

RESOLUTION TO ADOPT RULES OF PROCEDURE FOR THE SMITHFIELD TOWN COUNCIL

- RESOLVED:** To establish Rules of Procedure for Town Council Meetings, as follows:
- SECTION 1.** The order of procedures herein contained shall govern deliberations and the conduct of meetings of the Town Council.
- SECTION 2.** Regular meetings of the Town Council shall be conducted on the first and third Tuesdays of each month. Meetings shall take place at the Smithfield Town Hall, unless the Town Council President designates a different location.
- SECTION 3.** Special meetings may be called at any time by the President of the Council or by three (3) or more members, subject to availability of a quorum and with notice to each member at least forty-eight (48) hours in advance (forty-eight (48) hours notice is waived in the case of an emergency).
- SECTION 4.** At all meetings of the Council, a majority of its members shall constitute a quorum for the transaction of business. Votes made at all meetings shall be recorded by the Clerk or Clerk Pro Tempore. No action of the Town Council, except for filling vacancies or compelling attendance of absent members in accordance with Sections 2.07 and 2.11 of the Charter, shall be valid or binding unless adopted by the affirmative vote of three (3) or more members of the Council.
- SECTION 5.** All meetings of the Council shall be presided over by the Council President, or in his or her absence, by the Council Vice President; in the absence of both, a President Pro Tempore may be appointed by the members in attendance at the meeting.
- SECTION 6.** The Town Clerk shall serve as the Clerk of the Town Council, or in his or her absence, the Deputy Clerk. In the absence of both, the Council shall appoint a Clerk Pro Tempore for the official recording of Council business at all meetings of the Council.
- SECTION 7.** The order of business at all meetings of the Council and for those special meetings open to the public, shall be as follows:
- (1) Call to order by the presiding officer;
 - (2) Prayer and Salute to the Flag;
 - (3) Emergency evacuation and health notification;
 - (4) Presentations;
 - (5) Consider approving minutes of previous meetings;
 - (6) Consideration of all items on the agenda;

- (7) Opening of meeting for comments from the public;
- (8) Adjournment

NOTE: (Public Hearings shall be held in the sequence in which they appear on the agenda unless a majority of the Council members in attendance at the meeting decide otherwise).

SECTION 8. No person, not a member of the Council, shall be allowed to address the same while in session without permission of the presiding officer. Public comment on any matter shall generally be limited in the discretion of the presiding officer to the comment period reserved for interested citizens and to the public discussion period on a particular agenda item, if one is authorized by the presiding officer. Speakers shall identify themselves by name and address.

SECTION 9. Motions made at any session shall be reduced to writing if so requested by any other Council member. Resolutions shall be reduced to writing in all cases and entered into the official minutes of the meetings kept by the Clerk of the Council.

SECTION 10. Motions to reconsider any matter previously resolved by vote shall be entertained only from a Council member who voted with the majority at the time of the initial decision at the next regular Council Meeting after appropriate notice of the motion to reconsider.

SECTION 11. The Clerk shall keep a correct record of all Council meetings, and, at the request of any Council member, on any vote taken shall record verbatim any dissenting opinion rendered.

SECTION 12. All questions of order shall be decided by the presiding officer. Any Council member may appeal such a procedural ruling to the full Council for a final ruling. All questions of procedure not provided for in these Rules shall be decided by reference to Robert's Rules of Order, Newly Revised.

SECTION 13. The presiding officer may, at his or her discretion, call upon any member to take the chair temporarily for the purpose of allowing said former presiding officer to make a motion on any issue.

SECTION 14. It shall be the duty of each Council member to vote on all matters put to the Council; except when a Council member has a personal or financial interest in the matter, whether direct or indirect, he or she shall recuse from such vote.

SECTION 15. All meetings of the Council, except those exempted by the open meetings law, shall be conducted publicly, and no ordinance, resolution, rule, regulation,

order, or directive shall be adopted at any session except a regular or special meeting that has been properly noticed.

SECTION 16. A motion to adjourn, or to recess for a stated period of time, shall always be in order and shall be entertained by the presiding officer.

SECTION 17. The rules and procedures of this Resolution may be altered, amended, or temporarily suspended by the affirmative vote of three (3) or more members of the Council.

SECTION 18. In order to conduct Town Council investigations and inquiries pursuant to Charter Section 2.09 or to compel the attendance of an absent Council member pursuant to Charter Section 2.11(c), the Council may authorize its President or Vice President to issue subpoena(s) commanding the presence of witness(es) or an absent Council member at any meeting of the Council. A Council member failing to comply with a duly authorized subpoena shall be subject to censure by a majority vote of the remaining Council members.

SECTION 19. The Town Manager shall forward the Council Meeting Agenda to all Council members by the Friday preceding a regular Council meeting for review.


SECTION 20. It shall be the duty of the presiding officer at any Council Meeting to:

- (1) Call the meeting to order;
- (2) Keep the meeting to its order of business;
- (3) Re-state each motion made and require a second to that motion before allowing discussion;
- (4) Control discussions to assure order by:
 - (a) Enforcing the provisions of this Resolution;
 - (b) Allowing all Council members wishing to speak the opportunity to do so, one at a time;
 - (c) Giving pro and con speakers alternating opportunities to speak, if feasible;
 - (d) Controlling public participation in accordance with Section 8 hereof;
 - (e) Requiring all speakers to maintain a civil, non-confrontational tone of voice and to direct their comments to the Council;
 - (f) Closing the discussion and putting the issue to a vote when it is clear the matter has been adequately addressed by all Council Members;
 - (g) Permitting audience participation when appropriate;
 - (h) Keeping discussions to the question or issue only;
 - (i) Suggesting, but not making, motions for recess or adjournment.

SECTION 21. An item may be placed on the agenda of a regular meeting of the Town Council provided such item is presented to the Town Manager, by a member of the Council, in writing, by 12 noon of the Thursday prior to the regular Council meeting.

SECTION 22. All proposed ordinances shall be in the form required by Charter Section 2.13(a), shall be approved as to form by the Town Solicitor prior to introduction, and shall be advertised in accordance with the Charter prior to the public hearing.

SECTION 23. All regular and special Town Council meetings shall adjourn no later than 11:00 P.M., unless the Council temporarily suspends this requirement for a particular meeting in accordance with Section 17 hereof.


Michael J. Flynn, Town Council President
December 7, 2010