



EXPLANATION

A By-law to enact a new Procedure By-law

The attached By-law will fulfill the Park Board's decision, made on March 8, 2021, to enact a new Procedure By-law.

Director of Legal Services
March 29, 2021

NOTE:

First, Second, and Third readings were completed on March 29, 2021. As per the Park Board Procedure By-law, adoption is to be considered at a subsequent meeting.



VANCOUVER BOARD OF PARKS AND RECREATION PROCEDURE BY-LAW

April 12, 2021

TABLE OF CONTENTS

SECTION 1 – INTERPRETATION	1
Name of By-law	1
Definitions.....	1
Suspension of the Rules.....	2
Reference.....	3
Severability.....	3
SECTION 2 – ELECTION OF CHAIR AND VICE-CHAIR	3
Timing of Election	3
Conduct of Election	3
Term.....	3
Vacancy	4
SECTION 3 – ANNUAL MEETING SCHEDULE	4
Establishment.....	4
Change in Annual Meeting Schedule.....	4
SECTION 4 – BOARD MEETINGS	4
Inaugural Board Meeting	4
Regular Board Meetings	5
Special Board Meetings.....	5
In Camera Board Meetings.....	6
SECTION 5 – MEETING PROCEDURES	6
Communication of Notice.....	6
Attendance	6
Quorum	6
Call to Order	7
Agenda.....	7
Varying Order of Business at Board Meeting	7
Matters Adopted on Consent	7
Declaration of Conflict of Interest.....	7
Extension of Meetings	7
Adjournment	7
Minutes.....	8
Meeting Recording to Determine Accuracy of Minutes.....	8
Typographical Errors in the Minutes	8
Recording Meetings at the Park Board Office	8
Recording Meetings Outside the Park Board Office	8
SECTION 6 – CONDUCT DURING MEETINGS	8
Preservation of Order	8
Questions to Staff	9
Conduct Guidelines	9
Expulsion.....	9
Rulings of the Chair	10
Appeal of a Ruling of the Chair	10
Conduct of the Public	10

SECTION 7 – MOTIONS	11
Staff Recommendation	11
Members’ Motions	11
Main Motions	11
Motion to Amend	12
Limitation on Amendments	12
Motion to Substitute	12
Motion Out of Order	12
Withdrawal of a Motion	13
SECTION 8 – RULES OF DEBATE.....	13
Restrictions During Debate	13
Reading of Main Motions and Amendments Under Debate	14
Closing Debate	14
SECTION 9 – VOTING	14
Conduct During Votes	14
Voting on Amendments	14
Chair to Participate in Vote	14
Division of a Motion	14
Abstaining from Vote	15
Requirement to Pass	15
Tie Vote	15
Announcement of Vote Result	15
SECTION 10 – PREVIOUSLY ADOPTED MOTIONS.....	15
At the Same Meeting	15
At a Subsequent Meeting	15
SECTION 11 – PREVIOUSLY DEFEATED MOTIONS.....	16
At the Same Meeting	16
At a Subsequent Meeting	16
SECTION 12 – ENQUIRIES.....	16
SECTION 13 – BY-LAWS.....	17
SECTION 14 – COMMITTEES	17
Application of the Procedure By-law	17
Notice of Committee Meetings.....	17
Order of Agenda.....	17
SECTION 15 – SPEAKERS.....	18
Questions to Speakers	18
SECTION 16 – REPEAL AND ENACTMENT	19

**VANCOUVER BOARD OF PARKS AND RECREATION
PROCEDURE BY-LAW**

**A By-law to regulate the procedures of all meetings
of the Park Board and its committees**

SECTION 1 – INTERPRETATION

Name of By-law

- 1.1 The name of the Vancouver Board of Parks and Recreation Procedure By-law, for citation, is the "Procedure By-law".

Definitions

- 1.2 In the Procedure By-law:

"Acting Chair" means the Commissioner appointed by the Commissioners present to preside at a meeting of the Board where both the Chair and Vice-Chair are absent;

"Board" means the collective body of the Commissioners, to be known as the "Board of Parks and Recreation" or "Park Board";

"City" means the City of Vancouver;

"Chair" means the Commissioner elected by a majority vote of the Commissioners to be the Presiding Member of the Board;

"Commissioner" means an individual who is elected to serve on the Board;

"Committee" means a committee appointed by resolution of the Board to deal with specific business specified by the Board;

"Committee Chair" means the Committee member elected by a majority vote of the Committee members to be the Presiding Member of the Committee;

"Committee Meeting" means a meeting of the Committee held on such dates and at such times as the Board determines by resolution and which is open to the public and at which Speakers will be permitted;

