

**THE CITY OF FREDERICK**  
**CITY COUNCIL**  
**RULES OF PROCEDURE**

**1.0. GENERAL.**

**1.1. Authority.** These Rules of Procedure (the "Rules") are established by the City Council of The City of Frederick (the "Council") pursuant to Art. II, § 11 of the Charter of the City of Frederick (the "Charter"), authorizing the Council to establish rules of procedure to govern the transaction of its business.

**1.2. Purpose.** These Rules are issued as a guide to assist the Council in the orderly and efficient conduct of all matters it considers in its exercise of the powers and duties set forth in the Maryland Code, the City Charter, and the Frederick City Code, 1966 (as amended).

**1.3. Time.** For purposes of these Rules, unless the context indicates otherwise, "days" means calendar days.

**2.0. OFFICERS AND MEMBERS.**

**2.1. Presiding officer.** The City Council President will preside over meetings of the Council and vote on all questions. In the absence of the City Council President, the City Council Vice President will preside at a meeting. The presiding officer retains the right to vote on any question.

**2.2. Attendance.** Each Council member has a duty to attend all meetings. The Council may compel the attendance of absent members in a manner and under penalties as provided by ordinance.

**3.0. OPEN MEETINGS.**

**3.1. Compliance with law.** All meetings of the Council will be held in compliance with applicable state and local law, including the Maryland Open Meetings Act, the Charter, and these Rules.

**3.2. Public notice.** In addition to any other forms of notice required by law, reasonable public notice of meetings and agendas will be given via the City's website. Any notice required under these Rules to be posted on the City's website may be made via the most contemporary forms of communication, such as through social media, in addition to the website posting.

**3.3. Location.** Generally, meetings will be held at City Hall, 101 North Court Street, Frederick. However, meetings may be held in the Municipal Office Annex, 140 West Patrick Street, Frederick, or other locations at the direction of the City Council President.

**4.0. REGULAR AND SPECIAL MEETINGS.**

**4.1. Schedule.** Generally, regular monthly meetings will be held on the first and third Thursdays of each month. However, a meeting may be scheduled on a different date to account for holidays or other such events.

**4.2. Agendas and order of business.** The City Clerk will prepare each meeting agenda and cause it to be delivered to each member of the Council at least 48 hours before a meeting. Unscheduled items not requiring public notice may be added to the agenda during the meeting if

they are presented in writing and their addition is approved by the majority of the Council members present. Discussion of such items will be recorded in the minutes. The presiding officer may change the order of the items before and during a meeting.

**4.3. Consent agenda.** The consent agenda may include items of a routine and non-controversial nature, as determined by the City Clerk. The consent agenda may include contracts for operating capital purchase items as long as the operating capital purchase item has been previously approved in the budget. The contract must reflect the quantity and type of item that was approved in the budget and may not exceed the dollar value approved in the budget.

**4.4. Special meetings.** Special meetings may be called as necessary by a majority of the City Council.

## **5.0. LEGISLATIVE STANDING COMMITTEES.**

**5.1. Purpose and formation.** Standing committees, as determined by the City Council President (or a majority of the City Council?) will workshop ordinances and propose amendments to legislation and policies. The Council President, in consultation with the Council Vice President and City Attorney, will assign legislation under Council consideration and City operations to the relevant committee for review and oversight.

**5.2. Committees.** Initially, the three standing committees will be Land Use and Community Development; Housing, Health, and Public Safety; and Government Operations. The Council Vice President shall serve as the chair of the Government Operations committee.

**5.3. Composition.** Each committee will be composed of three Council members appointed by the Council President, with a quorum established when two members are present. Council members not part of a particular committee may participate in meetings but may not vote. Council members may serve on up to two committees. The Council President may remove or reassign members, except for the Government Operations committee.

**5.4. Committee chairs.** The Council President will select the chair of each committee from its members to preside over meetings and formulate agendas in partnership with the Council President. The Council President may not serve as a committee chair.

**5.5. Duration.** Once formed, standing committees will continue until otherwise determined by a majority of the City Council.

## **6.0. SPECIAL COMMITTEES.**

**6.1. Purpose and formation.** The Council President, with the approval of the Council, may form special committees focused on emergent policy areas or community needs. Special 6.2. Except as otherwise provided in this section, special committees are subject to Rule 5.0 above.

**6.2. Duration.** Special committees expire at the end of a term. They may be reconstituted in a subsequent term in accordance with Rule 6.1.

## **7.0. CLOSED MEETINGS.**

Closed meetings will be held in accordance with the Open Meetings Act. The Council may not take final action on an ordinance, resolution, regulation, or policy in a closed meeting.

