

Sponsor: Ondera / Hensler

ORDINANCE NO. 64-17

AN ORDINANCE REPEALING AND AMENDING ORD. 11-93 SO AS TO REVISE THE RULES OF ORDER GOVERNING THE COUNCIL OF THE CITY OF JACKSON, SPECIFICALLY, RULE 2 AS IT GOVERNS THE MANNER BY WHICH PERSONS MAY BE HEARD BY COUNCIL.

WHEREAS, Ordinance 11-93 established the Rules of Order Governing the Council of the City of Jackson, Ohio; and

WHEREAS, the legislative authority of the City of Jackson has determined it necessary to amend its Rules of Order as those rules relate to the manner by which persons can be heard by Council, specifically, Rule 2 of the Rules of Order shall be amended as set forth below with the remaining Rules of Order being readopted in their entirety; and

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON, OHIO THAT THE RULES OF ORDER GOVERNING THE COUNCIL OF THE CITY OF JACKSON, OHIO NOW IN PLACE ARE HEREBY RE-ADOPTED, AS ATTACHED HERETO AS EXHIBIT A, SUBJECT TO RULE 2 OF THE RULES OF ORDER BEING AMENDED AS SET FORTH BELOW, WITH THOSE STRUCK THROUGH PORTIONS AND CAPITALIZED PORTIONS SHOWING THE AMENDMENTS TO THE ORIGINAL LANGUAGE AND THAT IT BE REPLACED WITHIN THE RULES OF ORDER, IN REGULAR TEXT, AS FOLLOWS:

Rule 2. Meetings—public. All meetings of the council or committees thereof shall be public.

Persons desiring to be heard by council must notify the council president or clerk no later than ~~Tuesday~~^{Thursday} of the week before the scheduled council meeting they wish to appear to be placed on the council agenda. IN ADDITION, UP TO FIVE PERSONS MAY REQUEST TO BE HEARD BY COUNCIL BY SIGNING IN WITH THE COUNCIL CLERK IMMEDIATELY PRIOR TO THE MEETING INDICATING THAT THEY WISH TO SPEAK FOLLOWING COUNCIL'S DISCUSSION OF NEW BUSINESS. HOWEVER, THE TOTAL NUMBER OF PERSONS TO BE HEARD BY COUNCIL SHALL NOT EXCEED TEN PER MEETING UNLESS APPROVED BY COUNCIL PRESIDENT OR UPON MOTION BY A MEMBER OF COUNCIL AND APPROVED BY A MAJORITY OF ITS MEMBERS. ~~The~~ EACH person desiring to be heard must state their reason. The time permitted individuals to be heard is at the discretion of the council president or UPON motion by member of council and approved by majority vote.

All minutes and the record of the council shall be open to the public at all reasonable times.

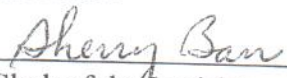
It is hereby found and determined that all formal actions of this Council concerning and relating to adoption of this ordinance were adopted in an open meeting of this Council and the deliberations of this Council and any of its committees that resulted in such formal action were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 8th day of January, 2017. 2018



President of Council

ATTEST:



Clerk of the Legislative Authority

Approved this 8th day of January 2017. 2018

Mayor

EXHIBIT A

RULES OF ORDER GOVERNING THE COUNCIL
OF THE CITY OF JACKSON, OHIO

I. MEETING: PLACE, TIME OF CONVENING, QUORUM, ORDER OF BUSINESS.

Rule 1. Meetings--place. All meetings of the council shall be held in the council chamber in city hall, unless otherwise ordered by the council.

The council chambers will be smoke free.

[INSERT RULE 2 HERE]

Rule 3. Regular meetings. The council will be organized at the first meeting in January in each even calendar year. The clerk will be employed, a president protem will be elected and the president will name those chairing and serving on each of the council committees.

The council meetings will be held the second and fourth Monday evenings of each month starting at 7:00 p.m. Whenever a meeting falls on a regular holiday, or a day observed as a regular holiday, that meeting will be canceled.

Rule 4. Special meetings. Special meetings may be called at any time by the mayor, the president of council or any five members upon at least twelve hours written notice to each member of the council, served personally on each member or left at his usual place of residence; provided, however, that no such notice need be served on any councilman present at a meeting of council at which the president of council may give oral notice of the time and purpose of a special meeting. Any such notice shall state the subjects to be considered at the meeting, and no other subject shall be considered.

Rule 5. Quorum. A majority of all the members elected to council shall be a quorum to do business.

III. COMMITTEES OF THE COUNCIL

Rule 9. Standing Committees. Not later than the first meeting of each January, during even calendar years, the council president shall appoint four standing committees of who the first named member shall serve as chairman and the second named member as vice chairman. The four committees are 1) Budget and Finance, 2) Utilities, 3) Police and Fire and 4) Service.

Special committees shall be appointed when considered necessary by the president of council or when recommended and approved by a majority of the elected council members.