"Committee Vice-Chair" means the Committee member elected by a majority vote of the Committee members to be the Presiding Member of the Committee, when the Committee Chair is unable to carry out all or any of the duties;

"Enquiries" means the part of the Regular Board Meeting agenda at which Commissioners may ask questions of staff or request information about items not under debate;

“General Local Election” means the election for Commissioners required to be held in every fourth (4th) year on the third (3rd) Saturday of October in the year of the election, as outlined in Section 9 of the *Vancouver Charter*;

“General Manager” means the person appointed by the Board as the General Manager of the Vancouver Board of Parks and Recreation or their designate;

“Inaugural Board Meeting” means the first meeting of the Board following the General Local Election required to be held on the first Monday of November in the year of the election and which is open to the public;

“In Camera Board Meeting” means a Board meeting that is closed to the public pursuant to Section 165.2 of the *Vancouver Charter*;

“Meeting Clerk” means the person appointed by the General Manager to record minutes of the proceedings of Board meetings;

“Member’s Motion” means a motion brought forward by a Commissioner for consideration by the Board;

“Presentation” means an update or information presented which does not have an associated Report;

“Presiding Member” means the person chairing a Board meeting;

“Regular Board Meeting” means a meeting held on such dates and at such times as the Board determines by resolution and that is open to the public;

“Report” means a report that includes staff recommendation(s) for consideration by the Board or Committee;

“Speaker” means a member of the public or representative of an organization who speaks at a Committee or Special Board Meeting about an item on the agenda of that meeting;

“Special Board Meeting” means a Board meeting other than a Regular Board Meeting to deal with a specific matter that is open to the public and at which Speakers will be permitted;

“Urgent Business” means business that requires the urgent attention of the Board in connection with public health or safety, a financial or legal matter of significance to the Vancouver Park Board, or a request for a leave of absence;

“Vancouver Park Board” means the Vancouver Board of Parks and Recreation; and

“Vice-Chair” means the Commissioner elected by a majority vote of the Commissioners to be the Presiding Member of the Board, when the Chair is unable to carry out all or any of the duties.

Suspension of the Rules

- 1.3 Any rule of order under this Procedure By-law may be suspended by an affirmative vote of not less than two-thirds (2/3) of Commissioners present.

Reference

- 1.4 If a situation is not contemplated by this Procedure By-law, the Procedure By-law of the City will apply.
- 1.5 If a situation is not contemplated by this Procedure By-law or by the Procedure By-law of the City, Robert's Rules of Order will apply.

Severability

- 1.6 A decision by a court that any part of this Procedure By-law is illegal, void, or unenforceable severs that part from this By-law and is not to affect the balance of this Procedure By-law.

SECTION 2 – ELECTION OF CHAIR AND VICE-CHAIR

Timing of Election

- 2.1 The election of the Chair and Vice-Chair will occur at the last meeting in December of each year, except in the year of a Local General Election, in which case the election will occur at the Inaugural Board Meeting.
- 2.2 If a Chair is not elected at the last meeting in December, the Board shall appoint an acting Chair who shall conduct the Board's meetings until a Chair is elected.

Conduct of Election

- 2.3 The General Manager shall be the Presiding Member during the election of the Chair. The Chair shall be the Presiding Member during the election of the Vice-Chair and may delegate this duty to the General Manager.
- 2.4 Any Commissioner may be nominated for the positions of Chair and Vice-Chair. The nomination must be seconded by another Commissioner and must be accepted by the Commissioner so nominated.
- 2.5 Board members shall elect the Chair and Vice-Chair by ballot or, if agreed upon unanimously by the Commissioners present, by a show of hands.
- 2.6 If a tie vote occurs, the Presiding Member shall remove the nominee who received the lowest number of votes from the ballot. The Board shall then repeat the same procedure of ballot voting and removal of the nominee who received the lowest number of votes from the ballot until they have elected the Chair or Vice-Chair.

Term

- 2.7 The terms of the Chair and Vice-Chair commence on January 1 and conclude on December 31 of the same year.
- 2.8 Notwithstanding Section 2.7, in the year of a General Local Election:
 - (a) The terms of the Chair and Vice-Chair who were elected in the previous calendar year will conclude at the Inaugural Board Meeting; and

- (b) The terms of the Chair and Vice-Chair will commence upon election at the Inaugural Board Meeting and conclude on December 31 of the ensuing year.

Vacancy

- 2.9 If the office of Chair or Vice-Chair becomes vacant, the Board shall elect a new Chair or Vice-Chair at the next Regular Board Meeting in accordance with the procedure describe herein, to hold office until the conclusion of the term of the vacating Chair or Vice-Chair, as applicable.