## **8.0. REMOTE ATTENDANCE.**

**8.1. Generally.** The City recognizes the benefits of the fullest practicable attendance and participation by its members. However, in limited instances, the business of the Council may benefit from a Council member's remote participation by means of audio or video conferencing ("remote attendance").

- (a)** Remote attendance by a member is considered an appearance towards a quorum.
- (b)** Remote attendance by members should be announced by the presiding officer and will be reflected in the meeting minutes.
- (c)** Council members attending remotely will participate and vote during the meeting as if they were physically present at the meeting. To ensure proper recording on a vote when a member is attending remotely, a roll call vote will be used. The Council member's vote must be audibly provided so that any participant may hear their vote. The presiding officer will confirm the vote.
- (d)** Council members appearing remotely shall comply with all applicable laws and procedures, including these Rules, as if they were physically present at the meeting.

**8.2. Nonemergency circumstances.** Under nonemergency circumstances, remote attendance is intended to be an alternative and relatively infrequently used method for participation by Council members. Remote attendance protocol and procedures under nonemergency circumstances are as described in this section.

- (a)** Generally, remote attendance is permitted at workshops, business meetings, regular meetings, special meetings, and closed meetings.
- (b)** In no event may a Council member attend remotely unless necessary equipment is available. "Necessary equipment" means any telephone or other device equipped with a speaker function capable of broadcasting the member's voice clearly and sufficiently enough to be heard by those in attendance at the meeting. The device must allow the Council member to pose and answer questions. To ensure necessary equipment is available, a Council member seeking to attend a meeting remotely must contact the City Clerk by 12 p.m. on the day of the meeting.

**8.3. Emergency circumstances.** One or more Council members may remotely attend a meeting (including workshop, regular meeting, special meeting, or closed session) via remote attendance under limited circumstances as set forth herein. There is no limit to the number of times a member may attend a meeting by remote attendance and no limit to the number of members who may participate by remote attendance in a meeting. Remote attendance may occur during emergency circumstances as described in this section.

- (a)** Remote attendance by one or more members is permitted, and may be required by the City Council President in lieu of in-person attendance, when action on an agenda item requires immediate action, remedy or discussion, and one or more of the following circumstances exists:

- (i) Due to public health emergency, natural disaster, or other local or state emergency, there is a pressing need for action by the Council to address the emergency; or
- (ii) There has been a national, state or City declaration of emergency issued.

**8.4. Quasi-judicial hearings.** Remote attendance is allowed during a quasi-judicial hearing, but only if the following requirements are met:

- (i) All members and individuals attending the hearing can hear the member speak;
- (ii) The member has already received, or is able to receive during the hearing, electronically or otherwise, all materials and documents presented in the hearing; and
- (iii) The member is able to view all exhibits identified and referred to during the hearing, regardless of whether or not admitted into evidence.

## **9.0. OFFICIALS' CONDUCT AT MEETINGS.**

During all meetings, Council members shall honor and adhere to the Code of Civility, which is attached hereto as Attachment 1. Failure to abide by the Code of Civility may result in censure of a member of the Council. Such censure must be approved by a unanimous vote of the remaining members of the Council and shall be read into the record at a public meeting of the Council.

## **10.0. DISCUSSION AND VOTING.**

**10.1. Parliamentary procedure.** The rules of parliamentary practice as contained in the latest edition of Robert's Rules of Order will govern the meetings of the Council in all cases to which they are applicable, provided that they are not in conflict with these Rules or any applicable law. A summary of the main types of motions and the most commonly used motions is attached hereto as Attachment 2.

**10.2. Presiding officer.** The presiding officer shall preserve order and decorum and shall decide all procedural questions and points of order, subject to reversal by a majority of the board members present.

**10.3. Quorum.** No action may be taken in the absence of a quorum. Except as otherwise provided by law, every ordinance, resolution, and official action must be approved by a majority of the members present and voting.

**10.4. Discussion.** Each Council member has an equal right to speak at all meetings but must be recognized by the presiding officer before speaking.

**10.5. Consent agenda.** The items on the consent agenda may be accepted by the consent of the Council by a single vote, unless any individual should request the item be removed for further discussion. Any item pulled for discussion will be considered by the Council after a vote on the consent agenda.

**10.6. Motions.** Only one subject will be before the Council at one time. Each item to be voted upon is proposed as a motion which requires a second before being put to a vote. Motions shall

be clear and concise and shall embody the intent of the maker. Once a motion is made and seconded, the presiding officer places the motion before the Council by restating the motion.

**10.7. Results.** Except as otherwise provided by law, questions put to a vote are decided by a majority of the members present and voting. A tie vote will be interpreted as a defeat of the motion upon which the vote was taken. Members' votes will be taken by hand or voice on each motion. The minutes will record the vote or abstention of each member.

