

BOROUGH OF EAST PITTSBURGH
RULES OF ORDER

RULES FOR COUNCIL MEETINGS

1. The purpose of these rules is to organize the meeting, provide everyone with a fair opportunity to speak, and keep discussion on track, thereby making members' time more efficient. These rules are not to be used to confuse issues or cause members to be hampered by needless procedural questions. Should the rules create such confusion, the presiding officer may choose to ignore certain rules without majority objection to move the meeting along. At all times, the Borough Code shall supersede any rule stated here.
2. Council adopts Roberts Rules of Order (Robert's Rules of Order Newly Revised, 11th Edition) as its general guide for parliamentary procedure and bases the rules contained here on it. However, since Roberts Rules was drafted primarily for large assemblies rather than small legislative bodies like council and to allow proper functioning of council, council assumes that the rules contained here will take precedence over Roberts Rules and that Roberts Rules shall be referred to only when these rules do not address a particular procedural matter. Should the latter occur and Roberts Rules is unavailable or the research of a rule is time consuming, council may elect to determine a course of action at a given meeting by majority vote, thereby effectively amending these rules for that meeting only. The solicitor may serve as arbiter in the event of such an occurrence.
3. Council may temporarily dispense with any rule at any time provided all members present agree. Lack of objection by any member is sufficient to indicate agreement. However, a permanent change to any rule or permanent removal of a rule or procedure from these rules can only be made by a majority vote of council after a formal motion indicating the specific change to the rules is made and seconded.

REORGANIZATION MEETING

Borough Council is required to organize on the first Monday in January of the even-numbered year by law. If the first Monday is a holiday, then council meets the very next day, Tuesday.

The mayor presides over the meeting until both a president and vice president are elected and then hands the gavel to the president. In the absence of the mayor, the remaining members choose a member to preside.

1. Mayor can be sworn in by judge or notary public and shall present Notarized Affidavit of Residency and Certificate of Elections before they can be sworn in;
2. Presentation of Affidavits and the Certificate of Elections by newly-elected officials;
3. Oath of office for qualified council members;
4. Roll call by Secretary;
5. Pledge of Allegiance;
6. Nomination for and election of President of Council;
7. Nomination for and election of Vice President of Council;
8. Appointment of Vacancy Board Chair;
9. Appointment of Administrative Positions, which may include: Borough Manager, the Borough Solicitor, Borough Engineer; Building Inspector/Code Enforcement Officer, and Open Records Officer;
10. Reaffirmation of the Borough of East Pittsburgh Rules of Order;
11. New Business, if desired;
12. Adjournment.

AGENDA FOR REGULAR MEETINGS

1. Call to Order by the presiding officer.
2. Roll call of members by the secretary.
3. Pledge of Allegiance.
4. Listing of any additional agenda items not already included.
5. Items from the floor.
6. Borough engineer's report.
7. Approval of prior Meeting Minutes.
8. Standing Committee Reports:
 - a. Code Enforcement
 - b. Public Works
 - c. Police
 - d. Zoning Hearing Board
 - e. Planning Commission
 - f. Solicitor's Report
 - g. Mayor's Report
 - h. Manager's Report
 - i. Treasurer's Report
 - ii. Authorization to pay bills.
 - iii. Communications
9. Old Business
10. New Business
11. Adjournment

REGULAR AND SPECIAL MEETINGS

Regular (monthly) meetings shall be advertised one time no less than three days in advance of the first meeting of the year in a newspaper of general circulation under the Newspaper Advertising Act (45PaCSA 101).

Special meetings are meetings that arise during the year which council had not planned. A special meeting must be advertised one time no less than 24 hours in advance of the meeting in a newspaper of general circulation with the date and the reason for the meeting included in the advertisement under Section 1006 (2) of the Borough Code.

Minutes and public comments shall be taken at both meetings.

Anyone attending the meeting (whether the public or a council member) who wants to tape the session should inform council that he or she is taping the meeting.

