

CHAPTER II-A

RULES OF COUNCIL*

2A-1 Title.

This chapter shall be known as the Rules of Council, 1965, and is sometimes referred to as "the rules."

2A-2 Governing Rules.

Except as may be provided in the charter, questions of order, the organization and the conduct of business of the council shall be governed by Robert's Rules of Order in all cases to which they are applicable, and in which they are not inconsistent with these rules.

2A-3 Meetings.

2A-3.1 Regular Meetings. The council shall hold regular meetings at the times specified in the administrative code. All regular meetings of the council shall be held in the Township Meeting Hall on the second floor of the Township Library Building.

2A-3.2 Special Meetings. The mayor, whenever he deems it in the public interest, may, and upon request in writing of a majority of the council shall, call a special meeting of the council. A request by councilmen or the mayor for a special meeting therefor shall state the time and purpose of the meeting. The mayor shall deliver the call for a special meeting to the clerk who shall forthwith deliver copies thereof to each councilman at his residence or at such place as he may designate in advance. No business except what is described in the call shall be considered at the special meeting. Except in case of emergency, special meetings may be called upon not less than two days notice.

2A-3.3 Adjourned Meetings. An adjourned meeting shall be considered a continuation of the preceding meeting and the business of the council shall be resumed where it was left at the last adjournment.

2A-3.4 Council Conferences. The council shall hold conferences at the Conference Room on the second floor of the Township Library Building at 7:00 P.M. of the evening of the day on which regular meetings of the council are held, provided, however, that when the day fixed for any

* The power to adopt rules of procedure is derived from the general powers of the municipality to govern and will be found in R. S. 40:69A-29, 30.

pre-meeting conference of the council falls upon a day designated by law as a legal or national holiday, or upon a day when three or more members of the governing body are attending a state or national conference or convention, such meeting shall be held on a day to be scheduled by the township clerk. Conferences of council shall be in executive session of the committee of the whole and such sessions may be attended only by the clerk and her designees or such persons as the council may invite.

2A-4 Agenda.

All reports, communications, ordinances, resolutions, claims, contract documents or other matters to be submitted to the council shall, at least 24 business hours prior to each council meeting, be delivered to the clerk, whereupon the clerk shall immediately prepare a calendar of such matters together with such additional matters that she may have to present, in conformity with the prescribed order of business as hereafter provided and shall furnish a copy to each member of the council. When required, she shall furnish the mayor, the manager, and the township attorney with a copy of the same prior to the council meeting and as far in advance of the meeting as time for preparation will permit.

2A-5 The Presiding Officer.

The presiding officer of the council shall be the mayor. The presiding officer shall preserve strict orders and decorum at all regular and special meetings of the council. He shall state every question coming before the council and announce the decision of the council on all matters coming before it. He shall appoint special committees of the council. The mayor shall vote on all questions, his name being called last. The mayor shall sign all ordinances and resolutions adopted by the council during his presence. In the event of the absence of the mayor, such ordinances and resolutions shall be signed by the presiding officer.

2A-6 Township Attorney.

The township attorney or such member or members of his office as he may designate shall be available to the council at all regular and special meetings. He, or his designee, shall draw ordinances and resolutions for any member of the council when and as required.

2A-7 Call to Order; President Pro Tem.

The mayor shall take the chair at the hour appointed for the meeting and shall immediately call the council to order. In the absence of the mayor, the

deputy mayor shall be presiding officer. In the absence of the mayor and deputy mayor the clerk or her designee shall call the council to order. The clerk shall then determine whether a quorum is present and in that event shall call for the election of a temporary presiding officer. Upon the arrival of the mayor or deputy mayor, the temporary presiding officer shall forthwith relinquish the chair upon the conclusion of the business immediately before the council.

2A-8 Roll Call.

Before proceeding with the business of the council, the clerk or her designee shall call the roll of the members in alphabetical order, and the names of those present shall be entered in the minutes.

2A-9 Quorum.

A majority of the whole number of members of the council shall constitute a quorum. No ordinance, resolution or motion shall be adopted by the council without the affirmative vote of the majority of all the members of the council.

Should no quorum attend within 30 minutes after the hour appointed for the meeting of the council, the mayor, or in his absence the clerk or her designee, may thereupon adjourn the meeting until the next day, unless by unanimous agreement those members present select another hour or day. The names of the members present and their action at such meeting shall be recorded in the minutes by the clerk.

2A-10 Order of Business.

All regular and special meetings of the council shall be open to the public. Promptly at the hour set for each meeting, the members of the council and the clerk shall take their regular stations in the council chamber and the business of the council shall be taken up for consideration and disposition in the following order, except as the council shall otherwise provide for special or emergency meetings of the council:

Convene

Roll Call

Pledge of Allegiance and moment of prayer

Statement of compliance with the "Open Public Meetings Act"

Notice of fire exit procedures

Public portion for questions as to agenda items:

The mayor or presiding officer shall announce that the purpose of this public portion is solely to ask questions to understand matters that

appear on the agenda and is not an occasion for a public hearing on an ordinance on the agenda or to substitute for the public portion at the conclusion of the meeting.

Approval of minutes

Receipt of bids (as required)

Approval of vouchers (as applicable)

Resolutions

Ordinances

Public hearing

Introductions

Reports

Public portion

Adjournment

2A-11 Reading of Minutes.

Unless a reading of minutes of a council meeting is requested by a majority of the council, such minutes when signed by the mayor and the clerk may be approved without reading, provided that the clerk, at least two full working days preceding the meeting, shall deliver a copy thereof to each member of the council.

