

ORDINANCE No. 2020-05

AN ORDINANCE TO ADOPT COUNCIL RULES OF ORDER AND PROCEDURE

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF HARPERSVILLE, ALABAMA
THAT THE COUNCIL RULES OF ORDER AND PROCEDURE IN ALL INSTANCES FOR
MEETINGS OF THE COUNCIL SHALL BE AS FOLLOWS:

SECTION 1. The rules of order and procedure herein contained shall govern deliberations and meetings of the Town Council of Harpersville, Alabama.

SECTION 2. Regular meetings of the council shall be held on the following terms: the first and third Monday of each month except when a holiday falls on Monday, then the meeting will be rescheduled for a date and time deemed appropriate by the town council.

SECTION 3. Special meetings may be held at the call of the presiding officer by serving notice to each member of the council not less than 24 hours before the time set for such meetings; or special meetings may be held as provided by Section 11-43-50, Code of Alabama 1975, as amended, whenever two councilmembers or the mayor making the request shall have the right to call such meeting. Notice of all special meetings shall be posted on a bulletin board accessible to the public at least 24 hours prior to such meeting.

SECTION 4. A quorum shall be determined as provided by Section 11-43-48, Code of Alabama 1975, as amended.

SECTION 5. All regular meetings shall convene at 5:30 p.m. at Harpersville Town Hall, unless otherwise advertised, and all meetings, regular and special, shall be open to the public. The Mayor is given authority to approve all requests before they are placed on the council agenda. The council agenda is to be provided to the Mayor by 4:00 p.m. on Thursday prior to each meeting.

SECTION 6. The order of business shall be as follows:

- A. Call to Order
- B. Invocation
- C. Pledge of Allegiance
- D. Record of Attendance
- E. Consent Agenda

Reading and/or approval of the minutes of the previous meeting, adopting current agenda, and approval of non-controversial items pending action before the council.

- F. Approval of Invoice Report
- G. Department and Committee Reports
- H. Public Hearing
- I. Proclamations by the Mayor
- J. Request(s) to Address the Council

K. Old Business / Resolutions / Ordinances / Orders and Other Business
L. New Business / Resolutions / Ordinances / Orders and Other Business
M. Council and Public Comments
N. Public Announcements
O. Adjournment

Note: By general consent of the council, agenda items may be added, removed, or considered out of order.

SECTION 7. No member shall speak more than twice on the same subject without permission of the presiding officer.

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.

SECTION 9. Motions shall be reduced to writing when required by the presiding officer of the council or any member of the council. All resolutions, ordinances, and any other amendments thereto shall be in writing at the time of introductions.

SECTION 10. Motions to reconsider must be made by a member who voted with a majority and at the same or next succeeding meeting of the council.

SECTION 11. Whenever it shall be required by one or more members, the "ayes" and "noes" shall be recorded, and any members may call for a division on any question.

SECTION 12. All questions of order shall be decided by the presiding officer of the council, with the right to appeal to the council by any member.

SECTION 13. The presiding officer of the council may, at his or her discretion, call any member to take the chair, to allow him or her to address the council, make a motion, or discuss any other matter at issue.

SECTION 14. Motions to lay any matter on the table shall be first in order; and on all questions, the last amendment, the most distant day, and the largest sum shall be first put.

SECTION 15. All meetings of the council shall be open to the public, except when the council meets in executive session as authorized by Alabama state law.

SECTION 16. The council may meet in executive session only for those purposes authorized by state law. When a council member makes a motion to go into executive session for an enumerated purpose, the presiding officer shall put the motion to a vote. If the majority of the council votes in favor of the motion to go into executive session, the body shall then move into executive session to discuss the matter for which the executive session was called. No other action may be taken in an executive session. When the discussion has been completed, the council shall resume its deliberation in public.

SECTION 17. A motion for adjournment shall always be in order.

SECTION 18. The rules of the council may be amended in the same manner as any other ordinance of general and permanent operation.

SECTION 19. The rules of the council may be temporarily suspended by a vote of two thirds (2/3) of the members present.

