

ORDINANCE NO. 2016-32

**AN ORDINANCE ESTABLISHING THE ORDER OF
PROCEDURE IN ALL INSTANCES FOR THE CITY
COUNCIL OF THE CITY OF PINSON, ALABAMA;
ESTABLISHING THE SCHEDULE OF SUCH MEETINGS;
ADMINISTERING OF OATHS; AND RELATED ITEMS**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PINSON,
ALABAMA** while in regular session on November 7, 2016 at 7:00 p.m. as follows:

Section 1. That the rules or order of procedure herein contained shall govern deliberations and meetings of the City Council of the City of Pinson, Alabama.

Section 2. Regular meetings of the council shall be held on the following dates at the City Hall of the City of Pinson, Alabama: the first and third Thursdays of each month at 7:00 pm with pre-council work sessions at 6:30 pm.

Section 3. Special meetings may be held at the call of the Mayor, the presiding officer of the City Council, by serving notice on each member of the council not less than 24 hours before the time set for such special meetings; or special meetings may be held as provided by Section 11-43-50, *Code of Alabama*, 1975, whenever two council members making the request shall have the right to call such meeting. Notice of all special meetings shall be posted at the City Hall in a manner accessible to the public at least 24 hours prior to such meeting.

Section 4. A quorum shall be determined as provided by Section 11-43-48, *Code of Alabama*.

Section 5. In all regular meetings and in all other meetings where matters are expected to be decided by a vote of the council, the order of business shall be as follows, subject to the discretion of the presiding officer:

1. A call to order
2. Roll call
3. Reading and approval of the minutes of the previous meeting
4. Pre-Meeting Public Comment (1 minute on agenda item only or by special permission)
5. Reports of committees
6. Reports of officers
7. Reading of petitions, applications, complaints, appeals, communications, etc.
8. Resolutions, ordinances, orders, and other business
9. Public comments (3 minutes)

Section 6. No member shall speak more than twice on the same subject without permission of the presiding officer.

Section 7. No person, not a member of the council, shall be allowed to address the council while it is in session without permission of the presiding officer.

Section 8. Every officer, whose duty it is to report at the regular meetings of the council, who shall be in default thereof, may be fined at the discretion of the council.

Section 9. Motions shall be reduced to writing when required by the presiding officer of the council or any member of the council.

Section 10. All motions, resolutions and ordinances (whether or not the same are intended to be of permanent operation) shall be in writing at the time of their introduction and shall have been presented to the members of the council a minimum of 48 hours before the meeting at which they are introduced. Otherwise, no ordinance or resolution shall be adopted by the council at the same meeting at which it is introduced, unless unanimous consent of those present is given for the immediate consideration of such ordinance or resolution. This Section 10 shall not apply to procedural motions (such as a motion to lay on the table, or a motion to adjourn), motions to amend, motions/resolutions to nominate/appoint persons, motions/resolutions to expend funds of \$5,000.00 or less, and/or motions/resolutions to expend funds already budgeted for appropriation to a third party and awaiting release by the council.

Section 11. Pursuant to § 11-45-2 of the *Code of Alabama*, no ordinance or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent is obtained for the immediate consideration of such ordinance or resolution, such consent shall be by roll call and the vote thereon spread on the minutes.

Section 12. A motion to reconsider any vote or proceeding of the council may only be made and seconded by a council member who had previously voted on the issue. Such motion must be made before the conclusion of the meeting during which the original motion was made and approved, or at the next succeeding meeting. A motion to reconsider must be adopted by a majority of those members of the council present and voting.

Section 13. Whenever it shall be required by one or more members or by state law, the "yeas" and "nays" shall be recorded and any member may call for a division on any question.

Section 14. Motions to lay any matter on the table shall be first in order; and all questions, the last amendment, the most distant day, and the largest sum shall be first put.

Section 15. All meetings of the council shall be open to the public, except when the council meets in executive session as authorized by state law. All meetings of the council shall be conducted in accordance with Alabama's applicable open meeting laws.

Section 16. A motion for adjournment shall always be in order.

Section 17. Other than the rule expressed in Section 10 of this Ordinance, the rules of the council (that are not required by state law) may be temporarily suspended by a vote of the two-thirds of the members present.

Section 18. The chairman of each respective committee, or the council member acting for him or her, shall submit or make all reports to the council when so requested by the presiding officer or any member of the council.

Section 19. The City Clerk/Treasurer, City Attorney, and such other officers or employees of the City of Pinson, shall, when requested, attend meetings of the council and shall remain in the council room for such length of time as the council may direct.

Section 20. All questions of order shall be decided by the presiding officer of the council with the rights of appeal to the council by any member. *Robert's Rules of Order* may be used by the council as a guide for the conduct and order of business, but it shall not be viewed as determinative.

Section 21. The presiding officer shall prepare the agenda for each meeting of the council where business is expected to be conducted. Where pre-council work sessions are held

in advance of such meeting, items that are not listed on the agenda should be added during pre-council work session by any member of the council, subject to the rules in this Ordinance.

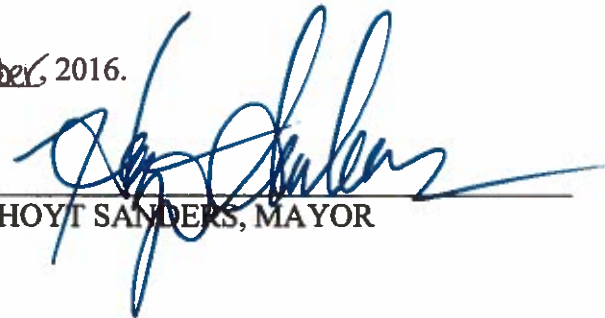
Section 22. The Mayor and the City Clerk are authorized to administer oaths.

Section 23. With respect to any rule of procedure at issue during a meeting of the city council found in this Ordinance, which is not set forth and mandated by state or federal law, there shall be no violation of such rule if there is no objection thereto made by any member of the council prior to the conclusion of the meeting.

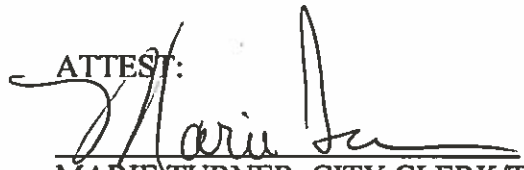
Section 24. This ordinance shall go into effect upon the passage and publication as required by law, and it shall replace and repeal any and all prior resolutions and/or ordinances concerning the order and rules of procedure for the City Council of the City of Pinson, Alabama.

Section 25. Unanimous consent shall be required to approve, on first presentation, any item involving an expenditure of more than \$15,000. This shall not apply to items having been presented, advertised for bid, contained in budget as yearly allocation, or otherwise discussed at a prior meeting.

ADOPTED this the 7th day of November, 2016.


HOYT SANDERS, MAYOR

ATTEST:

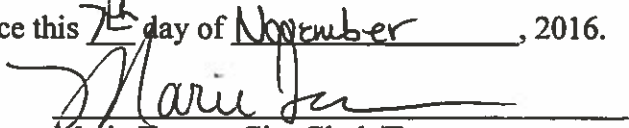

MARIE TURNER, CITY CLERK/TREASURER

CERTIFICATION OF CITY CLERK/TREASURER

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Marie Turner, City Clerk/Treasurer of the City of Pinson, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Pinson, Alabama, on the 7th day of Nov, 2016.

Witness my hand and seal of office this 7th day of November, 2016.


Marie Turner, City Clerk/Treasurer