



BYLAWS & RULES OF PROCEDURES BOWLING GREEN TOWN COUNCIL

INTRODUCTION

The Town Council bylaws are designed and adopted for the benefit and convenience of the governing body. Their purpose is to help the Council conduct its affairs in a timely and efficient manner. They incorporate the general principles of parliamentary procedure found in Robert's Rules of Order and applicable Virginia law. These bylaws do not create substantive rights for third parties or participants in proceedings before the Town Council. Further, Council reserves the right to suspend or amend these bylaws whenever a majority of Council so determines. The failure of Council to strictly comply with the rules of procedure shall not invalidate any action of Council.

I. SCHEDULE AND TIME OF MEETINGS

A. Regular Meetings:

Regular meetings of the Council shall be held in Town Hall on the first Thursday of each month. If a regular meeting day falls on a legal holiday, the Council shall select an alternate meeting date. Regular meetings shall begin at 6:00 p.m. The Council may hold work sessions at 5:00 p.m. prior to the Council meeting, or at other times, as long as the meetings are properly noticed as provided in the Freedom of Information Act. Regular meetings may be continued to another date to complete the business of the Council.

B. Annual Meeting Schedules:

At the first meeting of each calendar year, the Council will adopt a schedule for its regular meetings during the year. This schedule may modify the time, date, or place of a regular meeting as described above and add or delete one or more additional regular meetings in order to accommodate the requirements of anticipated Council business. A copy of the annual meeting schedule may be posted on the Town's website. The annual schedule of regular meetings may be subsequently modified by the Council, as necessary, and such modifications will be posted. The Council may amend the time, date, or place of any scheduled meeting by motion, provided that the change is properly noticed as provided in the Freedom of Information Act.

C. Annual Organizational Meeting

The first Council meeting in January of each year shall be known as the annual organizational meeting whereby Council shall:

- i. Establish dates, times, and places for its regular meetings;
- ii. Adopt its bylaws; and
- iii. Conduct any other necessary business as determined by a majority vote of Council.

The council shall, biennially following the regular municipal election and in accordance with its charter, appoint one of its members as vice-mayor. The following procedures shall be followed to elect the Vice-Mayor.

- i. The Mayor shall call for nominations from the membership.
- ii. Any member, after being recognized by the Mayor, may place one or more names in nomination and discuss his or her opinions on the qualifications of the nominee(s).
- iii. When all nominations have been made, the Mayor shall close the nominating process and call for the vote.
- iv. Each member may cast one vote for any one nominee.
- v. A majority of those voting shall be required to elect the officer.

D. Postponement of Regular Meetings:

If the Mayor, or Vice-Mayor in the event the Mayor is unavailable or unable to act, finds and declares that the weather or other conditions are such that it is hazardous for Council members and the public to attend a regular meeting, the meeting shall be postponed to the following Thursday. Council members will be notified as promptly as possible, and notice will be posted on the front door of Town Hall. All hearings and other matters previously advertised will be conducted at the continued meeting, and no further advertisement or notice is required.

E. Meeting Adjournment

Meetings of Council shall adjourn when all business, or the agenda, before the body is complete, however it is not the Council's intent to begin a new agenda item after 11:00 p.m. unless and until a motion to extend the time has been offered and passed by a majority vote of the members present and voting.

F. Special or Emergency Meetings:

Special meetings of the Council shall be held when requested by the Mayor or two or more of the members. Such a request shall be in writing, addressed to the Clerk of the Council, and shall specify the time and place of the meeting and the matters to be considered at the meeting. The Clerk shall immediately notify each member of Council and the Town Attorney, in writing, to attend such meeting at the time and place described in the request. The Clerk's notice shall specify the matters to be considered at the meeting. The notice may be waived if all members of the Council attend the special meeting or sign a written waiver. No matter that was not specified in the notice shall be considered at such a special meeting, unless all of the members of the Council are present. Notice to the public of the special meeting shall be provided by posting.

II. CONDUCT OF MEETINGS AND VOTING

A. The rules of parliamentary procedure set forth in Robert's Rules of Order, Newly Revised, shall govern the conduct of meetings of the Town Council, except where otherwise specified by these rules or otherwise mandated by state law. Any rule of parliamentary procedure may be suspended by a majority vote of the Council.

