



THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL


No. 85

EFFECTIVE ~~APPROVED~~ February 26, 2006

RESOLVED, That the Rules Committee Amend "The Rules of the
Providence City Council", Approved April 3, 2003.

IN CITY COUNCIL
FEB 18 2006
READ AND PASSED

PRES.

CLERK

Effective without the
Mayor's Signature:


Anna M. Stetson
City Clerk

READ AND PASSED
IN CITY COUNCIL

CLERK

CLERK

IN CITY COUNCIL

DEC 15 2005

Referred to the
Rules Committee

Clare Bestorby
Clerk

THE COMMITTEE ON

Rules

Recommends

Amended as amended

February 1, 2006
CLERK

Council President Lombardi

RULES OF THE PROVIDENCE CITY COUNCIL

The following Rules are hereby adopted as the Rules of the City Council for the ensuing term 2003-2007 pursuant to the United States Constitution, the General Laws of the State of Rhode Island and the Providence Home Rule Charter.

RULE 1. PRESIDENT AND PRESIDENT PRO TEMPORE

(a) The President of the City Council and in his/her absence, the President Pro Tempore of the City Council, shall preside over all regular and special meetings of the City Council. In case of the absence of both the President and the President Pro Tempore, or the inability of both of them to discharge the duties of the office of President, or President Pro Tempore, the City Council shall, with the senior member in point of service presiding, elect one of its other members to perform such duties during the absence or disability of both President and Pro Tempore.

(b) The President and President Pro Tempore shall be sworn to their respective offices at its first meeting in the month of January next following a regular municipal election, or as soon thereafter as possible.

RULE 2. REGULAR MEETINGS

(a) The City Council shall hold regular meetings of the City Council in the Chamber of the City Council in the City Hall at seven-thirty (7:30) o'clock p.m. on the first and third Thursdays in each month excepting, however, in the months of July and August, and during the said months of July and August the City Council shall hold meetings at six ~~seven~~-thirty (7 6:30) o'clock p.m. on the first Thursday of said months.

(b) All meetings of the City Council shall be open to the public; but the City Council may, upon the affirmative votes of a majority of its members, authorize an executive session, which shall comply with the Rhode Island Open Meetings Law. If any regular meeting day shall fall on a legal holiday, the meeting shall be held on the day following or a day certain voted by the City Council.

(c) In case of emergency, including but not limited to inclement weather, the President of the City Council, on the day of a regular meeting, as soon as possible in his/her discretion, may cancel the meeting and shall reschedule the meeting to a date certain. In compliance with the Rhode Island Open Meetings Law and the Providence Home

Rule Charter, the City Clerk shall post notice of the cancellation and rescheduling. The City Clerk shall also immediately notify the members of the City Council and the Mayor by telephone, and shall notify print, radio and television outlets as soon as practicable.

RULE 3. SPECIAL MEETINGS

(a) Special meetings of the City Council shall be called by the City Clerk, or in his/her absence by one of his/her deputies thereunto duly authorized by said City Clerk or by said City Council, upon the signed written request, of the Mayor, the President of the City Council, or five members of the City Council.

(b) Notice of any special meeting shall be served personally on each member, or at least 48 hours notice thereof shall be given each member in any other manner prescribed by ordinance.

(c) At all special meetings called by the Mayor or the City Council through the City Clerk, as provided for in Section 406 of the Providence Home Rule Charter, the first order of business shall be the special business for which such meeting is called and no other business shall be acted upon.

RULE 4. CALL TO ORDER, QUORUM, DECORUM

(a) The President shall take the chair at the hour designated for the meeting of the City Council and shall promptly call the members to order.

(b) A majority of all members of the City Council shall constitute a quorum. A lesser number of members of the City Council than a quorum may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance.

(c) The President shall preserve decorum and order; he/she shall decide all questions of any points of order, subject to an immediate appeal to the City Council by any one member present. No other business shall be in order until the question on appeal shall have been decided by a majority of the members present. He/she may speak on points of order, in preference to other members and may speak on general questions as other members, but he/she shall take the floor to do so.

(d) The President may invite to regular meetings of the City Council, a member of the clergy for the purpose of offering an invocation at such regular meetings. In the absence of a member of the clergy, or spiritual leader, at such regular meetings, the President may

appoint a member of the City Council, the City Solicitor, or the City Clerk, to offer an invocation at such meetings.

(e) The President shall appoint, at each regular meeting of the City Council, one of its members, the City Solicitor, the City Clerk, or a guest, to lead the City Council in reciting the "Pledge of Allegiance to the flag of the United States of America".

