CITY COUNCIL
RULES OF ORDER & PROCEDURE

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CITY COUNCIL

RULES OF ORDER & PROCEDURES

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SOUTH WEBER CITY

CITY COUNCIL RULES OF ORDER AND PROCEDURE

PURSUANT to Utah Code Ann. § 10-3-606, the City Council, the legislative body of South Weber City, adopts the following rules of order and procedure. These Rules have been established as a guideline to be used in conjunction with the provisions of the laws of the State of Utah, South Weber City, Davis County and South Weber City's Policies and Procedures. These Rules are not all inclusive, and do not supersede any State of Utah, Davis County or South Weber City Code. If a conflict exists, provisions of the Code shall prevail. For any question on parliamentary procedure the City also subscribes to the simplified version of Robert's Rules of Order.

RULE I: MEETING SCHEDULE; MEETING AGENDA; ORDER OF BUSINESS

1. The City Council shall set the meeting schedule for the year in January of each year; the Council shall meet at least once a month per UCA 10-3-502.
2. No meeting shall be held without a quorum (three councilmembers) present, excluding the Mayor.
3. All provisions of Utah Code Ann. Title 52, Chapter 4 Open and Public Meetings act shall be adhered to.
4. All public meetings before the public body will have an agenda including the date, time and place of each meeting.
5. Notice of each meeting shall be provided by posting of the agenda pursuant to UCA 52-4.
6. The Order of Business for a regular meeting is as follows:
   a. Opening Ceremony:
      i. Pledge of Allegiance
      ii. Prayer/Moment of Reflection
   b. Approval of Agenda
   c. Declaration of Conflict of Interest
   d. Consent Agenda
   e. Active Agenda
   f. Non-scheduled Delegation; Public Comment Period
   g. Mayor and Council Reports and Assignment Updates
   h. Staff Updates
   i. Adjournment
7. The Mayor, by polling the City Council members, may, by affirmative consensus, proceed out of order to any order of business or return to an order already past.

RULE II: GENERAL AGENDA ITEMS; AGENDA ITEM REQUESTS; TIMELINES FOR AGENDA ITEM SUBMITTAL; SUPPLEMENTARY DOCUMENTATION

1. General Agenda Items: Items that shall be placed on agendas for City Council consideration include, but are not limited to:
   a. Ordinances: Ordinances are for the purpose of amending the City Code, including the General Plan and amendments to the Zoning Map(s). Ordinances as to form and effective date shall conform to Utah Code as reflected in Title 10, Chapter 3.
   b. Resolutions: Resolutions are for the purpose of expressing a formal opinion or the will of the City Council. Resolutions as to form and effective date shall conform to Utah Code as reflected in Title 10, Chapter 3.
   c. Funding: Council authorization is required for project funding and purchases over and above the amount authorized for expenditure by the City Manager as indicated by the City Procurement Policy.
   d. Reports to Council: Includes reports from City Departments, Davis County Sheriff Department, and other entities as requested by the Council.
2. Agenda Request:
   a. Members of the public desiring audience at a City Council meeting may make a written request with the City Recorder to be placed on the agenda of the City Council. The individual must identify in writing the issue of City business which they wish to discuss with the City Council.
   b. The establishment of the meeting agenda and placement of an item on the agenda is within the discretion of the Mayor provided that an item may be placed upon the subsequent agenda of the Council by majority vote of the City Council.
   c. Any request not applicable to Rule II-3 that is made by a citizen or outside entity to place an item on a regular or work meeting agenda, as well as any supplemental supporting documentation, must be received by the City Recorder by close of business the Wednesday prior to the meeting in order to be placed on the agenda of the desired date.
   d. The City Recorder reserves the right to postpone a requested date.
   e. In the event such a request is made that can be resolved through administrative channels, such resolution will be attempted prior to requesting that matter be brought before the City Council for consideration.
3. Items from Planning Commission Review: Any issue or agenda item reviewed by the Planning Commission requiring City Council action will not be placed on the City Council agenda until at least the second City Council meeting following the date of the Planning Commission meeting (SWC Res. 01-032).
4. Request for Electronic Meeting (Reference SWC Res. 2006-50): The City agrees to allow electronic meetings (as defined in UCA 52-4-103) only when a quorum is present at the location of the regularly scheduled meeting and the quorum present votes to approve establishment of an electronic meeting in order to include other members of the City Council through an electronic connection. In order to make the necessary accommodations for an electronic meeting, a member of the City Council desiring to participate in an electronic meeting shall provide notice of his/her desire to join via electronic connection to the Mayor