SECTION 3 – ANNUAL MEETING SCHEDULE

Establishment

- 3.1 The General Manager shall recommend a schedule of Regular Board Meetings and Committee Meetings for consideration by the Board in the fourth quarter of each year for the ensuing calendar year.
- 3.2 Upon approval by a resolution of the Board, the General Manager shall publish the annual schedule of Regular Board Meetings and Committee Meetings on the Vancouver Park Board website.
- 3.3 In the year of a general local election, no meetings shall be held between the last day of the nomination period and general voting day.

Change in Annual Meeting Schedule

- 3.4 The Board, by a motion approved by a simple majority, may reschedule or cancel a Regular Board Meeting or Committee Meeting that is included on the annual schedule.
- 3.5 If impractical to hold a meeting in advance to pass a motion required under Section 3.4, the Chair may reschedule or cancel a Regular Board Meeting or Committee Meeting with a minimum of twenty-four (24) hours written notice to all Commissioners before the date of the meeting.

SECTION 4 – BOARD MEETINGS

Inaugural Board Meeting

- 4.1 The General Manager shall convene the Inaugural Board Meeting at 7:00 pm on the first Monday after November 1 following the election of the Commissioners.
- 4.2 The order of business at each Inaugural Board Meeting shall be:
 - (a) Roll Call;
 - (b) Adoption of Minutes;
 - (c) Chair's Report;
 - (d) Conclusion of Previous Term;
 - (e) Oath of Office pursuant to Section 140 of the *Vancouver Charter*;
 - (f) Election of Board Chair and Vice Chair;

- (g) Establishment of Committee;
- (h) Incoming Chair's Remarks; and
- (i) Other Business.

Regular Board Meetings

- 4.3 The General Manager shall provide notice by email stating the day, hour and place of the meeting and the agenda items to be discussed at a Regular Board Meeting to all Commissioners at least seven (7) calendar days before the date of the meeting.
- 4.4 The order of business at each Regular Board Meeting shall be:
- (a) Roll Call;
 - (b) Acknowledgements;
 - (c) Approval of In Camera Meetings;
 - (d) Adoption of Minutes;
 - (e) Chair's Report
 - (f) Communications;
 - (g) Committee Reports;
 - (h) Unfinished Business and Deferred Items
 - (i) Staff Reports:
 - i. Presentations;
 - ii. Reports; and
 - iii. General Manager's Report;
 - (j) By-laws;
 - (k) Members' Motions;
 - (l) Notice of Members' Motions;
 - (m) Other Business
 - i. Urgent Business; and
 - ii. Announcements; and
 - (n) Enquiries.

Special Board Meetings

- 4.5 The Chair may and, upon the written requisition of any two members, shall call a special meeting of the Board to deal with any matter of which notice is given specifying the purpose of the meeting. Except by the unanimous consent of all the members, at least forty-eight hours' notice of a special meeting shall be given, pursuant to Section 495 of the *Vancouver Charter*.
- 4.6 The order of business at each Special Board Meeting shall be:
- (a) Roll Call; and
 - (b) Business described in the notice referenced in Section 4.5.

- 4.7 Only the matters specified in the notice may be dealt with at the Special Board Meeting unless a motion to place an additional item on the agenda is passed unanimously by those Commissioners present at the meeting.

In Camera Board Meetings

- 4.8 The Board may resolve to schedule meetings, which are closed to the public, pursuant to Section 165.2 of the *Vancouver Charter*.
- 4.9 The General Manager shall provide notice stating the day, hour and place of the meeting and the agenda items to be discussed at an In Camera Board Meeting to all Commissioners at least forty-eight (48) hours before the time of the meeting.
- 4.10 The order of business at each In Camera Meeting shall be:
- (a) Roll Call;
 - (b) Adoption of Minutes; and
 - (c) Business pursuant to Section 165.2 of the *Vancouver Charter* described in the approval referenced in Section 4.8.
- 4.11 The General Manager may release decisions and supporting material if the information no longer meets the criteria outlined in Section 165.2 of the *Vancouver Charter*.

SECTION 5 – MEETING PROCEDURES

Communication of Notice

- 5.1 The General Manager must send notices of Board meetings to Commissioners to the email address assigned by the Vancouver Park Board.
- 5.2 The General Manager must post notices, including the agenda items, of Regular Board Meetings, Committee Meetings and Special Board Meetings on the Vancouver Park Board website in the week prior to meeting.

Attendance

- 5.3 Commissioners are expected to attend all meetings of the Board or Committee in person.
- 5.4 A Commissioner will be disqualified from holding office until the next general local election, if they are absent from Board meetings for:
- (a) a period of sixty (60) consecutive days; or
 - (b) four (4) consecutive Regular Board Meetings;
- whichever is the longer time period, unless the absence is because of illness or injury or is with the leave of the Board, pursuant to Sections 486A and 143 of the *Vancouver Charter*.

