

A BILL FOR AN ORDINANCE PRESCRIBING)
RULES OF ORDER AND PROCEDURE FOR THE)
COUNCIL; AND REPEALING ORDINANCES)
NO. 1281 and 1649.)

ORDINANCE BILL NO. 49
for 1978
ORDINANCE NO. 1713

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

Section 1. The following rules of order and procedure shall govern meetings and proceedings of the Council:

Section 2. GENERAL:

(1) Agenda: The Recorder shall prepare an agenda for each regular Council meeting of all ordinances, resolutions, reports, or other business on the table, and any new business that may be proper to bring before the Council. The agenda and supporting information shall be available to the Mayor and Council at least twenty-four (24) hours prior to the scheduled meeting.

All agenda items must be received in the City Administrator's office no later than the Thursday at 12:00 noon prior to the Wednesday meeting when the item will be discussed.

Any request for an item to be placed on the agenda after the Thursday deadline and prior to the Wednesday Council meetings must be approved by the Mayor.

Further additions to the Council agenda must be made with the consent of a majority of the Council.

(2) (a) Regular Meeting Schedule: The City Council shall hold its regular meetings at 12:30 p.m. and reconvening at 7:30 p.m. on the second and fourth Wednesdays of each calendar month in the Council Chamber of the City Hall, Main and Maple Streets in Lebanon, Linn County, Oregon.

(2) (b) Special Meetings: The City Council may be convened by the Mayor or by a majority of the Council at any time upon giving written notice to each member of the Council at the time present in the City, duly served by the City Administrator or his representative, or written waiver of notice signed by all Councilors filed with the Recorder shall be equivalent to such service. Oregon Public Meetings Law requires twenty-four (24) hours reasonable notice to the public and actual notice to the Mayor and Council for special meetings. See ORS 192.610-690 for amplification.

(2) (c) Emergency Meetings: Refer to ORS 192.610-690.

(2) (d) Executive Sessions: Refer to ORS 192.660.

(3) Presiding Officer: The Mayor shall be the presiding officer at Council meetings. The presiding officer shall preserve order and decorum. He may speak on all questions of order in preference to any other member and he shall decide all questions of order subject to an appeal to the Council by any member. In case of appeal from his decision, the appeal shall be stated as follows: "Shall the decision of the presiding officer be sustained?" The presiding officer shall state all questions properly presented to the Council and shall announce the decision of the Council on all matters.

(4) Call to Order: The Mayor shall call the members of the Council to order at the stated hour. In the absence of the Mayor, the members present shall select a member to be the presiding officer. In the absence of both the Mayor and the Recorder, the members present shall select a member to record the proceedings.

(5) Quorum: Should there not be a quorum, it shall be the duty of the City Administrator or his designee to immediately inform

the absent members, except those known to be absent from the City or unavoidably detained, that their presence is required to enable the Council to proceed to business. Should they fail to appear after such notice, the members present shall adjourn to the next regular meeting or to an earlier date.

(6) Roll Call; Minutes: If a quorum is found to be present after the calling of the roll, the presiding officer shall ask for a motion to approve the minutes as printed or amended, of the preceding meeting.

(7) Order of Business: In preparation of the regular Council agenda, the general format shall be:

- a. Call to order/flag salute/roll call
- b. Approval of minutes of previous meetings
- c. Staff reports
- d. New business
- e. Public hearings
- f. Ordinances and resolutions
- g. Receipt and file
- h. Bills against the City

At the commencement of each Council session, the Mayor shall determine from the agenda the order of business to be followed.

Section 3. COMMITTEES:

(1) Appointment: The following standing committees shall be appointed by the Mayor at the first Council meeting in each year:

- a. Finance - Responsibilities: review of all bills of City; review of Warrants and Bonds of City with six month report to Council; review of status of licenses and franchises of City with six months report to Council.

b. Public Property - Responsibilities: study of physical problems that occur relating to public property as directed by Council.

(2) Reports: Each committee to which any matter is referred shall submit at the next regular meeting after such referral, unless further time is granted by the Council, a report relating to the matter referred. All reports of standing committees shall be presented to the Council in open session by any member of the committee, filed by the Recorder, and entered in the journal. If a committee fails to report timely upon a matter referred to it, the matter may be brought before the Council by motion or by unanimous consent.

Section 4. MOTIONS AND DEBATE:

(1) Introduction and withdrawal of motions. No motion shall be debated until it has been seconded and distinctly announced by the presiding officer. It shall be read by the Recorder when required for information. A motion may be withdrawn at any time before amendment with the consent of the second.

(2) Division of question. If a question under debate contains several points, any member may have it divided; but the mover of the question shall have the right to designate the point on which the vote shall be taken first.