(f) No member of the City Council shall be permitted to use profanity during meetings of the City Council. If a member does use profanity, the President of the City Council shall request said member to leave the Council Chamber.

(g) All members of the City Council shall attend each meeting wearing proper dress, unless the President of the City Council exempts said ruling.

(h) The President is authorized upon occasion, at his discretion, to direct the City Council to be at ease.

RULE 5. VOTING

(a) The President of the City Council shall clearly and succinctly state every question before the City Council as a whole.

(b) On all ordinances, resolutions and questions in relation to and involving the expenditure of city funds, the selling and leasing of city property and acting on the Mayor's veto, the vote shall be by roll call.

(c) The "yeas" and "nays" of the members of the council shall, at the request of one-fifth of those present be taken and entered on the records of said City Council. After a roll call vote has been ordered, said roll call shall not be interrupted, delayed or stopped by the President or any member of the council for any reason whatsoever, including points of order, personal privilege, or for a member to explain his/her vote. After the roll call, and before the President announces the result, any member may change his/her vote. All roll calls shall be taken alphabetically, except that the name of the President of the Council shall be called first. In case of a tie vote, the motion is not carried or passed. A motion to reconsider a vote shall only be made by a member on the prevailing side and may be seconded by any member. Adoption of the reconsideration shall be by a simple majority vote on the motion to reconsider. No motion shall be discussed or debated until it has been seconded. Any member may explain his/her vote during the discussion or debate of any

motion or question pending. Any motion may be withdrawn by the mover at any time before the taking of a vote thereon or before an amendment is made to such a motion.

RULE 6. DISCUSSION AND DEBATE

(a) At any meeting of the City Council, any member desiring to speak, shall address the President, and after his/her right to speak has been recognized, he/she shall not be interrupted while speaking, except by a call to order, or to yield to another member. He/she shall confine his/her remarks to the question under discussion or debate and shall avoid personalities. No member shall speak more than once on the same question, until all other members desiring to speak thereon shall have done so, and in no event, shall a member speak more than twice on any question. There shall be no conversation among members while a member is speaking, while a roll call is being taken, while any paper is being read or while a question or motion is being stated by the President.

(b) At any meeting of the City Council, upon the request of any member of the City Council, the chairperson, or in his or her absence, a member of any committee shall give a brief oral description of any item arising from said committee which has been placed on the docket of the City Council.

RULE 7. PERSONAL OPINION OR EXPRESSION

At any meeting of the City Council, any member desiring to speak on a matter of personal opinion regarding an item not appearing on the docket, shall address the President, and request a point of personal opinion or expression. After his/her right has been recognized, he/she shall speak no longer than five minutes. No member shall speak more than once on a point of personal opinion or expression at any meeting of the City Council. The order of business under Rule 13 (Reconsideration) shall prevail over any request of personal opinion or expression.

RULE 8. PUBLIC DISCUSSION AND DECORUM

No persons, other than the Mayor, members or former members of the City Council, current City Council staff, members of the department of City Clerk, members of the City Sergeant's office, members of the Department of Law and members of the press shall be allowed inside the rail and on the floor of the City Council, without receiving an invitation from the President, or from a member of the City Council through and with the approval of the President. On request of a majority of the members of the City Council, a department

head or any employee of the City of Providence shall appear before the City Council to answer questions of members and explain any matter. The President shall enforce order and decorum among persons outside the rail and any person addressing the City Council, by permission or by request, shall, while speaking, be subject to the same rules and shall be entitled to the same privileges or order as pertain to a member of the City Council; provided, however, that a member of the City Council may interrupt such speaker for the purpose of asking a question or of obtaining information.

RULE 9. THE ORDER OF PRECEDENCE ON MOTION SHALL BE AS FOLLOWS:

1. Fix the time to which to adjourn.
2. Adjourn.
3. Take a recess.
4. Raise a question of privilege.
5. Lay on the table.
6. Suspension of the rules.
7. Previous question.
8. Limit or extend limits of debate.
9. Postpone to a certain time.
10. Commit or refer.
11. Amend.
12. Postpone indefinitely.
13. A main motion.

The lowest in rank being at the last of the list, and the highest in rank being at the beginning of the list. When any one of them is immediately pending the motions before it on the said list are in order and shall be acted upon first, and those below are out of order.

RULE 10. THE FOLLOWING MOTIONS SHALL BE UNDEBATABLE:

1. Fix the time to which to adjourn.
2. Adjourn.
3. Take a recess.
4. Raise a question of privilege.
5. Lay on the table.
6. Suspension of the rules.
7. Previous question.
8. Limit or extend limits of debate.