Quorum

- 5.5 Four (4) Commissioners, of whom the Chair shall count as one, shall constitute a quorum of the Board.

- 5.6 If, after thirty (30) minutes, a Board meeting cannot proceed due to the lack of a quorum, the General Manager shall record the attendance and the meeting shall then be adjourned.

Call to Order

- 5.7 As soon after the scheduled start time of a meeting as a quorum is present, the Chair shall call the meeting to order.
- 5.8 If both the Chair and the Vice-Chair are absent at the appointed time of the meeting and a quorum is present, the General Manager shall call the meeting to order and the Commissioners present will appoint an Acting Chair to preside until the Chair or Vice-Chair arrives.

Agenda

- 5.9 The Chair, in consultation with the General Manager, shall set the agenda for Board meetings.
- 5.10 An agenda constitutes notice of all business included in that agenda which the Board is to conduct at the meeting to which the agenda refers, and adoption of the agenda at such meeting is not necessary.

Varying Order of Business at Board Meeting

- 5.11 Varying the order of business at a Board meeting requires an affirmative vote, without debate, of not less than two-thirds (2/3) of Commissioners present.

Matters Adopted on Consent

- 5.12 The Board may adopt staff recommendation(s) without debate and adopt the recommendation(s) on consent by a unanimous resolution of the Commissioners present.

Declaration of Conflict of Interest

- 5.13 Commissioners are subject to all conflict of interest provisions of the *Vancouver Charter*, including the requirements for disclosure outlined in Section 145.2.

Extension of Meetings

- 5.14 All Board meetings must adjourn by the earlier of:
- (a) The stated time of conclusion indicated in the notice of the meeting; or
 - (b) 10:00 p.m.;
- unless the Board resolves to extend the meeting, by a vote of not less than two-thirds (2/3) of Commissioners present.

Adjournment

- 5.15 A motion to adjourn shall always be in order, except that if a motion to adjourn is defeated, it shall not be allowed again until at least one other matter has been dealt with.

- 5.16 When all the items on the agenda have been dealt with, the Chair shall adjourn the meeting on the basis that there is no further business and a motion to adjourn is not required.

Minutes

- 5.17 The Meeting Clerk will attend all Board meetings to record the business and proceedings.
- 5.18 Minutes of previous meetings may be approved either as circulated or as amended.
- 5.19 The Chair and the General Manager shall sign the minutes after they have been adopted by the Board and they shall be retained by the General Manager.
- 5.20 The General Manager shall publish adopted minutes on the Vancouver Park Board website.

Meeting Recording to Determine Accuracy of Minutes

- 5.21 If a Commissioner questions the accuracy of a portion of the minutes of a Board or Committee meeting, the recording of that meeting, if available, shall be used to decide the question.

Typographical Errors in the Minutes

- 5.22 The Meeting Clerk may correct errors in grammar, spelling, and punctuation in the minutes or may insert words necessary to the meaning or continuity of a sentence but must not make any other change to the minutes which would alter or affect, in a material way, the actual decision made by the Board.

Recording Meetings at the Park Board Office

- 5.23 The General Manager's Office may make a video or audio recording of all Board and Committee meetings held in the Park Board Office, and the recording:
- (a) Will be posted on the Park Board's website as soon as practicable following the meeting that has been recorded;
 - (b) Will be posted on the Park Board's website for a minimum of four years; and
 - (c) May be removed from the Park Board's website four years after the date the recording was posted.

Recording Meetings Outside the Park Board Office

- 5.24 The General Manager's Office may record meetings of the Board or Committee held at locations other than the Park Board Office, by whatever method is practicable.

SECTION 6 – CONDUCT DURING MEETINGS

Preservation of Order

- 6.1 The Chair shall preserve order and decide questions on points of order subject to an appeal to the Board.

- 6.2 A Commissioner wishing to speak on any question shall address the Chair and wait to be recognized before beginning to speak.
- 6.3 When two or more Commissioners try to speak at the same time, the Chair shall name the member who is to have the floor.
- 6.4 When a Commissioner is speaking, no other Commissioner shall interrupt, except to raise a point of order or a point of privilege.
- 6.5 No Commissioner shall contravene a rule of the Board or disobey the decision of the Chair.

Questions to Staff

- 6.6 Any Commissioner may ask staff questions about a matter before the Board, except that:
 - (a) The question must be in relation to a report on the agenda, a presentation on a matter, a motion being considered by the Board, or enquiries and other matters;
 - (b) The Commissioner must only include those facts necessary to explain the question, without argument or opinion;
 - (c) Commissioners shall have three (3) minutes each for the question and answer; and
 - (d) Commissioners shall have additional opportunities for two (2) minutes for the question and answer after each Commissioner has had an opportunity or passed the opportunity to question staff referenced in Section 6.6 (c), until there are no further requests to speak.