(3) Privileged questions. When a question is under debate, no motions shall be received but the following privileged questions which shall have precedence in the following order:

- a. To adjourn
- b. For a call of the Council
- c. To lay on the table
- d. To postpone to a day certain
- e. To commit
- f. To amend
- g. To postpone indefinitely

(4) Previous question. The previous question shall be stated as follows: "Shall the main question now be put?" The question shall be admitted only after two members demand it. If the question is carried by a majority vote, its effect shall be to bring the Council to an immediate vote on the question then under debate. Prior to a vote on a motion for the previous question, a call of the Council may be ordered, but after two members have seconded the motion no call of the Council shall be in order prior to the decision of the main question. On a motion for the previous question, and under the same, there shall be no debate. All incidental questions of order arising after a motion is made for the previous question, or while acting under it, shall be decided without debate.

(5) Motion to adjourn. A motion to adjourn shall always be in order and decided without debate, except that when once voted down it shall not be in order again until some other business has intervened.

(6) Motion to reconsider. A motion to reconsider any vote taken by the Council may be made by a member of the prevailing side. A motion to reconsider takes precedence over all other motions, except a motion to adjourn. No motion shall be reconsidered more than once. No motion to reconsider shall be entertained later than the next regular meeting of the Council after the vote sought to be reconsidered has been taken. If any vote is reconsidered by the Council, any previous vote relating to the same subject matter may be reconsidered without notice.

(7) Debate. A member desiring to speak shall address the presiding officer, and upon recognition by the presiding officer, shall confine himself to the question and avoid personalities and improper language. If two or more members address the presiding officer at the

same time, the presiding officer shall decide which member shall speak first. If an objection is made, no member shall speak more than twice during the same day on the same subject without the consent of the Council, and a member who has spoken once shall not be entitled to the floor, except for explanation, to the exclusion of another member who has not spoken.

(8) Member called to order. If a member is called to order, he shall cease speaking until the question of order is determined by the presiding officer.

Section 5. VOTING:

(1) Manner of voting. The presiding officer shall first ask those in favor of the motion to so indicate; he shall then ask those opposed to so indicate. If the presiding officer is in doubt as to the result, he shall order a roll call vote.

(2) Vote of presiding officer: The presiding officer is not entitled to vote, except in the case of a tie vote of the members; he is not entitled to vote in any event on the final passage of an Ordinance, Resolution or the appointment or removal of an officer.

(3) Duty to vote; roll call. If a question is put, all members shall vote unless excused by the Council for special reasons; but no member shall vote on any subject in which he has a direct pecuniary interest. Any member may demand a roll call vote on any question.

(4) Protest. A member voting in the minority on a question and protesting against the vote of the Council may have his protest entered in the journal, if the language and subject matter of the protest would have been admissible during the discussion of the question.

(5) Appointment of officers. Appointments of officers shall be via voce, and a majority of all the members of the Council is necessary to constitute a choice.

Section 6. ORDINANCES:

(1) Ordinance Bills. Proposed Ordinances shall be known as "Ordinance Bills". They shall be numbered consecutively and filed by the Recorder in the order in which they are introduced, and shall be entered in the journal unless otherwise directed by Council.

(2) Introduction of Bills. A true copy of all Ordinance Bills shall be made available to the public in the office of the City Recorder not less than two days prior to the date of the meeting in which they are introduced. Copies of the Ordinance Bills shall also be made available to the public at the meeting. A Bill shall be read once, by title only, prior to a vote being taken on its passage. Provided, however, that any two members of the Council may demand that all or a portion of a Bill be read prior to a vote.

(3) Vote. After the Bill has been read as provided in Section (2) above, the presiding officer shall ask whether any amendments are to be made to the Bill. After any amendments have been considered, or if there are none, the presiding officer shall then entertain a motion for adoption of the Ordinance Bill. If such a motion is made, and is duly seconded, the Recorder shall then call the roll and enter the results in the journal. Upon passage, the title of the Bill shall become the title of the Ordinance, and the Ordinance shall be attested by the Recorder and presented to the Mayor.

Section 7. MISCELLANEOUS RULES:

(1) Committee of the whole. The rules specified herein shall be observed in committee of the whole, except as to limiting the time for debate, and except that no roll call vote shall be in order.

(2) Journal entries. All motions, resolutions, orders, bills petitions, or other communications shall be entered in the journal, unless otherwise directed by the Council.

Section 8. MODIFICATION OF RULES:

(1) Additional and amended rules. No additional rule or amendment to any rule shall be made without giving at least two (2) weeks' notice and without the concurrence of two-thirds (2/3rds) of the members present.

(2) Robert's Rules. All cases not specifically provided for herein or in the Charter or Ordinances of the City shall be governed by the latest edition of Robert's Rules of Order Revised.

Section 9. REPEAL.

(1) Ordinance No. 1281, enacted November 21, 1967; and Ordinance No. 1649, enacted August 10, 1977, are hereby repealed.

Section 10. EMERGENCY CLAUSE:

Inasmuch as the provisions of this Ordinance are necessary for the immediate preservation of the peace, health and safety of the people of the City of Lebanon, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council by a vote of 5 for and 0 against and approved by the Mayor this 27 day of September, 1978.

ATTEST:

Edwin B. Jue
Recorder

W. F. Spivey
Mayor