## **11.0. PUBLIC CONDUCT.**

**11.1. Open Meetings Act.** The Open Meetings Act, § 3-303, requires public bodies to adopt and enforce reasonable rules regulating the conduct of persons attending its meetings and the videotaping, televising, photographing, broadcasting, or recording of its meetings.

**11.2. Public attendance.** At any open session of the Council, the general public is invited to attend and observe.

**11.3. Public participation.** Except in instances when the Council expressly invites public testimony, questions, comments, or other forms of public participation, or when public participation is otherwise authorized by law, no member of the public attending an open session may participate in the session.

**11.4. Time limits.** The presiding officer may establish reasonable time limits and registration requirements for speakers at meetings so that all may have an opportunity to be heard. Representatives of established organizations with an interest in the matter at hand may, at the invitation of one or more Council members, provide a presentation at a workshop or public hearing.

### **11.5. Recording.**

**(a)** A member of the public, including any representative of the news media, may record discussions of the Council at an open session by means of a tape recorder or any other recording device if the device does not create an excessive noise that disturbs members of the Council or other persons attending the session.

**(b)** The proceedings of the Council at an open session may be photographed, videotaped, broadcast, or televised by a member of the public, including any representative of the news media, by means of any type of camera, provided that the camera is operated without excessively bright artificial light or excessive noise that disturbs members of the Council or other persons attending the session.

**(c)** The presiding officer may restrict the movement of a person who is using a recording device, camera, or broadcasting or television equipment if such restriction is necessary to maintain the orderly conduct of the session.

**(d)** A recording of an open session made by a member of the public, or any transcript derived from such a recording, may not be deemed a part of the record of any proceeding of the Council.

**11.6. Disruptive conduct.** A person attending an open session of the Council may not engage in any conduct, including visual demonstrations such as the waving of placards, signs, or banners,

that disrupts the session or that interferes with the right of members of the public to attend and observe the session. The presiding officer may order any person who persists in such conduct or who violates any other regulation concerning the conduct of the open session to be removed from the session and may request police assistance to restore order. The presiding officer may recess the session while order is restored.

## **12.0. ORDINANCES.**

**12.1. Authority.** In accordance with the Maryland Code, Local Government Article, the Council may adopt ordinances to assure the good government of the City; protect and preserve the City's rights, property, and privileges; preserve peace and good order; secure persons and property from danger and destruction; and protect the health, comfort, and convenience of the residents of the City.

**12.2. Scope.** This section applies to all ordinances except for special ordinances to amend the budget and ordinances enacted pursuant to a quasi-judicial process. With respect to Land Management Code text amendments, this section applies except as otherwise provided by state or City law.

**12.3. Form.** All ordinances must be in writing. The Council will enact the same format and arrangement of words as the proposed ordinance will read when it becomes law.

**12.4. Format.** The page header of an ordinance will include its title, the date of its introduction to the Council, and the name of each Council member introducing the proposed ordinance. Any ordinance deemed to be an emergency ordinance for referendum purposes will be designated as such on the page header. Any ordinance amending an existing ordinance or part of the Code will set out the language to be repealed or amended, indicate language to be omitted by enclosing it in brackets or by strikeout type, and indicate new language by underscoring or italics.

**12.5. Filing.** Every ordinance to come before the Council for consideration should be filed with the City Clerk at least 21 days before the Council introduces the ordinance at a public meeting. The City Clerk will provide copies of an ordinance to Council members at least 10 days before that meeting. Any item not timely filed with the City Clerk by the time specified will be placed on the agenda only if a majority of the Council members present at the meeting vote to consider the ordinance at that meeting.

**12.6. Synopses.** Any ordinance synopsis required under this section will be written in plain language intended to fairly apprise the public of the purpose of the ordinance; the synopsis should be comprehensible at the fifth grade reading level.

**12.7. Presentation.** Prior to any debate or consideration of an ordinance, the title of the ordinance and a synopsis thereof must be read out by the individual introducing the ordinance or the presiding officer.

## **12.8. Introduction.**

**(a)** An ordinance may be introduced by one or more Council members at a regular or special meeting. The Council member introducing the ordinance will read it aloud. There will be no discussion or debate on the merits of the ordinance.

**(b)** Ordinances initiated by the Mayor or City staff will be introduced by the City Council President, unless another Council member wishes to introduce the ordinance.

**12.9. Public notice.** Within 5 days after the introduction of an ordinance, a copy of the ordinance, along with notice of the date, time, and place of next public meeting at which it will be considered, will be published on the City's website. The ordinance will remain on the website at least until it is enacted or removed from consideration.