Conduct Guidelines

- 6.7 Commissioners must adhere to the City of Vancouver Code of Conduct and avoid inappropriate behaviour or an act that constitutes disorder, including conduct that:
 - (a) Contravenes the Federal or Provincial Statutes, BC Human Rights Code, the Vancouver Charter, City By-laws, associated regulations, and City or Park Board policy;
 - (b) Is an abuse of power or otherwise amounts to discrimination, intimidation, harassment, verbal abuse or the adverse treatment of others;
 - (c) Prejudices the provision of a service or services to the community; and
 - (d) Undermines the public's trust and confidence in local government.

Expulsion

- 6.8 If any Commissioner contravenes this Procedure By-law or a decision of the Chair, the Chair may:
 - (a) Instruct the Meeting Clerk to record the Commissioner's inappropriate language or behaviour including the Commissioner's use of objectionable or disorderly words in the minutes of the meeting; and
 - (b) Expel the Commissioner from the meeting but, if the Commissioner apologizes for their inappropriate language or behaviour, the Board, by an affirmative vote of not

less than two-thirds (2/3) of Commissioners present, without debate, permit the Commissioner to remain at the meeting.

- 6.9 Following departure from the meeting, if an expelled Commissioner advises the Chair, through the General Manager, that the Commissioner wishes to apologize and return to the meeting from which they were been expelled:
- (a) The Chair must so advise the Board;
 - (b) The Board, by an affirmative vote of not less than two-thirds (2/3) of Commissioners present, without debate, may end the expulsion and permit the Commissioner to return to the meeting; and
 - (c) The Commissioner must apologize immediately to the Board for the conduct that caused the expulsion.
- 6.10 The expulsion shall expire at the conclusion of the meeting and the Commissioner may return to a subsequent meeting unless the Board determines by an affirmative vote of not less than two-thirds (2/3) of Commissioners present that other action is required before the Commissioner is permitted to return.
- 6.11 In all votes related to expulsion, the Commissioner who is the subject of the expulsion shall not be entitled to vote.

Rulings of the Chair

- 6.12 The Chair shall rule on each point of order and each point of privilege.
- 6.13 When the Chair decides a point of order, the rule applicable to the case shall be stated if a Commissioner so requests.

Appeal of a Ruling of the Chair

- 6.14 The ruling of the Chair on a point of order may be appealed by a motion that is moved and seconded.
- 6.15 Upon the motion being moved and seconded, the Chair shall put the question "Those in favour of sustaining the ruling of the Chair?" and the Chair will be governed by the vote of not less than two-thirds (2/3) of Commissioners present at the meeting.

Conduct of the Public

- 6.16 To ensure a respectful workplace for all present, members of the public attending Board meetings are asked to refrain from disruptive, disrespectful, or inappropriate behaviour.
- 6.17 During a meeting, a member of the public attending in person must not:
- (a) Address Commissioners without permission of the Chair;
 - (b) Approach the table of the Board during the sitting of the Board without permission of the Chair;
 - (c) Applaud or otherwise interrupt a speech or action of Commissioners or a Speaker addressing the Board; or

- (d) Otherwise engage in improper conduct.
- 6.18 The Chair may expel a member of the public who engages in improper conduct, as per Sections 165.5 and 165.7 of the *Vancouver Charter*.

SECTION 7 – MOTIONS

Staff Recommendation

- 7.1 A recommendation in a staff report does not constitute a main motion unless it is moved and seconded by a Commissioner as a motion.
- 7.2 Commissioners shall have three (3) minutes each to question staff on the recommendation.
- 7.3 Commissioners shall have additional opportunities to question staff for two (2) minutes on the same recommendation, after each Commissioner has had an opportunity or passed the opportunity to question staff referenced in Section 7.2, until there are no further requests to speak.

Members' Motions

- 7.4 Any Commissioner may give notice of motion by stating the topic of the motion and giving a copy of the motion to the Chair during a Regular Board Meeting.
- 7.5 The resolution portion of the motion shall appear in the minutes of that meeting as Notice of Members' Motions and be placed on the agenda of the next Regular Board Meeting as a Member's Motion.
- 7.6 The Commissioner must not take more than five (5) minutes to introduce the motion at the Regular Board Meeting at which the motion is moved.

Members' Motions as Urgent Business

- 7.7 Any Commissioner may move a motion at a Regular Board Meeting as Urgent Business.
- 7.8 If the Chair rules that a motion referred to in Section 7.7 is:
 - (a) Urgent Business, the Board must deal with the motion at the same meeting; or
 - (b) Not Urgent Business, Section 7.5 applies.