RULE 11. THE FOLLOWING MOTIONS ONLY, CAN BE AMENDED:

1. Fix the time to which to adjourn.
2. Take a recess.
3. Postpone to a certain time.
4. Commit or refer.
5. Amend.
6. A main motion.

RULE 12. VOTES ON THE FOLLOWING MOTIONS CANNOT BE RECONSIDERED:

1. Adjourn.
2. Take a recess.
3. Lay on the table.
4. Take from the table.
5. Suspend the rules of order of business.
6. Reconsider, including the reconsideration of a resolution, ordinance or item of appropriation vetoed by the Mayor.

RULE 13. RECONSIDERATION

When a vote has been passed, it shall be in order for any member voting with the prevailing side to move reconsideration thereof, in accordance with the provisions of these rules, at the same meeting. The same ordinance, resolution, paper or vote shall come but once before the City Council for reconsideration. A motion for reconsideration may be seconded by any member and must be voted upon in the same meeting in which it was made.

RULE 14. THE ORDER OF BUSINESS AT EACH MEETING SHALL BE AS FOLLOWS:

1. ROLL CALL.
2. APPROVAL OF RECORDS.
3. EXECUTIVE COMMUNICATIONS -elections and approval of appointments.
4. SCHEDULE OF BILLS.
5. CONTINUED BUSINESS.
6. NEW BUSINESS -including ordinances, resolutions and reports from committees and heads of departments, and other miscellaneous business.

RULE 15. INTRODUCTION AND FORM OF ORDINANCES, RESOLUTIONS

Every ordinance, resolution, order, report or paper shall be in written or printed form on the proper form to be furnished by the City Clerk and shall bear the written signature or name in ink of the authorized person presenting same. The chairperson of committees, or the authorized person presenting same, shall sign for their respective committees.

RULE 16. DOCKET

(a) The City Clerk shall prepare and/or cause to be prepared for the information of the members of the City Council a docket on which there will be a definite statement or summary of all ordinances, resolutions, orders and other business to be considered at each meeting of the City Council and a copy of the docket shall be made available for public inspection at the department of City Clerk, during regular business office hours.

(b) The Mayor, members of the City Council, all committees of the City Council and heads of departments having ordinances, resolutions, orders, reports and other business to present to the City Council for consideration, shall file with the City Clerk, in his/her

department in proper form, said form to be original papers and not copies of said ordinances, resolutions, orders and other business, Thursday at 12:00 o'clock N. (holidays falling on a Monday, Docket Deadline will be on Wednesday at 12:00 o'clock N.) before each regular meeting of the City Council in order that the same may be prepared for the docket. No ordinance, resolution, order, report or other business shall be considered as having been introduced unless notice of same shall have been filed with the City Clerk as herein provided, and said ordinance, resolution, order, report or other business appears on the prepared docket, or unless the City Council, by a majority of those present, shall allow the introduction of such from the floor without it appearing on the printed docket.

(c) The City Clerk shall cause said docket to be delivered to each member of the City Council at his/her mailing address at least forty-eight (48) hours previous to each regular meeting of the City Council.

(d) The City Clerk shall not print any committee reports on the City Council docket which include any item that has not yet been voted on by that committee.

(e) The City Clerk shall prepare for each meeting of the City Council, one folder for each member, the City Council office, and the City Solicitor which shall include a docket and all copies of ordinances, resolutions, reports and other business appearing on said docket. Upon the request of a member, said folder as complete as practicable shall be available forty-eight (48) hours in advance.

RULE 17. ORDINANCES AND RESOLUTIONS - REFERENCE/PASSAGE

Every ordinance or resolution shall upon introduction be referred by the presiding officer of the council to the proper committee. The council, however, by a majority vote of its members present, may pass such ordinance or resolution immediately. Any ordinance immediately passed shall then be referred to the proper committee for further consideration. Every ordinance or resolution when read as provided in the Charter shall be passed or adopted by a majority of the members of the council then present. No ordinance shall be passed until it has been read on two separate days, and until at least forty-eight (48) hours shall have elapsed between such two readings provided, however, that the above requirements for a second reading may be dispensed with in the case of emergency ordinances by a vote of not less than three-fourths of all the members of the City Council. The first reading of an ordinance and the reading of all resolutions may be by title and

description unless otherwise ordered. The second reading of each ordinance shall be in full, unless a copy thereof shall have been furnished to each member of the council prior to such reading.

