

RULES
OF
PROCEDURE

Adopted July 14, 1998 and amended December 13, 2005

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NOTE ON RULES OF PROCEDURE

The Rules of Procedure for the City of Bay City were passed and adopted by Resolution No. 98-14 on July 14, 1998 and amended by Resolution No. 05-15 on December 13, 2005.

COUNCIL RULES OF PROCEDURE

SECTION 1. REGULAR MEETINGS.

- (a) **TIME.** The City Council shall hold regular meetings on the second Tuesday of each month at 6:00 p.m.; however, when the day fixed for any regular meeting of the Council falls upon a day designated by law as a legal or national holiday, such meeting shall be held at a time set by the Council. The Council shall reserve the right to change any specific meeting date upon motion and majority vote of the Council. [*Resolution #05-15*]

- (b) **PLACE.** All regular meetings of the Council shall be held in the Council Room of the City Hall of Bay City, except when the chambers are filled to capacity, the Council may move into the auditorium of the City Hall.

- (c) **QUORUM.** A majority of members of the Council shall constitute a quorum for its business, but a smaller number may meet and compel the attendance of absent members in a manner provided by Council rules, by Ordinance No. 380 and by any other manner provided by law.

- (d) **CONTINUANCE.** The Council may, upon motion made at any meeting as provided in subsection (1)(a), continue the entire meeting or any agenda item to the next succeeding regular meeting or to some specified time prior thereto.

- (e) **SPECIAL MEETINGS.** Special meetings not set in a Council meeting may be called by the Mayor upon his/her own motion, or at the request of three members of the Council. The Mayor shall call said meeting by giving notice thereof to all members of the Council for a time not earlier than twenty-four hours nor later than fourteen days after the notice is given. However, in the case of an actual emergency the Mayor may call a meeting at any time.

- (f) **PARLIAMENTARY RULES.** The conduct of all meetings by the Council or any committee shall be governed by this resolution. In the event this resolution does not address any issue, the parliamentary rules set forth in *Robert's Rules of Order Newly Revised* (1970 Edition) shall govern the procedure.

SECTION 2. CALL TO ORDER - PRESIDING OFFICER.

The Mayor or in absence of the Mayor, the President of the Council, shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Council to order. In the absence of the Mayor or President of the Council, the City Recorder, or his or her assistant, shall call the Council to order, whereupon a chairperson pro tem shall be elected by the members of the Council present. Upon arrival of the Mayor or President of the Council, the chairperson shall immediately relinquish the chair upon the completion of the item of business before the Council.

SECTION 3. ORDER OF BUSINESS.

All meetings of the Council shall be open to the public except for executive sessions. Promptly at the hour set by law on the day of each regular meeting, the members of the Council, the City Recorder, Public Works Superintendent and City Attorney shall take their regular stations in the Council Room, and the business of the Council shall be taken up for consideration and disposition in the following order:

- (a) Call to order
- (b) Roll call
- (c) Public hearings
- (d) Visitor propositions
- (e) Committee reports
 - (1) Administrative
 - (2) Community Development
 - (3) Public Works
- (f) Minutes of previous meetings
- (g) Treasurer's report
- (h) Bills against City
- (i) Unfinished business
- (j) New business
- (k) Mayor's presentation
- (l) City Council presentation
- (m) City Attorney's presentation
- (n) Adjournment

The foregoing outline for the order of business may be altered by the Mayor to fit local demands at any given session of the Council.

SECTION 4. READING OF MINUTES, STATEMENTS OF BILLS, AND TREASURER'S REPORT.

There will be no reading of these reports unless a reading is requested by a member of the Council. The minutes and statement of bills shall be approved by the Council. The Treasurer's report shall be filed for audit if the Recorder has previously furnished each member of the Council with a copy thereof. Such copies of the minutes, statement of bills and Treasurer's report shall also be available to any member of the public upon request. The City Recorder shall furnish to each Council member the minutes of the previous meetings, and a reminder of unresolved items, which have recently been discussed by the Council.

SECTION 5. RULES OF DEBATE.

- (a) **ADVOCACY BY PRESIDING OFFICER.** The presiding officer shall be able to participate

in any and all actions, discussions and issues on the floor, unless the presiding officer has a conflict of interest as defined by Oregon law in which case the presiding officer shall step down and the Council President shall preside over the meeting.

- (b) **OBTAINING THE FLOOR.** Persons desiring to speak shall address the presiding officer, and upon recognition by the presiding officer, shall confine themselves to the question under debate, avoiding all personalities and indecorous language.
- (c) **INTERRUPTIONS.** A person, once recognized, shall have five minutes to address the Council unless further time is granted by the presiding officer or unless it is to call the person to order, or as herein otherwise provided. If a person, while speaking, is called to order, the person shall cease speaking until the question of order be determined, and if in order, the person shall be permitted to proceed. Any disruptive or combative presentation may be terminated at any time by the presiding officer as being out of order.
- (d) **PRIVILEGE OF CLOSING DEBATE.** The presiding officer shall close the public comments and return the issue to the Council for action. Any Council member may call for the question.
- (e) **SYNOPSIS OF DEBATE.** The clerk may be directed by the presiding officer, with consent of the Council, to enter in the minutes a synopsis of the discussion on any question coming regularly before the Council.
- (f) **METHOD OF ADDRESS.** Every effort should be made to maintain the dignity of the Council. The presiding officer should be referred to as **The Chair** and other members of the Council should refer to him/her as **Mr./Ms. Mayor** or **Mr./Ms. President** as the case may be. Councilors should refer to each other by the title Councilor. Persons should confine their remarks to the question before the Council and not engage in personalities.

SECTION 6. RECONSIDERATION OF ACTIONS TAKEN.

Any Councilor who voted with the majority may move for a reconsideration of an action at the same or the next following regular or special meeting. Once a matter has been reconsidered, no motion for further reconsideration thereof shall be made without unanimous consent of the Council.

SECTION 7. SILENCE CONSTITUTES AFFIRMATIVE VOTE.

Unless a member of the Council states they are abstaining from voting, their silence shall be recorded as an affirmative vote.

SECTION 8. RECORDING MACHINE.

A voice recording machine of an approved type may be available at all Council meetings, and complete recordings may be made of all such meetings. The record thereof may be retained and

stored by the City Recorder until such time as the Council on motion and vote shall direct the disposal thereof, it being the basic intent to make such recording a permanent record. Such retention and storage shall be in a safe place and such recordings shall not be permitted to be taken outside the confines of the City Hall by third parties. Copies of all such recordings shall be made available to any member of the public, and any such copies shall be made at the expense of the person requesting it. If the City cannot make copies due to lack of equipment, the person requesting a copy shall have to furnish equipment for copying at no cost to the City.

SECTION 9. RESOLUTIONS, MOTIONS AND CONTRACTS.

- (a) **PREPARATION OF ORDINANCES.** The City Attorney shall prepare all ordinances. No ordinance shall be prepared for presentation to the Council unless ordered by a majority vote of the Council, or requested in writing by the Mayor or prepared by the City Attorney, with the approval of the Mayor, on his/her own initiative.
- (b) **PRIOR APPROVAL BY ADMINISTRATION.** All ordinances, resolutions and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney or their representative, and shall have been examined and approved for administration by the Mayor or their authorized representative, where there are substantive matters of administration involved.
- (c) **RECORDING OF VOTE.** Upon final passage of an ordinance the ayes and nays of the members shall be recorded.

SECTION 10. REPEAL.

All prior Council Rules of Procedure, including those adopted in January 1975 and revised periodically, and including revisions of January 11, 1983, Resolution No. 83-1, are hereby repealed in their entirety.