B. For any meeting, a majority of the members of the Council shall constitute a quorum.

C. The Mayor shall conduct the meetings and shall rule on interpretations of the rules of parliamentary procedure and these Bylaws. Any member of the Council may appeal from a decision of the Mayor interpreting the rules of parliamentary procedure or these Bylaws. Such an appeal requires a second and will be determined by majority vote. The Town Attorney shall advise the Mayor and the Council on parliamentary matters.

D. The Vice-Mayor shall preside over meetings of the Council in the absence of the Mayor. In the event that neither the Mayor nor Vice-Mayor of the Council should be in attendance at a meeting where a quorum is present, any member of the Council may call the meeting to order, and the members present shall elect a Mayor pro tempore to preside over the meeting until the Mayor or Vice-Mayor arrives.

E. Members of the Council must be recognized by the Mayor before proceeding to speak. After being recognized by the Mayor, a member of the Council shall not be interrupted during the time allowed for him to speak, except when a point of order is called or when being requested to yield the floor by another member.

F. All actions authorized by the Council shall be pursuant to a roll call vote which shall be taken by the Clerk of the Council. The Clerk shall call the name of each member and receive in reply the vote of such member as either "Yes" or "No" on the measure being considered. At the beginning of any meeting, the Clerk shall conduct a silent roll call of members present and absent. The order of voting shall be as called by the Clerk of the Council, with the Mayor voting last, as applicable. If there is an abstention, it shall be the responsibility of the Clerk to note the abstention for the record.

The Mayor may participate in the discussion but shall have no right to vote in the council except that in every case of a tie vote of the council.

G. Any question submitted to the Council shall be determined by the majority of the members voting on the question, except where the rules of parliamentary procedure or the requirements of state law specify a greater than majority vote. The Mayor shall put the question to the Council for a voice vote, unless otherwise provided by law. Any member of the Council present

at the time of a vote who wishes to abstain or otherwise not participate in the vote must affirmatively state prior to the Council's consideration of the matter or at the time the vote is taken. If it appears to the Mayor, upon the voice vote being taken, that the members of the Council are divided on any question, he or she shall request that the Clerk determine the vote of the individual members of the Council by roll call. At the conclusion of the vote on each motion, the Mayor shall announce whether the motion has been adopted or defeated.

H. A motion which has already been voted on may be brought back for further consideration through the adoption of a Motion to Reconsider, as provided in Robert's Rules of Order; however, the reconsideration may take place only during the same meeting at which the vote to be reconsidered was taken.

I. Neither a motion to reconsider nor a motion to rescind may be used in a land use decision involving a rezoning or a conditional use permit.

J. The Mayor shall order the removal of any person whose behavior is so unruly or disruptive as to prevent the orderly conduct of the meeting.

III. AGENDA

A. The agenda for regular meetings will generally include the following items:

- Pledge of Allegiance
- Call to order and establishment of Quorum
- Public Comment
- Member Comment
- Public hearings
- Staff Reports and Presentations
- Unfinished Business
- New business
- Informational Items
- Public Comment
- Member Comment
- Closed session (if necessary)
- Adjournment

The Clerk or Deputy Clerk shall prepare the agenda for the regularly scheduled meetings conforming to the order of business specified in section A, at the direction of the Town Manager. All items requested to be placed on the agenda that have not been submitted within the prescribed deadline set by the Town Manager shall be placed on the next regular agenda for consideration.

B. Variations from the standard agenda for regular meetings may be permitted by

a majority of the Council. Members must use discretion in requesting the addition of items to the agenda. It is considered desirable to have items listed on the published agenda. The Town Manager and Clerk shall establish the agenda for special meetings, workshops, and other meetings.

C. Matters may be placed on the Council agenda upon the request of any member of the Council to the Town Manager. The agenda and accompanying information shall be distributed to each member of Council and the Town Attorney on the Friday before the scheduled regular meeting. The Clerk of Council may request an adjustment to the delivery schedule due to special circumstances.