RULE 18. MAYOR'S VETO AND COUNCIL RECONSIDERATION

The City Council may reconsider any ordinance or resolution vetoed or disapproved, or any separate appropriation item or items vetoed or reduced by the Mayor; and, if after such reconsideration, two-thirds of all the members of the City Council shall vote in favor of passage thereof, it shall become effective notwithstanding the Mayor's action in regard thereto. Such vote must be taken by calling the roll of the members of the City Council and the "yeas" and "nays" of said members voting thereon shall be recorded in the Journal of Proceedings of said City Council. If a larger vote is required for the adoption of a measure by the provisions of the Providence Home Rule Charter, such larger vote shall be required to overcome the veto by the Mayor. The vote of reconsideration of each such vetoed ordinance, resolution or separate appropriation item or items shall be taken at the convenience of the City Council. If the ordinance or resolution or separate appropriation item or items is not passed over the Mayor's veto within thirty days from the date of the delivery thereof to the Mayor, or as herein before provided, the measure or items shall be lost or shall stand reduced, as the case may be.

RULE 19. ORDINANCES / RESOLUTIONS INVOLVING CITY PROPERTY AND ZONING

All ordinances and resolutions involving the purchase or acquisition of land, or the sale or leasing of city owned land, or the change of the zoning map shall be accompanied by a print or plan showing the location, area and other necessary details of the same and copies of such print or plan shall be furnished to each member of the City Council at the meeting at which such matter shall be acted upon. Such ordinances and resolutions shall also include the street and street number of the premises referred to therein and the plat and lot numbers.

RULE 20. STANDING COMMITTEES, SPECIAL COMMITTEES AND SUBCOMMITTEES

(a) There shall be quadrennially appointed, by the President of the City Council, immediately after the organization of the city government, the following standing committees of the City Council the members of which shall hold office on such committees

until the expiration of the period for which such members are elected to the City Council and until the expiration of the current municipal term; namely, a Committee on City Property; a Committee on Claims and Pending Suits; a Committee on Dr. Charles V. Chapin Memorial Award; a Committee on Finance; a Committee on Ordinances; a Committee on Public Works; and Committee on Urban Redevelopment, Renewal and Planning.

(b) Each of said standing committees shall consist of five (5) members of the City Council. Members who are of a political party or parties other than the majority party or independents may elect from their total number one member to serve on each standing committee of the City Council. Said members of said standing committees of the City Council shall be appointed by the President of the City Council; a list of members appointed to each committee shall be filed by the President with the City Clerk.

(c) All special committees shall be created by resolution and shall consist of members of the City Council and shall be appointed by the President of the City Council; a list of the members appointed to each special committee shall be filed by the President with the City Clerk. The term of all special committees shall expire upon the completion of the performance of its duties charged, a fixed date, or the expiration of the municipal term, whichever is earlier in time.

(d) All subcommittees shall consist of three (3) members of a standing committee of the City Council. The members of said subcommittee shall be appointed by the President of the City Council upon the request of any chairperson of any standing committee as the need arises in his/her discretion; a list of the members appointed to each subcommittee shall be filed by the President with the City Clerk. The term of all subcommittees shall expire upon the completion of the performance of its duties charged, a fixed date, or the expiration of the municipal term, whichever is earlier in time.

(e) All committees of the City Council, whether a standing, special, or subcommittee, shall have the power to elect its own chairperson and vice-chairperson, and in default of such election, the members first named on a committee shall be chairperson and vice-chairperson respectively thereof, and in case of their resignation or inability, the other members, in the order in which they are named, shall so act. The vice-chairperson shall act as chairperson in the absence of the chairperson.

(f) The chairperson of each committee shall promptly call the members to order at the hour designated for the meeting of the committee. A majority of the members of the committee shall constitute a quorum. In the event that no quorum is met within one-half hour (30 minutes) of the time called for the meeting, the meeting shall be postponed or canceled at the discretion of the chairperson.

(g) The City Clerk shall be the clerk of all committees of the City Council. He/she shall cause a record of all committee's proceedings to be kept in a suitable book provided by the city for that purpose. All committee meetings shall be called, for the transaction of committee business, by the respective chairperson of said committee by notice to the City Clerk who shall notify the members in writing. The City Clerk shall call a meeting of any committee when a majority of the members of said committee file a signed written request for such a meeting.

(h) All meetings of standing committees, special committees, and subcommittees of the City Council shall be open to the public, except that the members of each committee may, by majority vote, call an executive session of such committee meeting consistent with the Rhode Island Open Meetings Law. Notice of all committee meetings shall be posted at least forty-eight (48) hours in advance in the department of City Clerk.

