (a) State the general purpose of the meeting and the day, hour and place of the meeting; and

- (b) Be delivered to the Members or Board Committee members by mail, e-mail or facsimile or other means of transmitting legibly recorded messages to the address given to the Board Secretary for that purpose.

Agenda

- 4.3 Only those matters shown on the agenda of a special meeting will be dealt with at that special meeting except where a resolution to place an additional item on the agenda has been passed unanimously by those Directors or Board Committee members present at the meeting.

5. REGULAR AND IN CAMERA MEETINGS

- 5.1 Pursuant to s. 69(1) of the *Act*, meetings and hearings of the Board must be open to the public.
- 5.2 Pursuant to s. 69(2) of the *Act*, the Board may hold meetings in absence of the public (in camera), if the subject matter being considered concerns:
 - (a) Public security, the disclosure of which could reasonably be expected to seriously impair effective policing or law enforcement;
 - (b) A person's financial or personal affairs, if the person's interest in the matter outweighs the public's interest in the matter;
 - (c) Labour contract discussions, labour management relations, layoffs or another personnel matter; or
 - (d) Information that a person has requested that he or she be allowed to provide in private to the Board.
- 5.3 Where a meeting or part of meeting is closed to the public (in camera), all persons not specifically invited to remain by the Board shall vacate the meeting.
- 5.4 Any and all information obtained at an in camera meeting shall be treated as confidential by any and all persons in attendance.

6. AGENDA

- 6.1 Decisions on the inclusion or exclusion of agenda items shall be made by the Chair of the Board, in consultation with the Chief Officer or his designate. The agenda shall follow the order of business set out in Section 7.1.
- 6.2 An agenda, together with all supporting documents shall be delivered to the Member at least two clear business days prior to the meeting.

In Camera Agenda

- 6.3 If a matter is deemed by a majority of the Members present to be inappropriate subject matter for a closed meeting, the matter will be deferred until the next regular public meeting and will be included for the public agenda for that meeting.

- 6.4 If a matter considered at an in camera meeting is deemed by a majority of the Members present to warrant public disclosure, prior to the adjourning of the meeting, the Chair shall call for a motion to disclose the matter at the next regular public meeting. The public minutes will record that the matter was considered in an in camera meeting and, if appropriate, will state the resolution.

7. ORDER OF BUSINESS

- 7.1 Unless otherwise determined by the Board, the order of business at public meetings shall be:
- (a) Ceremonial Activities
 - (b) Adoption of the Agenda
 - (c) Adoption of the Previous Minutes
 - (d) Disclosure of Conflict of Interest
 - (e) Delegations
 - (f) Reports
 - Decision Reports
 - Information Reports
 - (g) Chief Officer's Report
 - (h) Correspondence and Information Items
 - (i) Other Business
 - (j) Adjournment

8. CONSENT RESOLUTION

- 8.1 Whenever there is a matter of urgency that requires the immediate attention of the Board, the Chair may direct the Board Secretary to solicit a consent resolution dealing with the matter from the Members. The resolution shall be valid and effective if affirmed by a majority of the Members. It shall be recorded in the minutes of the next regular meeting.

9. ELECTRONIC PARTICIPATION

- 9.1 A Member may participate and vote in a Board meeting via speakerphone or videoconference device.

10. MINUTES

- 10.1 The Board Secretary or designate will attend all Board and Board Committee meetings and record the business, proceedings and reports thereof.
- 10.2 The minutes of Board and Board Committee meetings shall be accurately recorded and contain a record of the formal actions undertaken at the meeting. The minutes shall be distributed to the respective members prior to the next meeting and, after they received the approval of a majority of the members, shall be signed by the Chair or other person presiding at the meeting or at the meeting at which the minutes are adopted.

- 10.3 In accordance with s. 71 of the *Act*, the Board shall keep minutes of its meetings and hearings, and records of its inquiries.
- 10.4 In consideration of s. 69(3) and s. 4.2(2)(c)(v) of the *Act*, approved minutes and rules of the Board shall be filed by the Board Secretary with the Police Services Division of the Ministry of Public Safety and Solicitor General.

