

RESOLUTION NO. 2011-214

BE IT RESOLVED by the Council of the City of Bethlehem that the following Rules of Council be hereby adopted:

- RULE 1. Regular meetings shall be held on the first and third Tuesdays of each month at 7:00 P.M., prevailing time, in Town Hall, but Council may adjourn from time to time. Special meetings may be called by the President or upon request of two members. The call shall specify whether it be for general or special business. If called for special business, no other business shall be considered. Each member shall have at least twenty-four (24) hours notice of special meetings, or they may waive the same. (Resolution 15,291 – passed 4/1/08)
- RULE 2. The President shall call the meetings to order. In the absence of the President, the Vice President shall be the presiding officer or, if there is no quorum, Council shall adjourn to another date. The President and the Vice President shall serve no more than two consecutive terms. (Resolution 15,291 – passed 4/1/08)
- RULE 3. A. The Invocation and Pledge to the Flag shall take place immediately prior to the start of business that shall begin with Roll Call.

The order of business shall be as follows:

Roll Call
Approval of Minutes
Public Comment (*on Ordinances and Resolutions to be voted on this evening only – 5 Minute Time Limit.*)
Old Business
Tabled Items
Unfinished Business
Communications
Reports
Ordinances for final passage
New Ordinances
Resolutions
New Business
Public Comment (*for public comment on any subject – 5 Minute Time Limit.*)
Adjournment

(Resolution 9258 - passed 2/19/80; Resolution 15,291 – passed 4/1/08; Resolution 2011-214 – passed 12/21/11)

B. Public Comment is extended as set forth in Rule 3

hereinabove but in no event shall one individual address Council during Public Comment for a period of time in excess of five (5) minutes. (Resolution 14,485 – passed 10/5/2004; Resolution 14,751 – passed 12/6/2005; Resolution 2011-214 – passed 12/21/11)

- C. Public Comment is extended for individuals to address through the Chair City officials on problems and issues of relevance to the operation of City government. (Resolution 2011-214 – passed 12/21/11)
- D. Public Comment will not be extended for personal insults or personal attacks on any individual, name calling or other behavior that is inconsistent with the purpose and intent of Public Comment. (Resolution 11,908 - passed 9/7/93; Resolution 2011-214 – passed 12/21/11)

(Resolution 15,291 – passed 4/1/08)

RULE 4. No Resolution or Ordinance shall be considered by Council unless the written Resolution or Bill is delivered to the City Clerk by Noon of the Thursday preceding Council meeting. The City Clerk shall furnish to the Mayor and all members of Council, no later than Monday preceding the Council meeting, copies of all proposed Resolutions and Ordinances. (Resolution 15,291 – passed 4/1/08)

RULE 5. The presiding officer shall decide all questions, subject to appeal by any two members, and have general supervision of the meeting. Members and others given the privilege of the floor shall address the presiding officer or the Council as a Whole. No member shall be allowed to speak more than twice on any question without permission of the presiding officer. No member shall speak more than three times on any question without the unanimous consent of all the members present. (Resolution 15,291 – passed 4/1/08)

RULE 6.

- A. Every legislative act of the Council shall be by Resolution or Ordinance, and every Ordinance which shall have passed said Council shall be signed by the President of Council and attested by the City Clerk.
- B. All proposed Ordinances shall be presented to Council in written form as bills and shall be numbered serially by year, with a catalog to be prepared for a list of Ordinances passed each year, with each Ordinance to have a title fixed to it. Resolutions should also follow the same format and procedure. They shall not be so altered or amended on their

passage through Council as to change their original purpose. No Ordinances, except general appropriation Ordinances, shall be passed containing more than one subject, which shall be expressed in its title. (Resolution 15,291 – passed 4/1/08)