and City Recorder no later than three days prior to the scheduled meeting. The City Recorder will provide notice of the electronic meeting to the members of the City Council at least twenty-four (24) hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present, and provide a description of how the member(s) will be connected to the electronic meeting. The electronic meeting shall be conducted in full compliance and in accordance with all applicable state and local laws pertaining to such meetings.

5. Supplementary Documentation: If necessary, documentation and/or a staff report will be provided by the Staff to the Mayor and City Council on each agenda item. Such documentation shall be provided with adequate time for review, no later than 24 hours prior to the meeting.

RULE III: COURSE OF A MEETING; MOTIONS AND ACTIONS

1. The Mayor shall be the chairperson of the City Council and preside over all meetings of the public body. Mayor Pro Tem shall preside in the Mayor's absence. The Mayor shall open discussion and introduce an item on the agenda in the order listed, unless the Mayor believes there is good reason to do otherwise.
2. The meeting shall follow the Order of Business as established by Rule I.
3. Consent Agenda: The Consent Agenda is approved by a single motion. It shall consist of items considered to be routine and there will be no separate discussion these prior to the vote, except in the work meeting or unless removed from the Consent Agenda to be considered separately. The Mayor or any Council member may request an item be considered as a separate item to allow for brief discussion. Discussion and vote on the item may then be held at any time during the meeting at the Mayor's discretion.
4. Declaration of Conflict of Interest: The City Council members are asked to declare any conflict of interest. Utah Code requires municipal officers to disclose actual or potential conflicts of interest between their public duties and their personal interests.
5. Active Agenda: Includes public hearings. Matters appearing on the Agenda are discussed by the Mayor and Council prior to any motion being made.
6. Public Hearing (reference SWC Res. 96-009):
   a. Each Public Hearing will be declared "Open" by motion.
   b. Each participant shall state his/her name and address.
   c. Each participant will be given three (3) minutes to present their comments. The Mayor may allow extension of this period at his/her discretion.
   d. An individual will have one opportunity to speak, until all desiring to speak have been heard.
   e. Those speaking for or against the matter will alternate.
   f. All comments must pertain to the subject of the public hearing.
   g. A summary of each participant's comments will be reflected in the meeting minutes.
   h. In the case of an individual continually disrupting the hearing, any member of the Council may request that individual be removed from the meeting. At this time an immediate vote will be taken of the board. With a two thirds vote affirmative that

individual will be requested to leave. In case an individual refuses to leave, law enforcement assistance will be requested.

   i. The Public Hearing will be declared "Closed" by motion, prior to any vote being taken. The Council may conduct discussion after the public hearing is declared closed, prior to the vote being taken.

7. Non-scheduled Delegation; Public Comment Period: Those individuals who wish to address the Council with items not scheduled on the agenda will be given three (3) minutes to present their comments. All provisions of Rule III-6 shall apply. No official decisions can be made by the City Council at this time.
8. Mayor and Council Reports and Assignment Updates: The Mayor and Councilmembers will each have an opportunity to speak on their appointment assignments and items of concern.
9. Staff Updates: The City Manager and other staff will have an opportunity to provide updates and information to the Council.
10. Adjournment: Meeting shall adjourn with or without a motion or vote upon conclusion of business.

RULE IV: MOTIONS AND VOTING

1. Motions: "Motions are the means of bringing business before the assembly, disposing of it quickly, and resolving matters of procedure and urgency." – *Robert's Rules of Order*
   a. A motion brings new business before the Council and is made while no business is pending.
   b. A motion needs a second, is debatable, amendable, and takes a majority vote to adopt.
   c. Any Councilmember may make a motion at any time during discussion.
   d. A motion to table an item should include specification of a date for future reconsideration. A motion to table an item without specifying a date or circumstance for reconsideration will result in the issue not being placed on an agenda for reconsideration until such time as a new request to address said item is made.
2. Voting:
   a. A roll call vote shall be taken and recorded for all ordinances, resolutions and any action which would create a liability against the city. The roll call vote may be taken by the City Recorder, Deputy Recorder, Mayor, or designee.
   b. The minimum number of votes required to pass any ordinance or resolution, or to take any action by the city council, unless otherwise prescribed by law, shall be a majority of the members of the quorum, but shall never be less than three (3).

