

# **RULES OF ORDER OF THE TOWN COUNCIL**

## **TOWN OF NORTH SMITHFIELD**

1. The Council will assemble for its two monthly meetings to hear citizens in an open forum pursuant to RIGL 42-46-6 (d).

Following Open Forum, the President shall take the chair and call the meeting to order and shall cause the order of business to commence.

2. The Vice-President, in the absence of the President, shall be acting President of the Town Council. It shall be the duty of the acting President to assume all the duties of the President.
3. The President shall preserve decorum and order, may speak on points of order in preference to other members, shall decide all points of order subject to an appeal to the Council by a motion regularly seconded, and no other business shall be in order until the question on appeal shall have been decided by a majority vote of the members present. The President shall distinctly put all questions and decide all votes. The “yeas” and “nays” of the members of the Town Council shall, at the request of the two (2) members of the Town Council present, be taken and entered on the record using a roll call vote. The President, in his/her sole discretion, can request a roll call vote without a second.
4. Any Council Member desiring to speak shall address the President, and after his/her right to speak has been recognized, he/she shall not be interrupted while speaking except by a call to order. He/she shall confine his/her remarks to the question under debate and shall avoid personalities.
5. No Council Member shall speak more than once on the same question until all other Council Members desiring to speak thereon shall have done so. There shall be no conversation among the Council Members while another Council Member is speaking, while a roll call is being taken, while any paper is being read, or while a question is being stated by the Chair.
6. The President shall enforce order and decorum among all persons in the Town Council Chamber. No persons other than the Administrator, members of the Town Council, Clerk of the Council, Town Solicitor, and topic specific Department Heads shall be allowed on the floor of the Town Council without receiving an invitation from **the President** or a majority of the Council members present.
7. For any item that is scheduled for a final vote, the Town Council will not accept “new” or “revised” documentation for consideration at any Town Council meeting unless approved by a majority of the Town Council members present.
8. After a roll call vote is ordered, said roll call vote shall not be interrupted, delayed, or stopped by the President or any member of the Town Council for any reason whatsoever. In case of a tie vote, the motion is lost. No main motion shall be debated until it is seconded. Abstention vote shall not constitute “yea” or “nay”.
9. Any motion may be withdrawn by the maker at any time before taking of a vote thereon, or before an amendment is made to said motion.

10. When a vote has passed, it shall be in order for any member voting with the majority to move a reconsideration thereof at the same meeting, or to give notice in writing of his/her intention to move a reconsideration at the next regular meeting, provided, however, that the Chair shall not entertain any motion until the motion to reconsider has been acted upon; and when such notice of an intention to reconsider has been given, the Clerk shall retain possession of the papers until the next meeting, and no subsequent motion to reconsider the vote passed shall be in order at the same meeting, unless upon a withdrawal of the notice, and when a motion to reconsider has been decided, that vote shall not be reconsidered; and the same resolution or ordinance shall come once before this body for reconsideration.

11. The order of precedence of motions shall be as follows:

- a. Take a recess
- b. Raise a question of privilege
- c. Lay on table
- d. Suspend the rules – majority vote required
- e. Previous question with majority vote required
- f. Limit or extend limits of debate – majority required
- g. Postpone to a certain time
- h. Commit or refer
- i. Amend
- j. Postpone indefinitely
- k. Main motion

The highest in rank being at the head of the list and lowest in rank at the last of the list. When any of them is immediately pending, the motion before it on the said list is in order and shall be acted upon first, and those below are out of order.

12. The following motion shall be undebatable:

- a. To adjourn
- b. Take a recess (when privileged)
- c. Raise a question of privilege
- d. Lay on the table
- e. Suspend the rules
- f. Previous questions – majority vote
- g. Limit or extend limits of debate – majority vote

13. The following motions only can be amended:

- a. Take a recess
- b. Postpone to a certain time
- c. Commit or refer
- d. Mend
- e. Main motion

14. The order of business at every regular meeting of the Council shall be as follows:

- a. Prayer
- b. Pledge
- c. Roll Call
- d. Open Forum – Individuals who wish to address the Town Council during the Open Forum should sign-up prior to the start of the meeting. Public comment sign-in sheets will be available in the meeting room before the start of the meeting. Open Forum will be limited to fifteen (15)

minutes unless the Town Council by majority extends the time period. The Town Council will allow time for each individual comments based upon the number of individuals who sign-up to address the Council prior to the start of the meeting. The order of business will include:

- i. Open Forum for Scheduled Agenda Items
- ii. Open Forum for Unscheduled Agenda Items
- e. Executive Session\*
- f. Payment of Bills
- g. Approval of Consent Agenda which may or may not include:
  - i. Approval of minutes of the previous meeting
  - ii. Communications from the Administrator
  - iii. Communications and reports from Town Officers
- h. Specific items removed from Consent Agenda above
- i. Public Hearings
- j. Presentation of petitions and remonstrances which must be presented to the Town Clerk in writing, stating the subject matter, on the 5<sup>th</sup> business day prior (Tuesday for a Monday meeting) to the regularly scheduled meeting. Generalities shall not be considered "Subject Matter."
- k. Old Business
- l. New Business
- m. Adjournment

\*The President may modify the order of business on the agenda when necessary to save time and/or expense.

- 15. No motion to adjourn shall be in order until the regular order of business is disposed with, and then said motion to adjourn shall become a privileged motion and shall be undebatable.
- 16. (A) Every ordinance for inclusion on the docket, must be signed and submitted before 4:00 p.m. on the 5<sup>th</sup> day prior (Tuesday for a Monday meeting) by a member of the Town Council or the Town Administrator. Every ordinance, order, report, or paper shall be written, or printed forms furnished by the Town Clerk. New business and agenda item requests by members of the Town Council need to be submitted prior to 12:00 p.m. on the 4<sup>th</sup> business day prior to the meeting (Wednesday for a Monday meeting).
- 16. (B) All ordinances must be reviewed by the Town Solicitor for "legal form" and "legal compliance" with the Town Charter and/or Code of Ordinance and/or Rhode Island State Law prior to the Town Council Meeting.
- 17. The Town Clerk, with the assistance and approval of the President, shall prepare and cause to be printed for the information of the members of the Town Council and the Administration, a docket on which there will be a definite statement or summary of all ordinances, resolutions, orders, and other business to be considered at each meeting of the Town Council. Any member of the Town Council may add items to the agenda by providing timely electronic notice to the Town Clerk. The Town Clerk shall maintain a record of all business acted upon by the Town Council and only business contained on the docket shall appear. This docket will be prepared and available by 4:00 p.m. on the 3<sup>rd</sup> business day prior (Thursday for a Monday meeting).
- 18. Every member of the Town Council has the obligation to read and understand the contents of his/her packet prior to the meeting. Questions and concerns should be addressed to the Council President, Administrator and/or Department Head, or Committee Chair(s) on the 2<sup>nd</sup> business day prior (Friday for

a Monday meeting) or during normal business hours on the day of the meeting. The President may rule members out of order if they continually show evidence of failure to read or familiarize themselves with the information and contents of the pre-meeting packet and agenda items.

19. The Town Council shall serve as a committee of the whole to investigate all matters referred to it. The committee shall function in executive session, but no votes taken. If, in the opinion of the committee, a sub-committee is needed, the Town Council shall appoint members thereto and serve as ex-officio on all such committees.
20. Council members appointed to special committees shall maintain an active interest in the subjects assigned and shall be ready to advise the Town Council at any time on matters relating to their committees.
21. The regular meeting of the Town Council shall be held at a location to be determined by the Town Council on the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month at 6:45 p.m.
22. If any regular meeting day shall fall on a legal holiday, the meeting shall be held on the following day.
23. The foregoing rules shall be altered, amended, suspended, or repealed by a majority vote of the Town Council.
24. The Town Council hereby adopts “Roberts Rules of Order” as the authority on all matters pertaining to rules of order not covered herein.
25. The Clerk of the Council shall cause to be printed for each of the members of the Town Council and shall bind in a convenient form a record of the previous meeting ready for each meeting of the Town Council.
26. Any Council person who expects to be absent from a regular or special Council meeting shall notify the Town Clerk a minimum of six (6) hours prior to meeting time by telephone or in person, if possible.
27. Any meetings, public hearings or workshops of the Council will recess no later than 10:00 p.m. unless there is a majority vote of the Council to extend the time in one-half hour increments not to exceed one (1) hour.
28. The President may adjust the order of the agenda unless an objection is raised. If an objection is raised, a change in the order of the agenda shall be by a majority of the Council members present.
29. Any person addressing the Town Council shall identify themselves by name and address, be recognized by the President, and speak into a microphone.
30. When public hearings are conducted, the proponent shall first make a presentation on the changes to the Ordinance. Any other person addressing the Town Council during a public hearing shall limit themselves to an amount of time prescribed by the President or majority of the Council members present.

(Amended January 3, 2023)