IV. PUBLIC COMMENTS

- A. The Mayor shall open Public Comment and explain the Public Comment policy prior to the commencement of the first public comment being received by the Council.
- B. Public comment is an opportunity for citizens to present comments and information to the Council regarding any matter within the scope of the Council's authority, which, in their opinion, deserves the attention of the Council. It shall NOT serve as a forum for debate with Council, nor is it intended to be a question-and-answer period or time of dialogue with Town officials. The Town Manager may follow up at the subsequent meeting with answers to public comment questions or directly with the commenter within a week of the meeting.
- C. The Mayor will call on each speaker who has signed the registration form in the order in which their name shall appear on the registration form. Additional speakers may address the Council after all others who had signed the registration form have had an opportunity to speak. A timer shall be used for keeping track of a Speaker's time. The Clerk shall be responsible for noting the expiration of time limits, and the Mayor shall be responsible for enforcing it.
- D. Each speaker shall be permitted to speak for up to three minutes. Notwithstanding the time limitations provided for herein, the Mayor may, at his or her sole discretion, allow any citizen to speak beyond the designated time limitation for a reasonable period of time in order to allow the speaker to conclude his or her remarks.
- E. Public comment shall be germane to policies, affairs, and services of the Town government.
- F. Speakers shall refrain from personal attacks.
- G. No person shall be permitted to "yield" or "donate" time to other speakers.

- H. There shall be no comment during public comment on a matter for which a public hearing is scheduled during the same meeting.
- I. There shall be no comment during Public Comment on a matter which has already been the subject of a previous public hearing where no final vote has been taken by the Council.
- J. Remarks shall be addressed directly to the Council and not to staff, the audience, or the media.
- K. Council members shall not discuss issues raised or questions raised by the public within the same meeting, except by consent of a majority of the council members present.
- L. Any issue raised by the public which the Council wishes to consider may be put on the agenda for the next Council meeting by a majority vote.
- M. The above rules notwithstanding, members of the public may present written comments to the Council or to individual Council members at any time during the meeting. Such written comments shall be submitted through the Clerk and shall become a part of the record.

V. APPROVAL OF MINUTES

A. Minutes taken during a previous Council meeting will be distributed to the members of the Council with the Council package for review prior to the meeting of the Council at which approval is requested. Any member of the Council may request an amendment or correction of the draft minutes. Minutes of prior Council meetings, including any amendments or corrections, must be approved by vote of the Council.

B. It is the policy of the Council that minutes shall be concise, enumerating the following items:

- i. Time, date, and place of the meeting and members of the Council in attendance. The Clerk shall record in the minutes the absence of any member of the Council from any portion of the meeting.
- ii. A concise statement of the matter before the Council.
- iii. The result of the vote, passage or failure, shall be noted and the vote of each member recorded.
- iv. Such other matters as the Clerk shall deem necessary to provide a complete, accurate, and understandable record of the deliberations of the Council.

C. Minutes of workshops and other meetings of the Council where no formal action is taken shall be summary in nature, indicating the time, date, and place of the meeting, members of the Council in attendance, persons making presentations before the Council, and the topic or topics of the workshop or discussion.

D. Audio recordings of Council meetings shall be made whenever the location and format of the meeting practically permit. The Office of the Town Manager shall retain the audio recordings in compliance with the Virginia Public Records Act.

VI. CONSENT AGENDA

A. The purpose of the consent agenda is to provide a method for the expeditious handling of items which, in the opinion of the Town Manager, will not require discussion and will be approved unanimously by the Council.

B. Prior to the consideration of a motion to approve the consent agenda, the Mayor shall ask if any member of the Council would like to have an item removed from the consent agenda for discussion, for further information, or in order that there might be a separate vote on that item.

C. Any item or items which one or more members of the Council wishes to remove from consent agenda shall be removed by the Mayor. Items which have been removed from the consent agenda may be taken up by the Council immediately after approval of the remaining consent agenda or may be scheduled for consideration later in the meeting by the Mayor.

VII. PUBLIC HEARINGS

Council will conduct public hearings on specific topics as required by law or as Council otherwise deems appropriate. The purpose of a public hearing is for Council to receive public comments on a specific topic. During a public hearing, each speaker must limit his or her comments to the specific application or matter for which the public hearing has been scheduled. No person may speak more than once during any public hearing.

A. Order of public hearings shall be:

- i. Staff presentation—limited to ten minutes or less;
- ii. Applicant's presentation (if any, in land use matters)—limited to ten minutes or less;
- iii. Open public hearing, receive public hearing comments;
- iv. Close public hearing - applicant & staff final comments; and
- v. Council discussion and action (if appropriate)

B. Time Per Speaker:

Each speaker shall be permitted to speak for up to three minutes. No person shall be permitted to “yield” or “donate” time to a speaker during a public hearing. The Mayor may, at his or her sole discretion, allow any citizen to speak beyond the designated time limitation to allow the speaker to conclude his or her remarks.