(i) Members of the public shall be granted a right to be heard on any matter presently before a committee of the City Council, provided they will be regulated by the limitations of time, space and/or numbers of persons requested to be heard. The respective committee chairperson in his/her discretion may grant a right to be heard to any member of the public on any matter presently before a committee as provided herein.

RULE 21. DISCHARGE OF COMMITTEE

The City Council, by a majority vote of all its members, may discharge a committee from further consideration of any matter referred to said committee.

RULE 22. FORM OF ORDINANCES, RESOLUTIONS AND OTHER PAPERS SUBMITTED BY COMMITTEE

All ordinances, resolutions, reports and other papers submitted by a committee to the City Council shall be on proper form plainly legible on separate sheets of paper and shall be suitably endorsed by the chairperson of the committee; or the vice-chairperson, or if ordered, by the Clerk, presenting the same, and no other endorsement or report of any kind

shall be made on the ordinances, resolutions, reports, memorials, or other papers which may be referred to any committee, except such as may be made by the City Clerk. All reports shall be signed in ink by the chairperson of the committee making said report, unless otherwise ordered by the committee. Members of the committee may make a minority report to the City Council, which report must be signed by all members of the committee concurring in said minority report.

RULE 23. FINANCIAL LIMITATION OF CHAIRPERSONS

No chairperson of any committee of the City Council shall audit or approve any bill or accounts against the city for services or supplies unless the same shall have been ordered by the committee, nor shall he/she approve any bill or account except by vote of the committee.

RULE 24. COMMITTEE VACANCIES

From and after the time any member of any committee of the City Council, ceases to be a member of the City Council, he/she shall thereupon cease to be a member of such committee, and the vacancy on such committee so created shall be filled by appointment made by the President of the City Council. All vacancies on committees caused by death, resignation, or any other cause shall be filled by the President of the City Council.

RULE 25. RIGHT TO ATTEND COMMITTEE MEETINGS

The Mayor, and/or his designees and all the members of the City Council, shall have the right to attend all committee meetings and take part in any committee discussions and to inspect all committee reports and records.

RULE 26. NOTICE TO COUNCIL, COMMITTEE MEMBERS AND SPONSOR

(a) Notice of all committee meetings shall be mailed, and/or faxed, e-mailed to each and every member of the City Council by the Clerk at least forty-eight (48) hours in advance of said committee meetings. This notice shall include time, place, date, and agenda of all matters, to be considered at said committee meeting.

(b) The Councilmember who has sponsored any ordinance or resolution shall be invited to attend the meeting of any committee to which said ordinance or resolution has been referred when the same is to be considered.

RULE 27. STUDY COMMISSIONS

(a) The City Council may create a study commission by resolution which shall have a fixed purpose and charge. The term of all study commissions shall expire upon the completion of the performance of its duties charged, a fixed date or the expiration of the municipal term, whichever is earlier in time.

(b) Each study commission shall consist of no more than fifteen (15) members. Said study commission shall consist of at least three (3) members of the City Council and may include officers or employees of the city or state, and/or members of the public. All members of any study commission shall be appointed by the President of the City Council; a list of the members appointed to each study commission shall be filed with the City Clerk.

(c) Each study commission shall have a chairperson and vice-chairperson appointed by the President of the City Council. The vice-chairperson shall act as chairperson in the absence of the chairperson.

(d) Any and all reports from said study commissions shall be submitted to the City Council by filing said report with the City Clerk.

RULE 28. UNFINISHED BUSINESS

The City Council is a continuing body, and unfinished business pending before it shall not lapse or go down with the council term, but all pending business before the City Council, or any committee therein, as defined by Rule 20, Section (a), (Standing Committees, Special Committees and Subcommittees), at the termination of any council term, shall be considered as pending before the City Council of the next succeeding council term, or the corresponding committee thereof, and may be acted upon and disposed of by the council of such succeeding term in the same manner and with the same effect as if no change in such City Council had taken place by the expiration of a council term.

RULE 29. EFFECT OF ADOPTION - POWER TO AMEND, SUSPEND OR REPEAL

(a) Upon passage of said rules by a majority of the members of the City Council, said rules shall govern the City Council, as a whole, and all standing, special committees and subcommittees thereof.

(b) The foregoing rules shall not be altered, amended, suspended, or repealed at any time except by the vote of the majority of the members elected to the City Council.

(c) Pursuant to Section 407, of the Providence Home Rule Charter, in any case where an applicable rule has not been adopted, “Robert’s Rules of Order”, the United States Constitution, the General Laws of the State of Rhode Island and common law shall govern.