**12.10. Referral to committee.** Following the introduction, the Council President may refer the ordinance to a standing or special committee for review and analysis.

**12.11. Committee review.** Once an ordinance is referred, the committee will conduct hearings to gather public input and, if relevant and desirable, expert testimony. The committee may propose amendments to the original ordinance. At the conclusion of its review, the committee will prepare a report, including its recommendations and any proposed amendments, and submit it for review by the full Council.

**12.12. Second reading.**

**(a)** Following committee review, the Council will consider an ordinance for a second time at a regular or special public meeting. Council members may debate the ordinance and propose further amendments.

**(b)** The Council may:

- (i)** Reject the ordinance from further consideration;
- (ii)** Defer further consideration and debate to a third and final meeting; or
- (iii)** Enact the ordinance, with or without amendments.

**12.13. Third reading.** The Council may consider an ordinance for a third and final time at a regular or special public meeting at least 7 days after the meeting at which it was previously discussed. The Council may:

- (i)** Reject the ordinance from further consideration; or
- (ii)** Enact the ordinance, with or without amendments.

**12.14. Emergency ordinances.** If an ordinance must be enacted and implemented immediately due to emergency circumstances, the ordinance will proceed in accordance with this section.

- (i)** By a unanimous vote, the Council may suspend the standard ordinance legislative process by declaring the specific circumstances as emergency circumstances.
- (ii)** Emergency ordinances may be passed in the same regular or special meeting at which they are introduced.

**12.15. Expiration.** An ordinance either rejected from consideration or for any other reason not enacted within 120 days after its introduction is void and may not be considered for one year after its introduction.

**12.16. Mayoral veto.** Within 10 days after the passage of an ordinance by the Council the City Clerk shall deliver the ordinance to the Mayor for approval or veto. If the Mayor takes no action to approve or veto the ordinance within 14 days after receipt, the ordinance shall be deemed approved as if the Mayor had approved it. If the Mayor approves the ordinance, it shall take effect in accordance with its effective date. If the Mayor vetoes the ordinance, the City Clerk shall return the ordinance, with the Mayor's written statement of the reasons for the veto, to the Council at the Council's next regular or special meeting. Within 30 days after its receipt of the vetoed ordinance, the Council may override the veto by an affirmative vote of two-thirds of the elected Council members.

**12.17. Effective date.** Except as otherwise provided by law or specified in the ordinance, an ordinance shall take effect immediately upon its approval by the Mayor or a successful vote by the Council to override a Mayoral veto.

**12.18. Publication.** Within 24 hours of passage, a copy of an ordinance, along with a short synopsis, will be published on the City's website or through contemporary communication methods.

## **13.0. RESOLUTIONS.**

**13.1. Scope.** This section applies to all resolutions. With respect to resolutions to amend the Charter, this section applies except as otherwise provided by state law.

**13.2. Form.** All resolutions must be in writing.

**13.3. Format.** The page header of a resolution will include its title, the date introduction to the Council, and the name of each Council member introducing the proposed resolution.

**13.4. Filing.** Every resolution to come before the Council for consideration should be filed with the City Clerk at least 21 days before the public meeting at which it is introduced. The City Clerk will provide copies of a resolution to Council members at least 10 days before that meeting. Any item not timely filed with the City Clerk by the time specified will be placed on the agenda only if a majority of the Council members present at the meeting vote to consider the resolution at that meeting.

**13.5. Introduction and passage.** A proposed resolution may be introduced by one or more Council members at a regular or special meeting. The Council may approve the resolution at that meeting, continue it to a specified future meeting, or decline to act on it.

**13.6. Mayoral veto.** Within 10 days after the passage of a resolution by the Council, the City Clerk shall deliver the resolution to the Mayor for approval or veto. If the Mayor takes no action to approve or veto the resolution within 14 days after receipt, the resolution shall be deemed approved as if the Mayor had approved it. If the Mayor approves the resolution, it shall take effect in accordance with its effective date. If the Mayor vetoes the resolution, the City Clerk shall return the resolution, with the Mayor's written statement of the reasons for the veto, to the Council at the Council's next regular or special meeting. Within 30 days after its receipt of the vetoed resolution, the Council may override the veto by an affirmative vote of two-thirds of the elected Council members.

**13.7. Effective date.** A resolution takes effect immediately upon its approval by the Mayor or a successful vote by the Council to override a Mayoral veto.

**13.7. Public posting.** Within 5 days after the passage of a resolution, a copy of the resolution, along with a short synopsis, will be published on the City's website.