SECTION 20. The chairman of each respective committee, or the councilmember acting for him or her, shall submit or make all reports to the council when so requested by the presiding officer or any member of the council.

SECTION 21. All ordinances, resolutions, or propositions submitted to the council which require the expenditures of money shall lie over until the next meeting; provided, that such ordinance, resolutions, or propositions may be considered earlier by unanimous consent of the council; and provided further, that this rule shall not apply to the current expenses of, or contracts previously made with, or regular salaries of officers, or wages of employees of the town.

SECTION 22. The clerk, engineer, attorney, chief of police, chief of fire, and such other officers or employees of the Town of Harpersville shall, when requested, attend all meetings of the council and remain in the council chambers for such length of time as the council may direct.

SECTION 23. No ordinance or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent is obtained for the immediate consideration of such ordinance or resolution, such consent shall be by roll call and the vote thereon spread over the minutes.

SECTION 24. Robert's Rules of Order is hereby adopted as the rules of procedures for this council in those situations that cannot be resolved by the rules set out in this ordinance.

SECTION 25. The Town Clerk/Treasurer is to provide a monthly financial report to the Mayor and/or council.

SECTION 26. This ordinance shall go into effect upon the passage and adoption by the Town Council of the Town of Harpersville, Alabama and posting as required by law.

SECTION 27. Any ordinance or resolution in conflict herewith, including Ordinance 2016-1107-1, Ordinance 2012-1105-1, Ordinance 2008-1103-1, Ordinance 04-1004, and Ordinance 96-102, is repealed as of the effective date of this Ordinance.

SECTION 28. The sections, subsections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid by a valid judgement of a court of competent jurisdiction, such judgment shall not affect the validity of any other section, subsection, paragraph, sentence, clause, or phrase of this Ordinance. The town council declares it is its intent it would not have enacted this Ordinance with such invalid or unconstitutional provisions.

THEREUPON Janet Gill, a councilmember, moved and Martin Dates, a councilmember, seconded the motion that adoption of said Ordinance 2020-05 be given vote.

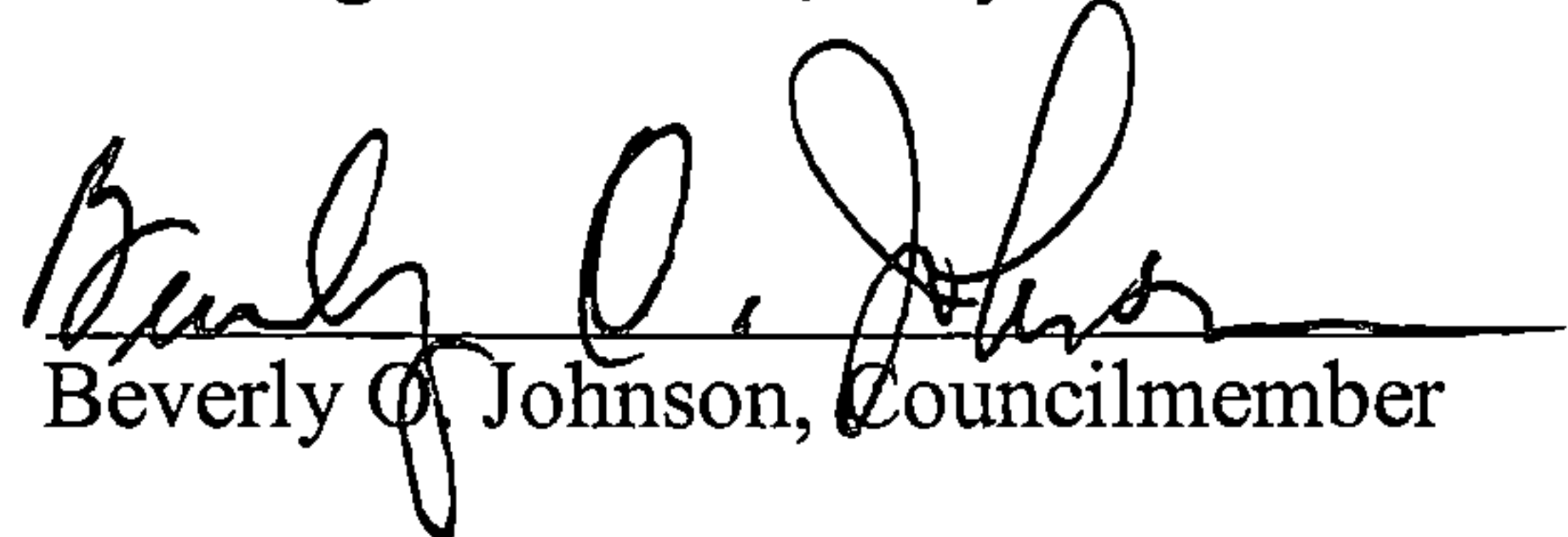
The roll call vote on said motion was recorded as follows:

Theoangelo Perkins, Mayor	<u>Yes</u>
Beverly O. Johnson, Councilmember	<u>Yes</u>
Martin Dates, Councilmember	<u>Yes</u>
Sheila K. Rich, Councilmember	<u>Yes</u>
William Carter, Councilmember	<u>Yes</u>
Janet Gill, Councilmember	<u>Yes</u>

Ordinance 2020-05 passed by a unanimous vote of those members of the council present and the mayor declared the same passed.

ADOPTED this 16th day of November 2020.


Theoangelo Perkins, Mayor

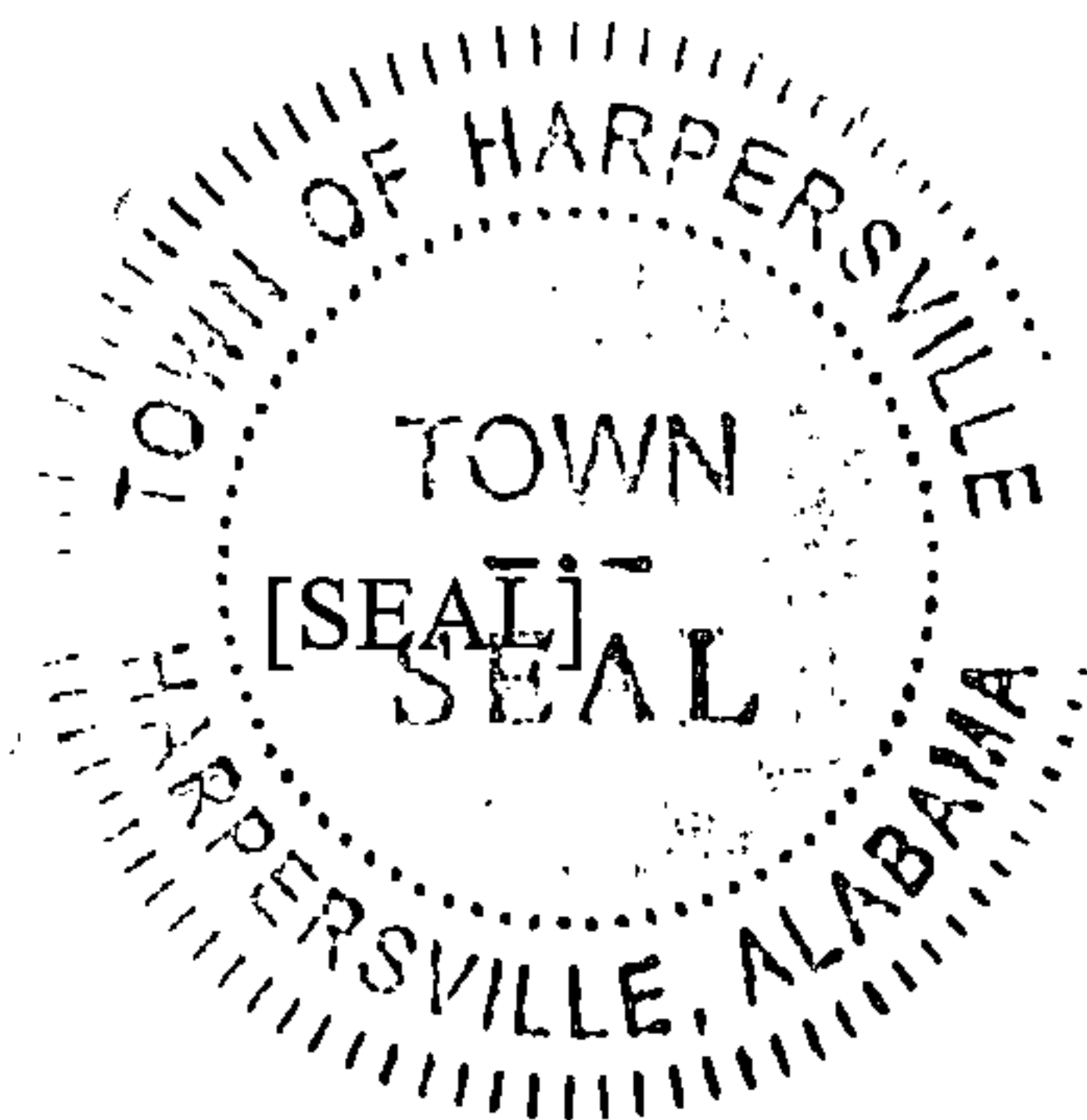

Beverly O. Johnson, Councilmember


Martin Dates, Councilmember


Sheila K. Rich, Councilmember


William Carter, Councilmember

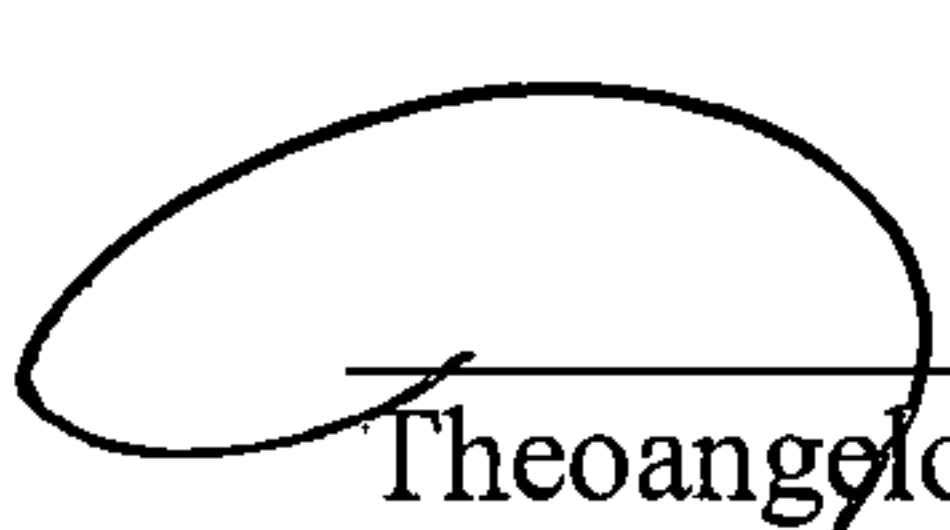

Janet Gill, Councilmember



ATTEST:


Jonathan Seale, Town Clerk/Treasurer

APPROVED:

 11-16-2020
Theoangelo Perkins, Mayor Date

POSTING AFFIDAVIT

I, the undersigned, Clerk of the Town Council of the Town of Harpersville, Alabama, do hereby certify that the above and foregoing ORDINANCE 2020-05 was duly ordained, adopted, and passed by the Town Council of the Town of Harpersville, Alabama at its regular meeting on the 16th day of November 2020 and duly published by posting an exact copy thereof on the 17th day of November 2020 at four public places within the Town, including Town Hall, Public Library, Community Center, and Post Office. I further certify that said Ordinance is on file in the Office of the Town Clerk/Treasurer and a copy of the full Ordinance may be obtained from the Office of the Town Clerk/Treasurer during normal business hours.


Jonathan Seale, Town Clerk/Treasurer