Rule 10. Committee meetings. A majority of the members of a committee shall constitute a quorum for the transaction of business. Each committee shall meet as required at a time and place fixed by the committee chairman.

Rule 11. Rules of committees. Except in case of obvious inconsistency or inapplicability, committee hearings shall be governed by the rules applicable to council proceedings. Reports of committees will be given by the committee chairman to the full council at the council session following the committee meeting.

IV. DUTIES, PRIVILEGES, AND DECORUM OF MEMBERS

Rule 12. Roll call of members. Every member shall be in his seat at the time of roll call. The clerk shall publish in the city record the names of the members present and absent. Unexcused absences will result in forfeiture of pay for that council session.

Rule 13. Duty to vote. Every member present shall vote on all questions upon the call of the yeas and nays, unless excused by the unanimous consent of the council; except that no member shall vote on any question which he is financially interested or which in any way involves personal or private rights.

Rule 14. Change of vote. Before the announcement of the vote on any question, the clerk shall read the vote of each member so taken upon the demand of any member, at which time any councilman on account of error or for any other reason may change his vote; but no councilman shall be permitted to change his vote as recorded after the roll call has been verified and the result declared.

Rule 15. Time limitation of speaking. No member shall be allowed to speak for a longer time than ten minutes at any one time without permission of the council. No member shall speak more than once on the same motion until every other member desiring to speak on that motion shall have had an opportunity to do so, nor shall the mayor nor any other director/department superintendent speak longer than fifteen minutes upon the same motion, ordinance, or question without the consent of the council.

V. MOTIONS

Rule 16. Purpose and form. Motions shall be used only to expedite the orderly transaction of business of the council and shall not be substituted for resolutions or ordinances. The form of all motions shall be "I move that" followed by the substance of the motion. Motions will require a second, and upon demand of any member any motion shall be reduced to writing. Any such motion may be withdrawn by the maker before it has been amended or voted upon. When a motion is made it shall be stated by the presiding officer before any debate shall be in order. All motions which have been entertained by the president of council shall be entered upon the minutes.

VI. ORDINANCES AND RESOLUTIONS

Rule 17. Introduction. Ordinances and resolutions shall be introduced in the council only in printed or written form, with the name of the member introducing the same endorsed thereon. Council will not act upon any ordinance with the emergency clause unless they consider a true emergency exists.

Rule 18. Appropriation ordinances. Ordinances making appropriations shall be confined to the subject of appropriations. No money shall be appropriated except by ordinance.

Rule 19. Amendments. It shall be in order to amend an ordinance at any time when not in the hands of committee; but if amended after its second reading, it shall again be read as the second reading thereof, and laid over for further and final action. A majority vote of all members elected to council shall be necessary for the adoption of an amendment to any legislation pending before the council.

Rule 20. Adoption. All ordinances and resolutions shall require for passage or adoption a majority vote of all the members elected to council. The vote on their adoption shall be taken by yeas and nays and entered on the records of the meeting except as otherwise provided in these rules.

Rule 21. Signing ordinances and resolutions. All ordinances passed and resolutions adopted by council shall be signed by the president and presented forthwith to the mayor by the clerk.

Rule 22. Action on mayors veto. When the mayor refuses to sign an ordinance or resolution or part thereof and returns such ordinance or resolution to the council with his objections, the council shall at the next meeting following the meeting at which such vetoed ordinance or resolution is returned, if such meeting shall occur not less than one week after receipt of such ordinance or resolution, proceed to reconsider the same. After adoption of the motion so to reconsider, the question shall be stated as follows: "Shall Ordinance No. ____ (Resolution NO. ____) be passed (or adopted) notwithstanding the veto of the mayor. Those voting nay vote to

sustain the mayor's veto." If two-thirds of all the members elected to council vote yea such ordinance or resolution vetoed by the mayor shall take effect without his signature.

VII. ADMINISTRATIVE OFFICERS

Rule 23. Attendance required. The mayor and/or Service Director shall be required to attend the regular and special council meetings and shall be provided with seats on the floor of the council chamber. They shall be required, at any such meeting, to answer such questions relating to the affairs of the city or direct or refer questions by council members to their department superintendents.

VIII. COUNCIL CHAMBER

Rule 24. Use of council chambers. The primary use of the council chambers is for council and committee meeting. With the approval of council, the chambers can be utilized by other groups providing this meeting does not interfere with council activities.

IX. RULES: SUSPENSION AND AMENDMENT

Rule 25. Suspension of rules. Any provision of these rules may be suspended at any meeting of the council by a majority vote of all the members elected, except when a greater number is required by law or by the rules. The vote on any such suspensions shall be taken by yeas and nays and entered upon the records.

Rule 26. Amending rules. These rules may be amended or new rules adopted by a majority vote of all members elected to the council, on the report of committee for such purpose; provided the proposed amendments or new rules shall have been referred to such committee at a preceding meeting.