#### **14.0. QUASI-JUDICIAL HEARINGS.**

**14.1. Scope.** This section applies to all quasi-judicial public hearings conducted by the Council pursuant to State law or the City Code. The remainder of these Rules also apply to quasi-judicial hearings, to the extent practicable. In the event of a conflict between this section and any other rule provided in these Rules, the provisions of this section shall control.

**14.2. Definition.** Quasi-judicial decisions arise in those situations where the decision maker must investigate facts, draw conclusions from those facts, and exercise some element of discretion in applying standards that previously have been set in the law to a specific situation. In a quasi-judicial hearing, there must be a deliberative fact-finding process with testimony and the weighing of evidence. Written findings of fact and conclusions of law explaining the reasons for the body's decision, expressed in terms of the statutory factors applying to the type of decision, are required. The fact-finding process generally entails the holding of a hearing, the receipt of factual and opinion testimony and forms of documentary evidence, and a particularized conclusion as to the application or other matter at issue. Judicial review will be based on the substantial evidence test; i.e., the Council's decisions should be upheld if reasoning minds could reasonably reach the conclusion from facts in the record.

**14.3. Order of presentation.** The hearing will generally be conducted in the following order:

- \* introduction of case by presiding officer
- \* presentation of case by staff
- \* presentation of case by applicant or agent
- \* testimony in support of or in opposition to application
- \* rebuttal by applicant or agent
- \* Council discussion and motion
- \* Council action.

#### **14.4. Swearing of witnesses.**

The presiding officer shall administer the following oath to all witnesses testifying in any quasi-judicial hearing:

"Do you solemnly swear or affirm that the responses given and statements made in this hearing will be the whole truth and nothing but the truth? If so, answer 'I do.'"

The oath may be administered *en masse* at the outset of the hearing to all prospective witnesses intending to testify on any case. Before giving testimony, each witness shall state his or her name and, if not previously sworn, shall so state. The oath will be administered individually to any witness who has not been sworn before that witness gives testimony. Any person refusing to be sworn will not be permitted to testify.

**14.5. Time limits.** The presiding officer may establish reasonable time limits and registration requirements for speakers at meetings, so that all may have an opportunity to be heard.

**14.6. Rules of evidence.** A hearing need not conform strictly to the rules of evidence or procedure that govern judicial proceedings. The Council will accept evidence with the goal of developing a full administrative record. The Council may consider any relevant evidence that assists in reaching a decision. Hearsay evidence, if relevant, may be accepted. The presiding officer may exclude from evidence any irrelevant, immaterial, or unduly repetitious material, and may otherwise conduct the hearing so that it proceeds in an orderly and fair manner. The presiding officer must rule on any objections to the admission of any evidence.

**14.7. Cross-examination.** Any person may request to cross-examine another speaker at the end of that speaker's testimony. A person wishing to cross-examine a speaker shall make the request prior to or immediately after the time that the speaker has concluded his or her testimony, and the failure to make such a timely request may be deemed a waiver of the right to cross-examine as determined by the presiding officer. The questions must not be preceded by any statements. Repetitious questions and examination on irrelevant matters will not be permitted.

**14.8. Questions.** Council members may ask questions at any time during the public hearing. If a Council member asks a question during an individual's testimony, any time spent responding to such questions will not count against the speaker's allotted time to testify.

**14.9. Record.** The Council will base its findings and decision on the record. The record will include the application, staff report, testimony presented during the public hearing and written comments presented at the hearing or received in accordance with this section, and any other testimony or evidence submitted prior to the closing of the record.

Lengthy written comments (hard copy or electronic) should be sent to the City Clerk at least three business days in advance of the hearing to ensure they are available to and considered by the Council and included in the record.

Any exhibit including, but not limited to, documents, models, or other demonstrative evidence presented at the public hearing must be assigned an exhibit number and marked and identified for the record by the City Clerk. Any exhibit introduced in the public hearing becomes a part of the record. The exhibit or an accurate representation of it must be given to the City for inclusion in the administrative record and becomes the property of the City and will not be returned.

Unless otherwise determined by the Council, the record will remain open until the Council orally votes to close the record or makes a final decision on the matter. If the Council closes the record by a duly adopted motion prior to the vote on the application, no additional evidence will be received except upon a vote of the Council for (1) good cause shown as to why the evidence was not presented while the record was open and (2) a showing that the evidence is material and relevant.

**14.10. Ex parte communications.** An ex parte communication is a communication regarding the subject hearing between a decision maker and a party or interested person that takes place without public notice and outside the record. Ex parte communications should be avoided in the context of a quasi-judicial hearing. Ex parte communications can be written or oral and can be by telephone call, personal contact, email, regular mail, or any other type of communication directed a single Council member or to some or all Council members. Council members should avoid telephone calls, emails and meetings with parties or interested persons. If a Council member receives unsolicited communications about a pending matter outside of the public hearing, the member must disclose and describe the communications at the earliest opportunity during the hearing on the matter.