IX. COUNCIL COMMITTEES; COUNCIL APPOINTMENTS

The Council may have standing committees which shall consider items referred to it by the Mayor or the Council and report their findings and recommendations to the Council, as requested by the Mayor or the Council. Members of any Committee shall be selected by the Mayor and shall serve a term that ends on the last day of the calendar year.

X. REMOTE PARTICIPATION AND EMERGENCY MEETING POLICY

I. Remote Participation

- A. It is the policy of the Town Council that individual members may, with the approval of a quorum that is physically assembled, participate in meetings by electronic communications means as permitted by Virginia Code Section 2.2-3708.2. A Council member who seeks to participate electronically must notify the Mayor on or before the day of the meeting that:
 - i. The member has a temporary or permanent disability or other medical condition that prevents the member’s physical attendance;
 - ii. The member has a family member’s medical condition that requires the member to provide care for such family member, thereby preventing the member’s physical attendance or the member is a caregiver who must provide care for a person with a disability at the time the public meeting is being held thereby preventing the member's physical attendance;
 - iii. The member’s principal residence location more than 60 miles from the meeting location; or
 - iv. The member has a personal matter and identifies with specificity the nature of the personal matter.
- B. If the requesting member is unable to physically attend the meeting due to a personal matter, the requesting member must state with specificity the nature of the personal matter. Remote participation due to a personal matter is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.
- C. Arrangements must be made for the voice of the remotely participating member to be heard by all persons at the primary or central meeting location.

- D. For purposes of determining whether a quorum is physically assembled, an individual member of a public body who is a person with a disability as defined in § 51.5-40.1 and uses remote participation counts toward the quorum as if the individual was physically present

Process to approve or disapprove remote participation

- A. If the member is allowed to participate remotely due to a temporary or permanent disability or other medical condition, a family member's medical condition that requires the member to provide care to the family member, or because their principal residence is located more than 60 miles from the meeting location the Council shall record in its minutes: (1) the Council's approval of the member's remote participation; and (2) a general description of the remote location from which the member participated. The Remote location need not be open to the public.
- B. If the member is allowed to participate remotely due to a personal matter, such matter shall be cited in the minutes with specificity, as well as how many times the member has attended remotely due to a personal matter, and a general description of the remote location from which the member participated. The remote location need not be open to the public.
- C. If a member's participation from a remote location pursuant to this subsection is disapproved because such participation would violate this policy, such disapproval shall be recorded in the minutes with specificity.

Strict and Uniform Application

This policy shall be applied strictly and uniformly, without exception, to the entire membership, and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

II. Emergency Meetings Without Quorum Physically Assembled (Virginia Code §2.2-3708.2):

The Council may meet by electronic communication means without a quorum physically assembled at one location when the Governor has declared a state of emergency pursuant to Virginia Code Section 44-146.17 or the Town has declared a local state of emergency pursuant to Virginia Code Section 44-146.21, provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is provide for the continuity of operations of the Council or the discharge of the Council's lawful purposes, duties, and responsibilities.

In so convening a public meeting, the Council shall:

- A. Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body conducting the meeting;
- B. Make arrangements for public access to such meeting through electronic communication means, including videoconferencing (if already used by the Town); and
- C. Provide the public with the opportunity to comment at such when public comment is customarily received.

The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes.

XI. GENERAL OPERATING POLICY

A. Actions by Individual Members of Council. It shall be the policy of the Council that no member(s) shall exert individual action or direct any town employee or initiate any action or assert their individual preference(s) in a manner that would require a town employee to perform any action contrary to the laws, ordinances or policies of the Town of Bowling or which would require the expenditure of public funds in any amount without the approval of the Council. Further, no member of the Council shall seek nor accept more favorable treatment from town officers or employees than would be given to other members of the Council, nor attempt to influence the decisions or recommendations of town appointees, officers, or employees. Notwithstanding the foregoing, each Council member may, and is encouraged, to share information with town appointees, officers, and employees and to promote a positive working environment for all employees.

B. Numbering and Indexing of Resolutions, Ordinances, and Proclamations. It shall be the responsibility of the Clerk to number and index all resolutions, ordinances, and proclamations of the Council. Resolutions and proclamations shall be numbered consecutively and use the last two digits of the calendar year. For example, for the first resolution in January 2026, the resolution number would be shown as: Resolution No. 26-01.

X. AMENDMENTS

The Council will adopt the Bylaws annually at the Council's first meeting of the year. The Bylaws may be amended at any time by a majority vote of the entire Council.

Tina Gambill, Mayor

India Adams-Jacobs, Town Manager and
Clerk of the Town Council