QUORUM

According to Section 1006 (4) of the Borough Code a quorum is “a majority of council eligible to vote at a meeting.” The majority must be physically present.

There are provisions in the Borough Code such as 1005 (7) which requires a 2/3 vote to enact an ordinance to abolish the elected auditor positions and for the council to override the mayor’s veto the council must vote as a majority plus one [section.3301.3 (c) of the Borough Code].

And to establish or repeal the manager ordinance requires a vote of a majority of council elected to office [(Section 1141 (a)) of the Borough Code.

ROLL CALL

In general, The Borough of East Pittsburgh utilizes voice vote. If the vote is inconclusive then the president may call for a roll call vote.

EXECUTIVE SESSION

During a regular or special meeting, it may be necessary to adjourn into Executive Session for one of the five reasons in the Sunshine Law. Council must announce the reason for the executive session meeting prior to adjourning into the closed session. Council should also note if it intends to return to the open meeting or if the open meeting is adjourned.

COMMITTEE MEETINGS

Most boroughs establish committees of council to handle various duties. They meet to study a topic and make recommendations to the whole of council at a duly advertised public meeting.

The President has the authority to appoint council members to these committees without council's approval. Most borough committees consist of one less council member than a quorum so that most boroughs do not advertise its committee meetings. The President is an ex officio member of all committees and their presence at a committee meeting does count toward a quorum and must be advertised.

CALL TO ORDER

The Council President shall convene the meeting at the advertised date and time. The Council President shall call the meeting to order and the Secretary shall take roll call. In the absence of the President, the Vice President shall chair the meeting, and if the Vice President isn't present, but there's still a quorum of council, then the remaining council members elect a President Pro Tem who shall chair the meeting. (See Reorganization meeting).

In the absence of the borough secretary, a member of council may be asked to either operate the recorder or take minutes.

If the roll call shows that there's no quorum in attendance and council has waited 15 minutes for others to arrive and there's still no quorum, then the president adjourns the meeting to a future date.

PARTICIPATION BY TELECOMMUNICATION DEVICE

If council has adopted a resolution to allow this means of participation, once a quorum is physically present, then the council member may contact the council president at the advertised meeting time to use a telecommunication device to participate in the meeting. Everyone in the chamber should be able to hear the speaker and vice versa. This method will be used for those reasons approved under Section 1003 of the Borough Code. The council member participating by speakerphone cannot be counted to reach a quorum.

ADDRESSING THE CHAIR

PRESIDING OFFICER

1. The President will serve as presiding officer at each council meeting or, in their absence, the Vice President. In the absence of both officers, a President Pro Tem will serve. The presiding officer alone shall decide questions of order without debate, although two members of council may appeal and ask for an immediate vote on the decision.
2. The presiding officer may discuss all issues brought to the floor by other members but may not make a motion without relinquishing the chair to another officer or, if unavailable, other member of council for the duration of the discussion. The presiding officer is bound by the same rules for speaking on a motion as prescribed in these rules. The presiding officer may recommend that a motion be made by another member of Council without relinquishing the chair and, as presiding officer, may request that a motion be presented on a topic of discussion.
3. At all times, members shall direct comments to the presiding officer and shall address the presiding officer in order to be recognized before speaking.
4. The comments should deal with matters before council and council members should not hold side bars. No member should make personal comments.
5. These rules will be in effect for all regular and special meetings of council and for public hearings except that a committee chair may act as presiding officer during public hearings that arise from discussions at his/her committee.

MOTIONS

1. To make a motion, a council member must be recognized by the presiding officer either before his/her committee makes its report or when considering new or old business.