Main Motions

- 7.9 Consideration of a main motion requires that it be:
 - (a) In order, pursuant to Section 7.19;
 - (b) Moved by a Commissioner;
 - (c) Seconded by a Commissioner, other than the mover; and
 - (d) Opened to debate by the Chair.

Motion to Amend

- 7.10 Consideration of a motion to amend requires that it be:
- (a) In order, pursuant to Section 7.19;
 - (b) Moved by a Commissioner;
 - (c) Seconded by a Commissioner, other than the mover; and
 - (d) Opened to debate by the Chair.
- 7.11 Commissioners shall have three (3) minutes each to question the Commissioner who moved the amendment.
- 7.12 Commissioners shall have additional opportunities to question the Commissioner for two (2) minutes on the same amendment, after each Commissioner has had an opportunity or passed the opportunity to question the Commissioner referenced in Section 7.11, until there are no further requests to speak.

Limitation on Amendments

- 7.13 Only one amendment to the main motion and one amendment to the amendment may be debated at any one time.

Motion to Substitute

- 7.14 A Commissioner may move a motion to substitute another motion for the main motion that is under consideration.
- 7.15 Consideration of a motion to substitute requires that it be:
- (a) In order, pursuant to Section 7.19;
 - (b) Moved by a Commissioner; and
 - (c) Seconded by a Commissioner, other than the mover.
- 7.16 The Board must resolve to substitute the main motion that is under consideration before commencing debate on the substitute motion.
- 7.17 Commissioners shall have three (3) minutes each to question the Commissioner who moved the substitute motion.
- 7.18 Commissioners shall have additional opportunities to question the Commissioner for two (2) minutes on the same substitute motion, after each Commissioner has had an opportunity or passed the opportunity to question the Commissioner referenced in Section 7.17, until there are no further requests to speak.

Motion Out of Order

- 7.19 The Chair may refuse to open a main motion, motion to amend or substitute motion for debate if they decide it is out of order because it:
- (a) Conflicts with a law or by-law;
 - (b) Is outside of the jurisdiction of the Vancouver Park Board;

- (c) Is not germane to the topic under consideration;
 - (d) Subject to [Section 10 – Previously Adopted Motions](#), conflicts with a resolution previously passed and still in force;
 - (e) Subject to [Section 11 – Previously Defeated Motions](#), presents substantially the same question as a motion the Board has previously decided;
 - (f) Has been referred to a committee or staff or deferred to a later date and time;
 - (g) is otherwise out of order;
- but, in doing so, the Chair must explain the ruling.

Withdrawal of a Motion

- 7.20 A main motion, motion to amend or substitute motion may be withdrawn by the Commissioner who moved it if it has not been seconded.
- 7.21 Once Board members have moved and seconded a motion, only the Commissioner who moved the motion may withdraw it, and then only with the unanimous consent of Commissioners present.

SECTION 8 – RULES OF DEBATE

Restrictions During Debate

- 8.1 Commissioners shall speak only on the question while a main motion or amendment is being debated.
- 8.2 When a main motion, motion to amend or substitute motion is under consideration, no motion shall be received other than a motion to:
 - (a) Refer the motion to staff for additional information or to the Committee to hear from Speakers;
 - (b) Amend the motion;
 - (c) Defer the motion to a certain time, later date and time, or until after a certain event or condition occurs;
 - (d) Table the motion (i.e. set the motion aside temporarily, within the course of the meeting, to take up other business);
 - (e) Close debate in accordance with Section 8.7; or
 - (f) Adjourn the meeting.
- 8.3 Commissioners shall have three (3) minutes each to speak to the motion or amendment.
- 8.4 Commissioners shall have additional opportunities speak to the motion or amendment, after each Commissioner has had an opportunity or passed the opportunity to speak to the motion or amendment referenced in Section 8.3, until there are no further requests to speak.
- 8.5 Commissioners shall not speak on any matter previously decided by the Board except for the purpose of moving that a vote be reconsidered, rescinded, or amended, in accordance

with [Section 10 – Previously Approved Motions](#) or reconsidered in accordance with [Section 11 – Previously Defeated Motions](#).

Reading of Main Motions and Amendments Under Debate

- 8.6 A Commissioner may require the Chair to read the main motion or amendment under debate but, in doing so, must not interrupt another Commissioner.