**14.11. Postponement or continuation.** Any member of the Council may move to recess a hearing and continue it to another time. A motion to continue must be approved by a majority of the Council members present and voting. Any communication between elected officials, or between an elected official and City staff, that takes place between the end of the hearing and the beginning of the subsequent hearing, must be reduced to writing and made part of the public record. If the date, time, and place of a continued hearing is announced on the record, no further notice is required unless otherwise required by law.

## **15.0. RECORD.**

The City Clerk shall keep a record of the Council's proceedings and actions at all meetings. The record will include tape recordings and minutes and will be available for public inspection during ordinary business hours in the clerk's office and on the City's website. The minutes will be typed and distributed to Council members, and, once approved, will become part of the official record.

## **16.0 RECONSIDERATION.**

**16.1. Generally.** An applicant may request that the Council reconsider a final action by the Council within 10 days after the final decision on the matter. A request for reconsideration should state the reconsideration based on mistake, inadvertence, surprise, fraud, or other good cause. Failure to comply with this requirement may result in rejection, at the Chairman's discretion, of the request

**16.2. Initial hearing.** A request for reconsideration will be brought before the Council at the next public meeting. A motion to reconsider may be made only by a member of the Council who voted in the majority of the decision that is subject to the request for reconsideration. A decision to reconsider (a) does not require notice to the public or parties of record in any manner other than by publication on the City Council agenda, (b) may be taken without the appearance or testimony of the parties, and (c) is properly before the Council based only on the written request submitted.

**16.3. Hearing on the merits.** If the Council votes at the initial hearing to reconsider a matter, the City Clerk will schedule a public hearing as soon as practicable. At that hearing, the matter will be reconsidered on its merits in the same manner as the initial decision was made.

## **17.0. SUSPENSION AND AMENDMENT**

**17.1. Suspension of Rules.** Any provision of these Rules not governed by the City Charter or the City Code may be temporarily suspended by an affirmative vote of a majority of the Council members present. The vote of any such suspension shall be taken and entered upon the record.

**17.2. Amendment of Rules.** These Rules may be amended, or new rules adopted, by a majority vote of all members of the Council.

## **APPROVED BY THE CITY COUNCIL:**

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City Council President

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Date

**ROBERT'S RULES IN SHORT:  
A GUIDE TO RUNNING AN EFFECTIVE MEETING**

While groups sometimes proceed informally or by consensus, it is generally accepted that deliberative bodies operate much more effectively when they follow known rules of procedure. The Board of Aldermen's Rules of Procedure state that the rules of parliamentary practice as contained in the latest edition of Robert's Rules of Order will govern the meetings of the Board in all cases to which they are applicable, provided that they are not in conflict with the Rules or any applicable law.

Robert's Rules of Order (RR) were first established by General Henry M. Robert in 1876. The latest edition of RR is the 12th edition, released in September 2020. A complete copy of RR runs several hundred pages. Even abridged versions, which are quite useful, often run 200 pages. This guide will be much shorter.

RR defines the role of the chair, of members of the body, and establishes rules of procedure. These rules have been crafted and adjusted over the years to assist in effective meetings, and to balance carefully the rights of the majority to act and the rights of the minority to be heard, and in some cases, prevent action.

**Robert's Rules of Order / Common Motions**

This section will summarize some of the provisions of RR.

A. Proceed by Motion. The most basic element of RR is that matters come before the body by motion. A member makes a motion simply by saying "I move that" or "Move adoption of," or "Move referral of," or "I move to amend." It is not the form of the motion, but the substance of it which governs.

B. Role of the Chair. It is the obligation of the Chair to run an orderly meeting. Members of the body are not to speak until they have been recognized by the Chair. Except for a limited class of motions, a member may not interrupt another member when they have the floor. The Chair also rules on any votes and rules on any questions of proper procedure.

C. Types of Motions. Under RR, motions generally fall into one of four classes. These are:

1. The Main Motion: This is the matter that is before the body at that moment. Nearly all other motions bear some relation to the main motion.

2. Subsidiary Motions: These are a series of motions which propose to do something to or with the main motion. Examples include amendment, referral, laying on the table, calling the question. These motions are all subject to an order of precedence which will be discussed below. Note that what is the "main motion" for application of the rules of precedence may change during the course of consideration of a matter. For example, if the main motion is to adopt a resolution, and a member offers a subsidiary motion to amend the resolution, the proposal for amendment becomes the main motion for purposes of consideration of the order of precedence of other motions. That is, the motion to amend is subject to further amendment, referral, laying on the table, etc. It is only when that motion has been disposed of that the motion to adopt is then back before the body for consideration.