RULE V: ORDINANCES AND RESOLUTIONS

1. Municipal power is exercised through passage of ordinances and resolutions.
2. The City Council may pass or deny any ordinance or resolution.
3. Every resolution or ordinance shall be in writing before the vote is taken (SWC Code 1-5-5E). The City Council may make amendments to the resolution or ordinance during the meeting before or during the vote.

4. A resolution is used to exercise only administrative powers.
5. An ordinance provides for legislative decisions.
6. Each ordinance and resolution shall be signed by the Mayor (or pro tem) along with the City Recorder or Deputy Recorder's signature to attest that of the Mayor. Each document shall also be affixed with the City Seal.

RULE VI: MINUTES (SWC Res. 10-10)

1. Written minutes are the official record of action taken at the meeting
2. The written minutes shall be approved by general consent vote by the public body at the public body's next regular meeting.
3. In the event the public body does not hold a regular meeting within 30 days, the minutes may be approved by a general consent vote taken by electronic communication by the City Recorder or Deputy Recorder; approval may not be granted in this matter and must be deferred to the next regular meeting if a recommendation is made for substantive changes to the minutes.
4. Work meeting minutes and closed executive session minutes do not require Council approval.

RULE VII: CONDUCT

1. All municipal officers must abide by the Municipal Officers and Employees Ethics Act (UCA 10-3-1301).
2. Council members are expected to adhere to the standards of conduct set forth in the City's adopted Policies and Procedures.
3. All individuals participating in the public meeting shall demonstrate courtesy and refrain from conduct that disrupts the meeting.
4. Council members shall avoid situations which could cause a reasonable person to perceive bias or an inappropriate conflict of interest.
5. Participants shall respect the principles of representative democracy, including the recognition that local government is to serve the best interests of the public as a whole, while respecting individual and constitutional freedoms.
6. Remarks should be applicable to the question under discussion or debate. The Mayor may interrupt the discussion and direct it to return to the original topic.
7. Anyone speaking shall avoid references to personalities, and avoid questioning motives or interjecting hostile or antagonistic behavior.
8. The Mayor may courteously discourage individuals who interrupt or speak out of turn.
9. Individuals who are not compliant with the rules of conduct may be ruled by the Mayor as out of order, and may be ejected from the meeting if the person willfully disrupts the meeting to the extent that orderly conduct or civility is compromised.

RULE VIII: CONFLICT OF INTEREST

1. A general disclosure statement should be filed with the City Recorder upon election.
2. Each Council member is required to make a disclosure in writing and file it with the mayor.
3. An oral disclosure must be made in an open meeting to the members of the body immediately before the discussion about the topic involved in the conflict of interest.

RULE IV: TRAINING (Reference City Policies and Procedures)

1. Training/orientation will be provided to each new Mayor or Council member by the City Manager and City Recorder. The Mayor or a Council member may also be involved in this training.
2. The City Council will receive training on the Open and Public Meetings Act annually. This training shall be provided by the City Attorney or City Recorder.
3. The Mayor and Council members may attend seminars, meetings, conferences, workshops , and other educational courses when it is anticipated that the training and information received by the officer at such events will benefit the City.
4. Travel expenses, per diem and mileage shall be paid in accordance with the established South Weber City Policies and Procedures.
5. The City shall allocate in its annual budget funds deemed appropriate for training and travel expenditures.
6. Auxiliary Programs. Registration cost for auxiliary programs for the officer's spouse/partner will be allowable if it has been included in the City Budget.

RULE X: AMENDMENT OR ADDITION TO RULES

1. Any Council member may propose amendments, revisions, or additions to these Rules of Order and Procedure.
2. Each proposed amendment, revision or addition shall be in written form, and copies shall be provided to each Council member.
3. Consideration of any amendments, revisions, or additions to these Rules shall be noticed on a Council agenda for consideration and vote by Resolution.