

Sandy City Council
Legislative Policies and Procedures

Original Approval Date: March 29, 2016

Revision: 1

Chapter:

Section:

Date Council Approved: 2-28-17

SUBJECT: Rules of Procedure

BACKGROUND:

State law § 10-3-606 requires the City Council to adopt rules of order and procedure governing and prescribing

- a) parliamentary order and procedure;
- b) ethical behavior; and
- c) civil discourse.

The City Council is further required to:

- a) conduct public meetings in accordance with the adopted rules of order and procedure;
- b) make the rules of order and procedure available to the public; at each meeting of the municipal legislative body; and on the City website.

POLICY:

1. The "Sandy City Guidelines, Conduct of Official Council Meetings" adopted via Resolution #07-66C are hereby repealed.
2. The Sandy City Council Rules of Order and Procedure are described as follows:

Sandy City Council
Rules of Order and Procedure

Parliamentary Order and Procedure, Ethical Behavior, and Civil Discourse

1. Standard Order of Business

- a) The standard order of business for regularly scheduled meetings of the City Council is as follows. The City Council may vote to amend the standard order of business from time to time based on the actual content of each meeting. The Council will not entertain new items after 11 PM unless agreed to by a majority of the Members.

5:15 PM: Council Meeting

A. Non-voting items

1. Opening Remarks/Prayer/Pledge of Allegiance
2. Agenda Planning Calendar Review
3. Council Member Business
4. Council Office Director's Report
5. Mayor's Report
6. Chief Administrative Officer Report
7. Citizen Comments
8. Informational briefings, training opportunities, discussion items, etc.

B. Voting Items

9. Consent Calendar
10. Council Items

7:00 PM: Timed Certain Items

11. Special Recognition
12. Citizen Comments
13. Noticed Public Hearings

- b) Public comment will be taken on all voting items. Each voting item shall be presented by the appropriate staff or Council Member. Public comment will be taken after the presentation. Each speaker is allowed one minute per voting item, except for noticed Public Hearings in which case each speaker is allowed three minutes. Council discussion will follow public comment. The Citizen Comment sections of the meeting are for issues not listed on the agenda. Each speaker is allowed three minutes to address the Council during Citizen Comments. If a citizen is unable to attend a meeting in person, he or she may provide written comments to the City Council Executive Director by 3:00 PM the day of the Council Meeting to have those comments distributed to the City Council and have them read into the record at the appropriate time.
- c) Council Member Business, the Mayor's report, and the Chief Administrative Officer's report are informational in nature. These reports may include such items as updates from committee meetings, summaries of significant City events, recognition proposals, and recommendations for future discussion items. No action except discussion can occur on such an item at the meeting in which it is introduced; it

Sandy City Council Rules of Order and Procedure

must be added to a future agenda as a voting item before formal Council action can occur.

- d) Unless an item has been noticed on the agenda for a time certain, the Council may deviate from the standard order of business.
- e) Items not completed during the Council Meeting portion of the agenda should be rescheduled at the next available Council Meeting as appropriate.

2. Motions

Main Motion

- a) A motion is a formal proposal by a Member of the City Council, in a meeting, that the Council take certain action.
- b) After a motion has been seconded, another Member of the Council may offer a friendly amendment to the original motion maker which he or she, together with the seconder of the motion, may accept or reject. Friendly amendments are informal and are not counted toward motions to amend.

Motion to Amend

- c) A motion to amend which has been seconded and receives a majority vote of the Members present amends the main motion.
 - i. A Motion to Amend must be germane. Any amendment proposed must in some way involve the same question raised by the motion it amends. As such, motions to amend should insert and/or strikeout wording of the original motion. Motions to amend may not be the negation of the main motion.
 - ii. The Chair will rule whether or not a Motion to Amend is germane to the main motion.
- d) To retain clarity of debate, the main motion should only be amended no more than two times.
- e) A motion which has been seconded (amended or otherwise) and is the subject of debate must be dispensed with before a new motion can be considered. There are no "substitute motions" which unilaterally shift debate away from the main motion.

Motion to Reconsider

Sandy City Council

Rules of Order and Procedure

- f) After a main motion has been dispensed with, a Motion to Reconsider may be offered at the same meeting in which the motion suggested to be reconsidered occurred. However, the Motion to Reconsider may only be offered by a Member who voted on the winning side, whether in the affirmative or negative. A second to the Motion to Reconsider may be offered by any Member. In the event of a tie vote, any member may offer a Motion to Reconsider. The Motion to Reconsider brings up the item at the same meeting in which the vote to be reconsidered occurred.