- C. The title of every bill shall be read when introduced and on final passage, except as to amendments or other changes which shall be read at length. A complete copy of every bill introduced shall be available for public inspection at the Clerk's Office during regular office hours. No bill shall be passed finally on the same day on which it was introduced. At least three days shall intervene between its introduction and its final passage. Upon final passage, Ordinances shall be numbered serially. (Resolution 11,908 - passed 9/7/93)
- D. A majority of the whole number of members of the Council shall constitute a quorum, but no Ordinance shall be adopted by the Council without the affirmative vote of a majority of all the members of the Council; i.e., four votes, but see Act 197, adopted by the Pennsylvania Legislature in 1961 (53 P.S. §37916 and 53 P.S. §37935). No Resolution shall be adopted by the Council without the affirmative vote of three members of the Council. (Resolution 13,681 – passed 10/16/01)
- E. Except for approval of Minutes and Adjournment, the vote taken upon every motion, Resolution or Ordinance shall be taken by roll call, and the yeas and nays shall be entered on the Minutes. No Council Member shall be excused from voting unless a conflict of interest, as defined by The Ethics Act, Act 93 of 1998, exists or other provisions of law prevent the Council Member from such vote. At each regular City Council Meeting, Members of Council shall vote on a rotating alphabetical basis; i.e., starting with the name of the first Member of Council in alphabetical order at the first Meeting; starting with the name of the second Member of Council in alphabetical order at the second Meeting, and so on for each regular City Council Meeting, and returning to the name of the first Member of Council in alphabetical order when the rotating alphabetical basis is completed for the seven Members of Council, and continuing on a rotating alphabetical basis. The presiding officer shall vote last on all questions and may take part in debate without leaving the Chair. Each Ordinance or Resolution shall be introduced in written or typewritten form and will not be discussed until

signed by the Mover and Seconder (Resolution 13,681 – passed 10/16/01; Resolution 15,291 – passed 4/1/08; Resolution 2011-214 – passed 12/21/11)

- F. An Ordinance may be presented at any regular meeting, also at special meetings, when such special call is for general business, or such Ordinance is mentioned in the call for special meeting.
- G. The action of Council on Ordinances shall be noted in the Minutes by title only.
- H. All Ordinances shall be adopted and published in the manner required by general law: Provided, however, that any Ordinance may incorporate by reference any standard technical regulations or code, official or unofficial, which need not be so published whenever a copy of said regulations or code have been placed on file in the office of the City Clerk or in the office of the body or department charged with the enforcement of said Ordinance for the examination of the public so long as said Ordinance is in effect. (Resolution 13,807 – passed 5/7/2002; Resolution 2011-214 – passed 12/21/11)
- I. The City Clerk shall periodically record all Ordinances and Resolutions adopted by Council, and with the advice and assistance of the City Solicitor, shall bind, compile and codify all the Ordinances, or true copies thereof, of the City which then remain in force and effect or arrange to have such ordinances codified. The City Clerk shall also properly index the record books, compilation or codification of Ordinances and Resolutions, and shall work with the City Webmaster to update Ordinances and Resolutions on the City's website. (Resolution 11,908 - passed 9/7/93; Resolution 15,291 – passed 4/1/08)
- J. No rule or regulation made by any department, officer, agency or authority of the City, except such as relates to the organization or internal management of the City government or a part thereof, shall take effect until it is filed either with the City Clerk or in such other manner as may be provided by Ordinance. The Council shall provide for the prompt publication of such rules and regulations.
- K. Ordinances adopted by the Council shall be submitted by the City Clerk to the Mayor within forty-eight (48) hours

after final passage.

RULE 7. A member who has a personal or private interest in any question, measure or bill proposed or pending before the Council shall disclose the fact to Council, and shall not vote thereon, nor take any part in the discussion of the same. (See Rule 6E.) If such interested person shall vote without disclosing his interest in such question, measure or bill, he shall be subject to censure, or Council may pursue any legal procedures under law necessary for the removal from office of such person. (Resolution 15,291 – passed 4/1/08)

RULE 8. The President of Council shall appoint the following standing committees and designate the chairpersons, with duties as indicated:

COMMUNITY AND ECONOMIC DEVELOPMENT - All matters relating to health, code violations, recycling, Planning, Zoning, Housing Rehabilitation, Inspections, Economic Development, landmarks and property of historical interest, and Redevelopment Authority issues.