3. Incidental Motions: Incidental motions relate to the pending matter, but generally relate to it in a procedural way such that the incidental motion must be dealt with before the body may return to either the main or subsidiary motion before it. Incidental motions take precedence over whatever motion is before the body, and in some instances, may be made when the mover does not have the floor. Examples of incidental motions are a point of order or procedure, appeal of a ruling on a point of order or procedure, a point of information, call for a roll call (division of the assembly), or a suspension of the rules.

4. Privileged Motions: These are very few motions that take precedence over all other motions. They include motion to recess, question of privilege, and a motion to adjourn.

D. Common Motions. An almost limitless number of motions may be made. RR lists at least 84 potential motions. Also refer to the accompanying "cheat sheet" attached hereto.

1. Adjourn: To end the meeting. Not debatable.

2. Adoption: This is to adopt the matter before the body.

3. Amendment: To modify the main motion before the body.

4. Division of Assembly / Roll Call: A call for division is the same as calling for a roll call vote. Any member may do this and the motion need not be seconded; it is simply granted when asked for. It is not debatable.

5. Division of the Question / Separation: This is a request to have separate votes on different paragraphs or portions of the proposal before the body. It is not debatable but does require a second.

6. Lay on the Table / Take off the Table: This is a motion to temporarily defer consideration of a matter and then to ask that the matter be taken up again. It is often used, when, for some reason, a member of the assembly or some information necessary for consideration is temporarily unavailable. Motions to lay on the table or take off the table are not debatable. The motion is often made simply as a motion to "table." The motion should not be used if the intent is essentially to kill a proposal.

7. Place on File/Postpone Indefinitely: This is the equivalent of a motion to postpone or defer indefinitely. This is the motion to be used if the intent is to not adopt the matter before the Board, without explicitly voting it down.

8. Point of Information: This is an incidental motion in which a member of the assembly desires some information prior to proceeding to a vote on the matter before the body. It does not require a second and no vote is actually taken on the point of information. A member simply says "I rise to a point of information" or "Point of Information?" It is proper when another has the floor.

9. Point of Order or Procedure: This is another incidental motion and again is not subject to a second or a debate. It raises a question about the procedure being followed by the body. The ruling on the Point of Procedure is committed to the Chair of the body. If a member of the body disagrees with the ruling, they may appeal the ruling of the Chair to the full body. An appeal does require a second, and a majority of the body must disagree with the Chair's ruling for it to be reversed.

10. Point of Privilege: This is one of the privileged motions, and again does not require a second, nor is it debatable. This normally relates to some personal matter or something relating to the operation of the body, such as a room that is too hot, too cold, too loud, some confidential information which should not be discussed before the body, etc.

11. Previous Question: This is a motion requesting that the body immediately vote on whatever matter is otherwise before it; it cuts off debate and proceeds to an immediate vote. The motion can be made either by "calling the question", "moving the previous question," or simply stating "Question." The motion requires a second and is non-debatable and requires a two-thirds vote.

12. Recess. The motion asks that the body take a short break. The length of time of the recess should be established. This is a privileged motion, in that it takes precedence over almost all other pending motions. It requires a second, it is not debatable, and requires a majority vote.

13. Reconsideration: A motion for reconsideration asks that the body reconsider something it has already acted upon. It must be made either at the same meeting at which the matter was considered, or at the next succeeding meeting. Once made, the motion may be referred to a later meeting. A motion to reconsider may only be made by a member who voted on the winning side of the prior question. This normally will be a member in the majority, but if a matter fails because it does not reach the required majority, it may be that the motion for reconsideration may be made by a member who actually is less than a majority. For example, if a matter needing a 2/3 vote falls one vote short of 2/3, reconsideration may only be moved by a member of the minority. If the motion to reconsider is approved, the prior proposal is then again before the body.

14. Motion to Refer/Commit: This is a subsidiary motion which asks that a matter be referred to another body, or to another meeting of the same body. Called a motion to commit in RR.

E. Debate. Once a debatable motion is before the body, members of the body proceed to debate. In both the making of motions and in debating the motions, members should wait to be recognized by the Chair.

#### **Precedence of Motions**

Some common motions are listed in descending order of precedence, that is, a motion is not in order if it has a higher number than the pending matter.