Renewal of Motions

- g) If properly placed on the Council Meeting agenda, any Member may Motion to Rescind or Amend Something Previously Adopted.

3. Discussion

- a. It is recommended that formal titles such as “Mr./Madam Chair” be utilized to encourage a reverential, courteous and orderly atmosphere.
- b. No motion shall be debated until it has been seconded by another Member of the City Council. A motion dies for lack of a second from another Member of the Council.
- c. For clarity, after a motion has been seconded, the Chair should restate the motion or cause it to be displayed in writing for the Members of the Council and the public.
- d. The Chair should ensure that each Council Member who desires to speak has opportunity to do so.
- e. Members should refrain from speaking until being recognized by the Chair.

Call the Previous Question or “Calling the Question”

- f. Any Member may make a Motion for the Previous Question during debate (commonly called “calling the question”). A Motion for the Previous Question is a proposal to end debate on the main motion. It requires a second and must be adopted by a majority of Members present. The Motion for the Previous Question is not debatable. A vote on the Previous Question does not decide the main motion. It decides whether or not debate on the main motion should cease.

Appeal

- g. Any Member may raise a Point of Order without having first been recognized by the Chair in order to seek clarification on a parliamentary question. The Chair will rule on the Point of Order.
 - i. Rulings of the Chair may be appealed to the City Council as a whole. A majority vote of the City Council may override a ruling of the Chair.

Sandy City Council

Rules of Order and Procedure

Pause in Council Proceedings

- h. The Chair may allow the Council to stand at ease for a brief pause if necessary during debate.

4. Quorum

- a) A quorum of the City Council is required to conduct business. A quorum is four Members.

5. Voting

- a. Voting shall be in the form of “yes” or “aye,” “no” or “nay,” and “abstain.” The names of those voting for, against, or abstaining shall be entered in the Council minutes.
- b. No Council Members shall vote unless physically present or participating through electronic means pursuant to Utah Code Annotated § 52-4-207. Proxy votes are not allowed.

Types of Voting

- c. A roll call vote is required for all ordinances and may occur for other votes. “Roll call” means that each Council Member participating verbally gives his or her vote when called upon to vote. Any Member has the discretion to call for a roll call vote.
- d. If a roll call vote is not required, a voice vote may occur. A voice vote is the request of the Chair such as, “All in favor,” and/or “All opposed” where the Council Members simultaneously state their vote on an item.

Number of Votes Required to Pass an Item

- e. The minimum number of votes required to pass an ordinance or resolution, or to take any action by the Council, unless otherwise prescribed by law, is a majority of the entire membership of the Council, without regard to vacancy or absences, namely four votes.
 - i. Notwithstanding this provision, a Council meeting may be adjourned to a specific time if the majority vote is less than four votes.
- f. An expression of “abstain” during voting shall not be considered as an affirmative or negative vote. For purposes of a Motion to Reconsider, an “abstain” vote does not grant standing. In other words, a Council Member who abstains on a question or is absent when the vote on a question is taken may not move to reconsider the question.

Sandy City Council
Rules of Order and Procedure

- g. In the case of a tie vote, the motion shall fail.

Explanation of Vote or Conflict

- h. A Council Member desiring to explain his or her vote should do so prior to the call of the roll or voice vote.
- i. Any Council Member who has an immediate or direct financial interest in any item pending before the Council shall disclose this fact to the Council at the time the item is called. Members declaring such an interest should leave the room during the discussion and abstain from voting on that item.
- j. Custom should not conflict with adopted Rules of Order and Procedure. To the extent that custom conflicts with adopted Rules, the Rules shall supersede until amended to reflect customary practice.

Amending the Rules

- a. If previous notice is given, namely a specific amendment or set of amendments to the Rules of Order and Procedure is placed on the regular Council Meeting agenda in advance, a majority vote of Members of the City Council is required to modify the Rules of Order and Procedure.
 - i. If the Rules of Order and Procedure have not been explicitly placed on the Council Meeting agenda for discussion, a two-thirds majority of the Council Members present may suspend or modify the Rules in order to accomplish a specific action.
- b. In the event that any provision herein conflicts with state law, state law supersedes.