11. DELEGATIONS

- 11.1 The Board shall receive public delegations for a maximum of the first two hours of each public board meeting.
- 11.2 Any person or organization wishing to appear as a delegation before the Board must submit a delegation request to the Board Secretary no later than 8:00 a.m., two business days prior to the scheduled meeting.
- 11.3 The delegation request must indicate the agenda item or issue the delegation wishes to address, the name of the designated speaker, the specific action that is being requested of the Board by the delegation, and the phone number, fax number, or e-mail address at which the speaker can be contacted.
- 11.4 If an organization wishes to appear as a delegation, one person should be selected as a designated speaker for the organization. The Board will receive one representative from an organization at each meeting. If more than one individual from an organization registers as a delegation, the individual who registered first with the Board Secretary will be deemed to be the designated speaker for the organization. Additional representatives from the organizations will be received, time permitting within the two hours allotted to receiving delegations.
- 11.5 Delegations who, in the opinion of the Chair, have acted in a threatening or disruptive manner at a previous Board meeting will not be accepted as a delegation.
- 11.6 The Board Secretary shall, no later than noon on the business day prior to the scheduled meeting, advise the delegation whether it is scheduled to appear before the Board.
- 11.7 Delegations shall be selected in accordance with the following criteria:
- (a) Those individuals or the designated speaker for an organization, determined in accordance with Section 11.4, speaking on an agenda item to be considered at the meeting will be received first, in the order in which they registered with the Board Secretary. Priority will be given to those individuals or organizations that have not previously addressed the Board on the agenda item of interest.
 - (b) Those individuals or the designated speaker for an organization, determined in accordance with Section 11.4, speaking on issues not included on the agenda for the meeting will be received next, in the

order in which they registered with the Board Secretary. Priority will be given to those individuals or organizations that have not previously addressed the Board on the issue of interest.

- (c) Representatives, other than the designated speaker of an organization that has already been heard at the meeting, will be received in the order in which they register with the Board Secretary, and at the discretion of the Chair.

11.8 Each delegation scheduled to appear before the Board shall have a maximum of five minutes to make a presentation to the Board, unless otherwise determined by the Chair.

11.9 The Board Secretary may determine the number of copies of any written submissions to be provided by the delegation to the Board. Each delegation shall provide the number of copies of its written submission to the Board Secretary for distribution.

12. RULES OF CONDUCT

Expulsion

12.1 The Chair may expel or exclude any person from a meeting for improper conduct or safety concerns.

Points of Order

12.2 The Chair shall maintain order and preserve decorum of the meeting and shall decide all points of order that may arise.

Appeal

12.3 Any decision of the Chair made under Section 12.2 may be appealed by a Member and on an appeal by a Member from the decision of the Chair, the question will be immediately put by the Chair and decided without debate, “Will the Chair be sustained?” and the Chair will be governed by the vote of the majority of the Members then present, excluding the Chair and:

- (a) In the event of the votes being equal, the decision of the Chair will be upheld;
- (b) The names of the Members voting for or against the question will be recorded in the minutes; and
- (c) If the Chair refuses to put the question, “Will the Chair be sustained?”, the Board shall immediately appoint a Member to preside temporarily as Acting Chair and the Member so temporarily appointed as the Acting Chair will proceed in accordance with Section 12.3 and Subsections (a) and (b) thereof.

12.4 Any resolution or motion carried in accordance with Section 12.3(c) is as binding as if carried out with the Chair presiding.

13. RULES OF DEBATE

- 13.1 Section 13 does not apply to Board Committees.
- 13.2 Where there is a motion under debate, a Member shall not speak other than on that motion under debate and the matters relating to that motion as set out in Section 14.3.
- 13.3 No Member shall speak on any question for longer than five minutes without leave of the Board.
- 13.4 No Member, with the exception of the mover of the motion under debate, shall speak more than once to the same motion without leave of the Board except in explanation of a material part of his or her speech which may have been misconceived, and in doing so, the Member is not to introduce any new matter.
- 13.5 If, during debate on a motion, a motion to refer or defer that motion is put while there are Members remaining who have indicated an intention to speak, the Chair shall, at the discretion of the Chair, refuse to accept the seconding of such a motion of deferral or referral until those on the list of speakers for the first motion have been heard. No other names shall be added to the speakers list, and following the hearing of those entitled to speak, the Chair shall ask if there will be a seconder to the motion to defer or refer and, receiving an affirmative response, shall call the question on such motion.
- 13.6 Section 13.4 does not apply to the mover of the motion under debate and the mover shall be permitted to speak a second time, for a maximum of five minutes, immediately before the question is finally put by the Chair.
- 13.7 After the question is finally put by the Chair, no Member shall speak to such question nor shall any other motion be made until after the result is declared.

14. MOTIONS

- 14.1 A motion must be made and seconded before the subject of the question is debated or voted upon.
- 14.2 After a motion is read, it may be withdrawn by the mover at any time before decision or amendment.
- 14.3 When a motion is being debated, the only motions that may be made are to refer it, amend it, lay it on the table, postpone it, adjourn the meeting, or to move that the vote be taken.