#### **Undebatable Motions**

1. Adjourn
2. Recess
3. Question of Privilege
4. Lay on the Table
5. Previous Question
6. Limit or Extend Debate

#### **Debatable Motions**

7. Postpone to a Definite Time
8. Refer or Commit
9. Amend
10. Postpone Indefinitely / Place on File
11. Main Motion

Incidental Motions (e.g., Point of Order, Point of Information, Suspend the Rules)) normally take precedence over whatever matter is pending.

**Roberts Rules of Order – Simplified**

**Guiding Principle:**

Everyone has the right to participate in discussion if they wish, before anyone may speak a second time.

Everyone has the right to know what is going on at all times.

Only urgent matters may interrupt a speaker.

Only one thing (motion) can be discussed at a time.

A motion is the topic under discussion (e.g., "I move that we add a coffee break to this meeting"). After being recognized by the president of the board, any member can introduce a motion when no other motion is on the table. A motion requires a second to be considered. Each motion must be disposed of (passed, defeated, tabled, referred to committee, or postponed indefinitely).

**How to do things:**

**You want to bring up a new idea before the group.**

After recognition by the president of the board, present your motion. A second is required for the motion to go to the floor for discussion, or consideration.

**You want to change some of the wording in a motion under discussion.**

After recognition by the president of the board, move to amend by

- adding words,
- striking words or
- striking and inserting words.

**You like the idea of a motion being discussed, but you need to reword it beyond simple word changes.**

Move to substitute your motion for the original motion. If it is seconded, discussion will continue on both motions and eventually the body will vote on which motion they prefer.

**You want more time personally to study the proposal being discussed.**

Move to postpone to a definite time or date.

**You are tired of the current discussion.**

Move to limit debate to a set period of time or to a set number of speakers. Requires a 2/3rds vote.

**You have heard enough discussion.**

Move to close the debate. Requires a 2/3rds vote. Or move to previous question. This cuts off discussion and brings the assembly to a vote on the pending question only. Requires a 2/3rds vote.

**You want to postpone a motion until some later time.**

Move to table the motion. The motion may be taken from the table after 1 item of business has been conducted. If the motion is not taken from the table by the end of the next meeting, it is dead. To kill a motion at the time it is tabled requires a 2/3rds vote. A majority is required to table a motion without killing it.

**You believe the discussion has drifted away from the agenda and want to bring it back.**  
Call for orders of the day.

**You want to take a short break.**

Move to recess for a set period of time.

**You want to end the meeting.**

Move to adjourn.

**You are confused about a procedure being used and want clarification.**

Without recognition, call for "Point of Information" or "Point of Parliamentary Inquiry." The president of the board will ask you to state your question and will attempt to clarify the situation.

**You have changed your mind about something that was voted on earlier in the meeting for which you were on the winning side.**

Move to reconsider. If the majority agrees, the motion comes back on the floor as though the vote had not occurred.

You may INTERRUPT a speaker for these reasons only:  
to get information about business – point of information  
to get information about rules – parliamentary inquiry  
if you can't hear, safety reasons, comfort, etc. – question of privilege  
if you see a breach of the rules – point of order  
if you disagree with the president of the board's ruling – appeal

**CODE OF CIVILITY**

**Purpose:** The intent of this Civility Code is to encourage respect, politeness, and orderly behavior among City officials, staff, and the public during all interactions. It does not limit anyone's freedom of expression but encourages open and positive communication while discouraging language and actions that are intimidating, harassing, or obscene.

**The City of Frederick adopts the following Code of Civility principles for all persons participating in City business:**

**(1) Mutual Respect**

- (A)** Speak and act politely, respectfully, and reasonably. Refrain from personal attacks, name-calling, and profanity. Do not use physical gestures that are intended to demean or harass another.
- (B)** Be a positive role model in all discussions. Listen actively and address others in the discussion with respect.
- (C)** Be considerate of others' time. Use your allotted time effectively and respect time limitations.
- (D)** When disagreeing with others, focus on the merits of the issue and not the individual. Recognize that people may have different opinions.
- (E)** If your perspective does not prevail, be willing to discuss the outcome constructively. Describe others' positions the way you would like others to describe yours.
- (F)** Understand and respect that the staff's role is to provide objective information and expert opinion, even if your personal views differ.

**(2) Responsibility**

- (A)** Enhance democratic processes individually and collectively. Be informed and prepared for public meetings. Encourage others to be informed and involved.
- (B)** Communicate clearly. Explain your reasoning, interests, goals, and intentions transparently.
- (C)** Distinguish your opinions from facts. Ensure your statements of fact are accurate and verifiable.
- (D)** Approach new information with inquiry and good faith. Recognize the value of consensus and approach all discussions with the goal of finding common ground.
- (E)** Be accountable for your words and actions. Recognize and apologize if you fall short of this code's standards.