FINANCE - All matters relating to finance, taxes, indebtedness, bond issues, penalties, the operating and capital budgets, water and sewer rates, and fees.

HUMAN RESOURCES AND ENVIRONMENT - All matters relating to personnel and quality of life in the city, with particular attention to environmental matters and human and social concerns, plus Housing Authority issues.

PARKS AND PUBLIC PROPERTY - All matters relating to City property, recreation, parks and buildings.

PUBLIC SAFETY - All matters pertaining to Police, Firefighters, ambulance service, and Parking Authority.

PUBLIC WORKS - All matters pertaining to streets, sewer and water systems, water and sewage treatment plants, engineering, electrical, and mechanical maintenance.

No committee shall consider any matter which has not been referred by the Council except for matters which historically have been considered by the specific committee. Council may establish special committees, as needed. The President of Council shall serve as an ex-officio, non-voting member of all committees, except in the case of a tie.

(Resolution 9258 - passed 2/19/80; Resolution 11,602 - passed 2/18/92;
Resolution 11,908 - passed 9/7/93; Resolution 15,291 – passed 4/1/08;

Resolution 2010-165 – passed 10/19/10)

RULE 9. A motion to reconsider shall be entertained at the current or the next regular meeting following the one at which the vote was taken. No second motion to reconsider the same motion shall be entertained. The purpose of reconsidering a vote is to permit correction of hasty, ill-advised, or erroneous action, or to take into account added information or a changed situation that has developed since the taking of the vote. (Resolution 2011-214 – passed 12/21/11)

RULE 10. The presiding officer at a meeting of Council will direct that a report or communication be received and that this action be noted on the minutes by the City Clerk. This shall not exclude the right of any Member of Council to move that a report or communication be referred to a Committee Chair or other appropriate body.

RULE 11. Nominations and Elections

That the following procedures for Nominations and Elections of the President and Vice President of Council be added to the Rules of Council, and numbered accordingly, to read as follows:

Nominations from the Floor – President of Council and Vice President of Council

The Members of Council shall nominate the President of Council and the Vice President of Council in accordance with Roberts Rules of Order - Nominations from the Floor – See Attachment 1. All candidates for the President and Vice President of Council shall be considered at the same time.

Roll Call Elections – President of Council and Vice President of Council

The Members of Council shall vote for the President of Council and the Vice President of Council by Roll Call Election. All candidates for the President and Vice President of Council shall be considered at the same time.

(Resolution 2011-214 – passed 12/21/11)

RULE 12. Robert's Rules of Order shall govern the proceedings of the Council on all matters not specially provided for herein.

RULE 13. City Council members, while carrying out the duties for which they

were elected, shall follow all directives of the Code of Ethics Resolution No. 11,471. (Resolution 15,291 – passed 4/1/08)

RULE 14. Proposed amendments to these Rules must be presented in writing at a regular meeting of Council held at least two weeks prior to the date when the same are to be finally considered, and shall be adopted only by the affirmative vote of four Members of Council.

RULE 15. These Rules may be suspended by the affirmative vote of four members of Council, but such suspension shall not extend beyond adjournment. No Rule of Council which is also the subject of legislative enactment shall be suspended.

BE IT FURTHER RESOLVED that Resolution 6312 and all previously adopted Resolutions that amended the Rules of Council (i.e., Resolutions adopted April 16, 1963, January 6 and February 4, 1964, July 23, 1968; Resolution 8881; Resolution 9258; Resolution 11,602; Resolution 11,908; Resolution 13,681; Resolution 13,807; Resolution 14,485; Resolution 14,751, Resolution 15,291, and Resolution 2010-165) and all other Resolutions inconsistent herewith are hereby repealed.

Sponsored by /s/ Eric R. Evans

/s/ Karen Dolan

ADOPTED by Council this 21st day of December, 2011.

/s/ Robert J. Donchez
President of Council

ATTEST:

/s/ Cynthia H. Biedenkopf
City Clerk