Amendments

- 14.4 Amendments shall be voted on in the reverse order to that in which they are moved.

- 14.5 Every amendment submitted shall, when requested by any Member, be reduced to writing and decided upon or withdrawn before the main question is put to vote.
- 14.6 Only two amendments shall be allowed to the main motion and only one amendment shall be allowed to an amendment.

Referral

- 14.7 A question of referral, until it is decided, shall preclude all amendments to the main question.

Adjourn

- 14.8 A motion to adjourn shall always be in order, but no second motion to the same effect shall be made until some intermediary proceeding have been taken.

15. RECONSIDERATION

- 15.1 A matter that has previously been decided by the Board or Board Committee may be returned to the Board or Board Committee for reconsideration, provided that the motion to reconsider is made by a Member or a Board Committee member who previously voted with the prevailing side. A motion to reconsider may be seconded by any Member or Board Committee member.
- 15.2 A matter being returned to the Board or Board Committee for reconsideration shall be passed by a simple majority of the Members or Board Committee members present and entitled to vote.

16. NOTICE OF MOTION

- 16.1 Any Member may give notice of a motion to the Board by:
- (a) Providing the Board Secretary with a signed copy of such motion, no later than five clear calendar days prior to the scheduled meeting, and the Board Secretary shall add the motion to the agenda for said meeting; or
 - (b) Providing the Board Secretary with a signed copy of such motion during a meeting of the Board and the Board Secretary shall, upon the Member being acknowledged by the Chair and the notice of motion being read to the meeting, include it in the minutes of that meeting as notice of motion and shall add the motion to the agenda of the next regular meeting of the Board.
- 16.2 A motion may be introduced without previous notice having been given by a resolution waiving notice of motion passed by two-thirds of those Members present at the meeting.

17. VOTING

- 17.1 Every Member present at a Board meeting, including the Chair, is entitled to vote during the consideration of an item of business before a Board meeting, unless the Member has declared a conflict of interest, in which case, that Member is not entitled to vote on that item of business for which the conflict is declared.
- 17.2 In all cases where the votes of the Members or Board Committee members present and entitled to vote, including the vote of the Chair, are equal for and against a question, the question shall be defeated.
- 17.3 Any member then present who abstains from voting shall be deemed to have voted in the affirmative.
- 17.4 The Chair may vote as an ex-official member of all meetings of Board Committees.

Declaration if not entitled to vote

- 17.5 At any time during the consideration of an item of business before the Board or Board Committee meeting, and prior to the putting of a question by the Chair, a Member considers he or she is not entitled to participate in the discussion of, or voting on a question in respect of the matter for reason of conflict of interest, whether pecuniary or otherwise, the Member must declare this and state the general nature of why the Member considers this to be the case.
- 17.6 After making the declaration, the Member or Board Committee member:
 - (a) must not take part in the discussion of the matter and is not entitled to vote on any question in respect to the matter;
 - (b) must immediately leave that meeting or that part of the meeting during which the matter is under consideration, and
 - (c) must not attempt in any way, whether before, during or after the meeting, to influence the voting on any question in respect of the matter.

18. BYLAWS AND RESOLUTIONS:

- 18.1 Any action of the Board upon any matter coming before it shall be evidenced by resolution of the Board and the entry thereof in the minutes of the Board shall be prima facie evidence of the action taken.
- 18.2 Every bylaw shall be in written form before it is considered by the Board and a copy shall be provided to each Member when it is under discussion.
- 18.3 Every bylaw of the Board shall only require one reading before it may be passed.
- 18.4 Every bylaw which has been passed by the Board shall be numbered and dated, and shall be placed in the custody of the Board Secretary.

19. MISCELLANEOUS PROVISIONS

- 19.1 The rules of procedure contained in this bylaw shall be observed in all proceedings of the Board and shall be the rules governing the order and dispatch of business before the Greater Vancouver Transportation Authority Police Board, excluding Board proceedings conducted pursuant to Part 9 of the *Act*.
- 19.2 The Board may waive the rules of procedure established by this bylaw, as it considers appropriate.
- 19.3 If these rules of procedure do not apply to any situation, the proceedings of Board and Committees thereof shall be governed by the Rules of the Legislative Assembly of British Columbia.
- 19.4 This bylaw comes into force and effect on the day that it is passed.
- 19.5 The short title of this bylaw is the Police Board Procedural Bylaw.

ENACTED AND PASSED this 6th day of February, 2006.

Original signed by Lorne Zapotichny
Chair

Original signed by Carol Lee
Board Secretary