2A-12 Voting and Minutes.

The vote upon every motion, resolution or ordinance shall be taken by roll call in alphabetical order except that the mayor shall be polled last, and the yeas and nays shall be entered on the minutes. Upon the call of the roll no member shall discuss or explain his vote; and the silence of any councilman who is present shall be recorded as an affirmative vote unless he states directly that he abstains. The minutes of each meeting shall be signed by the presiding officer and by the clerk.

2A-13 Committees.

There shall be no standing committees of the council, other than the committee of the whole. The rules of the council shall govern the meetings of the committee of the whole so far as applicable. Special committees for legislative purposes may be appointed by the mayor pursuant to resolution. No special committee shall proceed to the consideration of any matter referred to it unless a majority of the members of the committee shall be present. All committee meetings shall be held at the Township Meeting Hall. No special committee shall report on a matter referred to it at the same meeting at which the reference is made, except by unanimous consent of the members of the committee.

2A-14 Nominations and Appointments.

With respect to appointments to be made by the council, any member of the council may nominate as many candidates as there are offices to be filled. The council will consider such nominations in committee of the whole, which will report to a regular meeting of the council. Where there is a single office to be filled, the sense of the council on the appointment shall be taken as to each nominee in alphabetical order, and the first nominee to receive a majority shall be deemed appointed. Where there is more than one office to be filled, such as on a board, commission or authority, the same procedure shall be followed with respect to each office separately until the total number of appointments to be made has been completed. In the discretion of the chair, a group of nominations

may be considered at once where there is no apparent division in the council as to the nominees included in the group.

2A-15 Rules of Debate.

2A-15.1 *Questions Under Consideration.* When a question is presented and seconded, it is under consideration and no motion shall be received thereafter, except to adjourn, to lay on the table, to postpone, or to amend, until the question is decided. These motions shall have preference in the order in which they are mentioned and the first two shall be decided without debate.

2A-15.2 *As to the Mayor.* The mayor or such other member of the council as may be presiding, may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed upon all members, and shall not be deprived of any of the rights and privileges of a councilman by reason of his being the presiding officer.

2A-15.3 *Getting the Floor.* Improper references are to be avoided. Every member desiring to speak for any purpose whatsoever shall address the presiding officer, and upon recognition, shall confine himself to the question under debate, avoiding all personalities and indecorous language. A member may only speak once on the same subject but may speak to clear up a matter of fact or explain a material part of his speech, except that a member after moving a question may once again speak on the same subject.

2A-15.4 *Interruption.* A member once recognized shall not be interrupted when speaking unless it be to call him to order or as herein otherwise provided. If a member while speaking be called to order, he shall cease speaking until the question of order be determined by the presiding officer, and if in order, he shall be permitted to proceed. Any member may appeal to the council from the decision of the chairman upon a question of order, when without debate the chairman shall submit to the council the question, "Shall the decision of the Chair be sustained?" and the council shall decide by a majority vote.

2A-15.5 *Privilege of Closing Debate.* The councilman moving the adoption of an ordinance or resolution shall have the privilege of closing the debate.

2A-16 Manner of Addressing Council.

Each person addressing the council shall step up to the microphone, shall give his name and address in an audible tone of voice for the record.

All remarks shall be addressed to the council as a body and not to any person thereof. No person, other than members of the council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the council, without the permission of the presiding officer. No questions shall be asked a councilman except through the presiding officer.

2A-17 Decorum.

2A-17.1 By Council Members. While the council is in session, the members must preserve order and decorum, and a member shall neither by conversation or otherwise except as herein provided delay or interrupt the proceedings, the peace of the council, disturb any member while speaking or refuse to obey the orders of the council or its presiding officer.

2A-17.2 By Persons. Any person making impertinent or slanderous remarks or who shall become boisterous while addressing the council shall forthwith be barred from further audience before the council, by the presiding officer, unless permission to continue or again address the council be granted by the majority vote of the council.

2A-18 Enforcement of Decorum.

The chief of police, or such member or members of the police department as he may designate, shall be the sergeant-at-arms of the council meetings. He or they shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the council meetings.

2A-19 Ordinances, Resolutions, Motions and Contract Documents.

2A-19.1 Introduction. Ordinances may be introduced and adopted by title except bonding or local improvement ordinances, which shall be read in full by the clerk or her designee before consideration by the council on second and final reading. Every ordinance after introduction and adoption on first reading shall be published in full, together with a notice as required by law, and the publication shall be at least ten days prior to the time fixed for further consideration for second and final passage. At the time and place so specified in such notice, all persons interested shall be given an opportunity to be heard thereon.

2A-19.2 Prior Approval by Administrative Heads of Departments. All ordinances, resolutions and contract documents before presentation

to the council by the mayor or the manager shall have been reduced to writing and shall have been approved as to form and legality by the township attorney or his designee. Prior to presentation, all such documents shall have first been referred to the head of the department under whose jurisdiction the administration of the subject matter of the ordinance, resolution or contract document would devolve. Any statement of fact or representation submitted in support of any such document, resolution or ordinance shall be signed by the mayor, manager or a designee of either of them.

2A-19.3 *Effective Date.* All ordinances shall take effect 20 days after final passage and approval by the mayor. Two-thirds of the council may, however, declare an emergency by written resolution to reduce this 20-day period except for the period for bond ordinance shall not be reduced.

2A-20 Reports and Resolutions to be Filed with Township Clerk.

All reports and resolutions shall be filed with the township clerk and entered in the minutes.

2A-21 Adjournment.

A motion to adjourn shall always be in order and decided without debate.