Closing Debate

- 8.7 During debate on a main motion or amendment, Commissioners may end debate and call the question by:
- (a) A Commissioner moving to end debate but in doing so, may not interrupt another Commissioner;
 - (b) A Commissioner, other than the mover, to second the motion to end debate;
 - (c) The Chair immediately putting the motion to end debate; and
 - (d) If the Board, by an affirmative vote of not less than two-thirds (2/3) of Commissioners present, agrees to end debate, the Chair must immediately call the question on the main motion or amendment under debate.

SECTION 9 – VOTING

Conduct During Votes

- 9.1 Commissioners who are in the room shall take their places when a vote is called for and shall not leave until the vote has been taken.
- 9.2 After the Chair calls the question on a main motion or an amendment, there shall be no further discussion on the motion, nor shall another motion be made until the result of the vote is declared.

Voting on Amendments

- 9.3 The Board must vote on amendments to main motions:
- (a) In the reverse order to that in which Commissioners moved them; and
 - (b) Before voting on the main motion.

Chair to Participate in Vote

- 9.4 The Chair shall vote on main motions and amendments and shall have the same rights and be subject to the same restrictions on participating in debate as other members of the Board.

Division of a Motion

- 9.5 When the main motion or amendment under consideration contains more than one issue, a separate vote on each issue shall be taken at the request of any Commissioner.

Abstaining from Vote

- 9.6 A Commissioner present at the meeting at the time of the vote who abstains from voting is deemed to have voted in the affirmative, as per Section 145.1(3) of the *Vancouver Charter*.

Requirement to Pass

- 9.7 Passage of a main motion or amendment requires the affirmative vote of a majority of Commissioners present at the meeting, unless a provision of the *Vancouver Charter* or the Procedure By-law requires a greater majority, in which case such provision shall govern.

Tie Vote

- 9.8 If the votes of the Commissioners present at the meeting at the time of the vote are tied, as per Section 145.1(2) of the *Vancouver Charter* the main motion or amendment is defeated, and the Chair shall so declare.

Announcement of Vote Result

- 9.10 After the vote has been taken, the Chair shall state the names of those Commissioners who did not vote with the majority, and the Meeting Clerk shall enter them in the minutes.
- 9.11 The Chair shall verify the vote at the request of any Commissioner.

SECTION 10 – PREVIOUSLY ADOPTED MOTIONS

- 10.1 An adopted motion may be brought back before the Board by a motion to reconsider, rescind or amend provided that no person has taken irreversible action based on the motion.

At the Same Meeting

- 10.2 A motion to reconsider, amend or rescind an adopted motion:
- (a) Must be moved by a Commissioner who voted with the majority in the first instance;
 - (b) Must be seconded by a Commissioner, other than the mover; and
 - (c) Is debatable.
- 10.3 If the motion referenced in Section 10.2 is approved by a simple majority of Commissioners present:
- (a) The motion that was previously adopted shall be reopened for debate; and
 - (b) The previously adopted motion may be referred, amended, deferred or voted upon.

At a Subsequent Meeting

- 10.4 A motion to reconsider, amend or rescind an adopted motion:
- (a) May be made at a subsequent Regular Board Meeting or at a Special Board Meeting held for that purpose;

- (b) Must be moved by a Commissioner who voted with the majority in the first instance;
 - (c) Must be seconded by a Commissioner, other than the mover; and
 - (d) Is debatable.
- 10.5 If the motion referenced in Section 10.4 is approved by a simple majority of Commissioners present:
- (a) The motion that was previously adopted shall be reopened for debate; and
 - (b) The previously adopted motion may be referred, amended, deferred or voted upon.

SECTION 11 – PREVIOUSLY DEFEATED MOTIONS

- 11.1 A previously defeated motion may be brought back before the Board by a motion to reconsider provided no person has taken irreversible action based on the motion.
- 11.2 If the motion referenced in Sections 11.3 or 11.4 is approved by a simple majority of Commissioners present:
- (a) The motion that was previously defeated shall be reopened for debate; and
 - (b) The previously defeated motion may be referred, amended, deferred or voted upon.

At the Same Meeting

- 11.3 A motion to reconsider a defeated motion at the same meeting:
- (a) Must be moved by a Commissioner who voted with the majority in the first instance;
 - (b) Must be seconded by a Commissioner, other than the mover; and
 - (c) Is debatable.

At a Subsequent Meeting

- 11.4 A motion to reconsider a defeated motion may be made at subsequent Regular Board Meeting or at a Special Board Meeting held for that purpose and:
- (a) If the motion is made within 365 days of the date the motion was defeated, the motion may only be made by a Commissioner who voted with the majority in the first instance; or
 - (b) if the motion is made more than 365 days after the motion was defeated, or in a new Board term, the motion may be made by any Commissioner, regardless of how they voted or whether they voted in the first instance.
- 11.5 The motion referenced in Section 11.4 must be seconded by a Commissioner, other than the mover.

