

BRIGHAM CITY CORPORATION
ORDINANCE NO. 11-37

A ORDINANCE OF THE CITY COUNCIL OF BRIGHAM CITY, UTAH
ADOPTING RULES OF ORDER AND PROCEDURE FOR COUNCIL
MEETINGS.

WHEREAS, Utah Code established rules of order and procedure to govern and prescribe in public meetings; and

WHEREAS, the Brigham City Council has previously adopted Chapter 2.03 of the City Code adopting requirements for a quorum, for calling a special meeting and setting days and time for City Council meeting; and

WHEREAS, the City Council desires to amend paragraph 2.03.040 of the Brigham City Code to establish parliamentary order and procedure, ethical behavior and civil discourse to be enforce at each meeting of the Brigham City Council.

NOW THEREFORE, be it ordained by the Brigham City Council that City Code Section 2.03.040 be deleted in its entirety and replaced with the attached Exhibit "A" regarding rules and conduct during City Council meetings.

Passed and adopted this 1st date of Dec 2011.



Dennis J. Fife, Mayor

ATTEST:


Mary Kate Christensen, MMC
City Recorder



EXHIBIT A

In accordance with Utah Code 10-3-606 as amended, the City hereby adopts the following rules of order and procedure to govern the meetings of the City Council.

1. Meeting Procedures. The City shall comply with all required procedures contained in the Utah Code as outlined in Section 2.3 of the City Code, as updated. All City Council meetings will be conducted in accordance with Roberts Rules of Order to the extent that it is understood. If any rule contained in Roberts rules of Order conflicts with any provision of these rules or Utah State law governing meeting procedures for the City Council, the City Council shall follow the provision of these rules or state law.

2. Public Comment. There shall be on every agenda of the City council an item entitled "Public Comment." The public comment portion of the meeting shall be limited to the public speaking to the council on any item listed or not listed on the agenda. Members of the public shall be free to express any idea, question or view point without limitation except for time and the manner of the presentation. Individual members of the public shall be limited to three (3) minutes time. The Chair of the meeting shall ensure that the public comment is civil and orderly. The Chair shall use its best efforts to allow the free expression of the public and keep the meeting in order. Councilmembers should not interrupt, argue with, or otherwise interfere with any comment by a member of the public. The Mayor and City Council may ask clarifying questions of the member of the public making a presentation and other members of the public may ask clarifying questions of the presenter at the discretion of the Chair.

3. Public Participation in Meeting. Other than at a required public hearing and the public comment portion of the meeting, members of the public shall not be allowed to participate in the meeting unless they are on the agenda or requested to present to the Council by the Chair of the Meeting or a member of the Council.

4. Councilmember Participation. At regular meetings of the City Council, Councilmembers shall speak only after being recognized by the Chair. Any member of the Council wishing to speak on any item on the agenda shall be recognized by the Mayor to do so. This recognition can be informal. No Councilmember shall interrupt another Councilmember. If the Chair feels that there has been sufficient discussion of an item and all Councilmembers have had an opportunity to speak, the Chair can call for a motion on the item. If no motion is received the item will be considered continued to allow further thought by the Councilmembers on the item. Councilmembers shall conduct themselves at all times with decorum and respect. They shall refrain from making any disparaging remarks concerning any other member of the governing body or the public.

Any meeting designated as a work meeting shall be more informal and Councilmembers may freely participate as long as proper decorum is maintained.

5. Chairing the Meeting. The Mayor shall chair the meeting in a manner to accomplish the following goals. The Mayor, as Chair, shall pace the meeting so that all items on the agenda should be addressed and either concluded or continued. The Mayor shall open and introduce an item on the agenda in order, unless the Mayor feels like there is a good reason to go out of order. The Mayor, as chair, shall ensure that the time limits on the public comment portion of the meeting are complied with. The Mayor, as chair, shall use his best efforts to see that Councilmembers and the public are treated at all times with respect and civility and that the meetings are orderly.

6. How the Vote is Taken. A roll call vote shall be recorded for all ordinances, resolutions, or any other item that a vote is requested. A roll call vote will be considered taken as long as the actual vote of each individual member is recorded. It is not necessary to have each individual Councilmember vote separately to be considered a roll call vote.

7. Quorum Defined and Minimum Vote Required. The number of Councilmembers necessary to constitute a quorum is three excluding the mayor. The minimum number of yes votes required to pass any ordinance or resolution, or to take any action by the council, unless otherwise prescribed by law, is three. The Mayor is only allowed to vote in accordance with state law such as a tie vote or on items concerning the Mayor's rights and privileges defined in the state law.

8. Reconsideration. Any action taken by the Council may not be reconsidered or rescinded at any special meeting unless the number of members of the Council present at the meeting is equal to or greater than the number of members present at the meeting when the action was approved or disapproved.

9. Meeting Adjournment. Meetings of the City Council, as a goal, shall be scheduled to end at or before 10:00 P.M. and the Mayor and City Council shall use their best efforts to conclude the meeting in a timely manner. However, no motion to extend the time of the meeting is necessary to be made. The meetings of the City Council shall not be adjourned until either all items listed on the agenda have been acted upon or a motion to adjourn is made and approved by a majority of the City Council.

10. Attendance at Council Meetings. The City Council may compel the attendance of its own members at its meetings and provide penalties it considers necessary for the failure to comply with an exercise of the authority to compel attendance.

11. Electronic Meetings Authorization and Requirements. In order to include members of the City Council through an electronic connection a request for an electronic meeting must be made by a member of the City Council up to three days prior to the meeting to allow arrangements for the electronic meeting to be made. A quorum of Councilmembers must be present at a single anchor location for the electronic meeting to be held. The City shall provide space and facilities at the anchor location so interested persons and the public may attend and monitor the open portions of the

meeting. If comments from the public will be accepted during the electronic meeting, facilities at the anchor location shall be provided so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting. The Council may restrict the number of separate connections for members of the Council that are allowed for an electronic meeting based on available equipment capability or establish other procedures, limitations, or conditions governing electronic meetings not in conflict with this section.

In order to participate in meetings electronically, Councilmembers shall establish and maintain their electronic connection for the entire Council Meeting including all work sessions or other scheduled items appearing on the meeting agenda. Small disconnections due to technical problems are allowed in order to meet the intent of this requirement.

If the City Council convenes or conducts an electronic meeting they shall give public notice of the meeting in accordance with State Statute and post written notice at the anchor location. The City Recorder shall provide notice of the electronic meeting to the Councilmembers at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes and a description of how the members will be connected to the electronic meeting.

The City Council may prohibit or limit electronic meetings based on budget, public policy, or logistical considerations.

CERTIFICATE OF POSTING ORDINANCE

I, the duly appointed and acting recorder for the City of Brigham, hereby certify that copies of the foregoing Ordinance No. 11-32 (or summary thereof) was published in the Box Elder News Journal on Dec 1, 2011 and posted in three public places within the municipality, which public places are:

1. Brigham City Library
2. Brigham City Senior Center
3. City Hall

Dated this 1st day of Dec, 2012.

MKCHRISTENSEN
Mary Kate Christensen
City Recorder