SECTION 12 – ENQUIRIES

- 12.1 Enquiries provide Commissioners with the opportunity to seek information during a Regular Board meeting about matters related to the business of the Board that are not on that meeting's agenda and which would not require a Member's Motion.

- 12.2 Enquiries must be submitted in writing through the Chair at the Regular Board Meeting at which the Commissioner intends to pose the question.
- 12.3 Enquiries shall not include any argument or opinion or any facts beyond those necessary by way of explanation.
- 12.4 Replies shall be written, factual, limited to the terms of the question and, where possible, will be included in the meeting materials of the next Regular Board Meeting and posted to the Vancouver Park Board website.
- 12.5 A response to the enquiry will be provided as soon as possible if the issue is time sensitive.

SECTION 13 – BY-LAWS

- 13.1 Following consideration, debate and amendment, if required, of the proposed By-law at a Committee Meeting, the Committee may recommend that the Board direct the City's Director of Legal Services to bring forward a by-law for enactment at the next Regular Board Meeting.
- 13.2 Upon enactment, the Chair and General Manager shall be authorized to sign the by-law and the General Manager shall certify the date of enactment at the end of the by-law.
- 13.3 Where a by-law has been enacted by the Board, it shall be retained for safekeeping by the General Manager and posted to the Vancouver Park Board website.

SECTION 14 – COMMITTEES

Application of the Procedure By-law

- 14.1 Sections [1](#), [2](#), [3](#), [5](#), [6](#), [7](#), [8](#), and [9](#) will apply to Committee Meetings with such modifications as are required, including the substitution of the term "Committee Chair" for the term "Chair" and the term "Committee Meeting" for the term "Board Meeting".

Notice of Committee Meetings

- 14.2 The General Manager shall provide notice stating the day, hour and place of the meeting and the agenda items to be discussed at a Committee Meeting to all Commissioners at least seven (7) calendar days before the date of the meeting.

Order of Agenda

- 14.3 The order of business at each Committee Meeting shall be:
 - (a) Roll Call;
 - (b) Acknowledgements;
 - (c) Adoption of Minutes;
 - (d) Announcements
 - (e) Communications;
 - (f) Unfinished Business

- (g) Referred and Deferred Items; and
- (h) Staff Reports:
 - i. Presentations; and
 - ii. Reports.

SECTION 15 – SPEAKERS

- 15.1 Requests to speak on an agenda item that Commissioners will be voting upon must be received by noon of the day of the Committee Meeting or Special Board Meeting.
- 15.2 A Speaker may provide their comments in-person, via electronic means; or in writing;
- 15.3 A Speaker may not speak for more than five minutes in total or more than once.
- 15.4 Varying the length of time Speakers are permitted to speak requires the affirmative vote of not less than two-thirds (2/3) of Commissioners present.
- 15.5 A Speaker shall not speak until recognized by the Chair.
- 15.6 A Speaker shall begin by stating their name and the name of the organization that they represent, if applicable.
- 15.7 Speakers must maintain a respectful dialogue when communicating with staff and elected officials and refrain from behaviour that can be interpreted as offensive, malicious, intimidating, ostracizing, insulting, or humiliating, including but not limited to:
 - (a) Public ridicule or humiliation;
 - (b) Verbal or written abuse or threats;
 - (c) Insulting, derogatory, or demeaning comments, jokes, or gestures;
 - (d) Profanity or violent language;
 - (e) Interference with or vandalizing personal property; and
 - (f) Aggressive or threatening gestures.

Questions to Speakers

- 15.8 Commissioners may pose a question to a Speaker, except that:
 - (a) Commissioners shall have three (3) minutes each for the question and answer;
 - (b) Commissioners may only ask a question of a Speaker to clarify the Speaker's position in relation to the recommendations contained in the report;
 - (c) Commissioners must not engage the Speaker in a debate or provide background information unless the Speaker asks for clarification of the question;
 - (d) If a question to staff arises as a result of a Speaker's response to a Commissioner, the Commissioner may ask a question of staff at the conclusion of the Speaker's comments, except that the time for the question and answer must not exceed five (5) minutes in total; and

- (e) Commissioners must not ask leading questions of the Speaker for the purpose of extending the speaking time provided to that Speaker.

SECTION 16 – REPEAL AND ENACTMENT

16.1 The current Procedure By-law, enacted on January 28, 2019, is hereby repealed.

16.2 This Procedure By-law is to come into force and take effect on the date of its enactment.

ENACTED by the Board of Parks and Recreation of the City of Vancouver on this ____ day of _____, 2021.

Camil Dumont – Chair
Board of Parks and Recreation

Donnie Rosa - General Manager
Board of Parks and Recreation