2. All motions must have a second before discussion on an item may commence. If there is no second, the motion fails for lack of a second and business moves forward. Motions that fail to obtain a second may not be immediately reconsidered unless another member makes the same motion.
3. Once seconded, the chair may restate it (or ask the person proposing the motion to restate it), rule it out of order, or call for debate or questions on the motion. Motions printed on the official agenda need not be restated.
4. Discussion is limited to the topic of the motion. All other comments are out of order. The presiding officer may establish time limits for the course of the discussion consistent with limits imposed on other motions unless otherwise stated in these rules.
5. Each member of council shall have the right to speak once until all members of council interested in speaking have been given the opportunity to do so.
6. The presiding officer shall allow the member making the motion the first opportunity to speak followed by the member who seconded the motion. The member making the motion is also entitled to speak last.
7. If the presiding officer calls twice for any further discussion without anyone wishing to speak, discussion is automatically closed (unless the member making the motion has a final statement) and the vote is taken.
8. Types of motions with order of precedence are listed in a table at the end of these rules. This table shall serve as the model for all motions and govern consideration and precedence of any motion. Should a type of motion be made that is not listed here, the presiding officer shall refer to Robert's Rules for a determination of its appropriateness.

If Roberts Rules is unavailable or if a search is time consuming in the estimation of the chair, the presiding officer may rule on the motion in this instance only. (Note: council may adjust these motions, eliminate the need for certain ones, etc. as it sees fit if they so stipulate in these rules)

9. A Motion or amendment may be withdrawn at any time before the vote by the person proposing it.
10. Motions re: ordinances, resolutions - The member making the motion to approve an ordinance shall announce the substance of the ordinance as part of his/her motion or, at the member's discretion, read the title of the ordinance as part of the motion. It is not required that the entire ordinance be read unless a majority of council deems it appropriate during the debate on the motion. The same procedure shall be followed by a member making a motion to approve an ordinance for advertisement.

11. A member making a motion to approve a resolution shall announce the substance of the resolution as part of his/her motion. It is not required that the entire resolution be read unless a majority of council deems it appropriate during the debate on the motion.
12. A motion that appears intended to distract council from resolving legitimate business may be objected to and ruled out of order by the presiding officer without debate. If the presiding officer fails to rule such motion out of order, a member may make an incidental motion (as defined in the accompanying chart) prior to debate to object to the consideration of a question. Such motion does not require a second, is not debatable or amendable and requires a two-thirds vote to block further consideration. Those voting in support of an objection to consideration of a question vote in the negative as the presiding officer should ask, "Will the question be considered?" If successful, the motion may not be considered again at that meeting without unanimous consent but may be considered again at a later meeting. Also, a motion to reconsider the vote on the objection may be made to allow consideration of the motion at the current meeting.

SPEAKING

1. When a member has the floor, no one should interrupt unless the President must announce a call to order. Another council member may make a point of order if the member who is speaking provides erroneous information or to clarify information.
2. Each council member is allowed five minutes (or whatever time limit council has adopted) to speak.
3. If two members speak at the same time, the President selects who will speak first.
4. No member shall interrupt the meeting unless it's a motion to adjourn, postpone a vote, make a motion to commit, or to offer any amendment.

RECONSIDERATION

The motion to reconsider enables a majority in an assembly, within a limited time and without notice, to bring back for further consideration of a motion which has already been voted on. The purpose of reconsidering a vote is to permit correction of a hasty, ill-advised, or erroneous action, or to consider added information or a changed situation that has developed since the taking of the vote."

A motion and a second to reconsider shall be made by two members on the prevailing side on the same day the original motion was made.

RESCIND

“The motion to rescind means the assembly can change an action previously taken or amended. The effect of rescind is to strike out an entire main motion, resolution, rule, bylaw, section or paragraph that has been adopted at some previous time.”

The motion can be made if there are no other motions on the floor, are out of order when another has the floor, must be seconded, are debatable, and require a majority vote. If the motion to rescind fails, then it cannot be renewed.

Roberts' Rules states three actions that cannot be reconsidered or rescinded. They are as follows:

1. When it has been moved to reconsider the vote on the main motion, and the question can be reached by calling up the motion to reconsider.
2. When motion has passed, due to the vote on the main motion, that is impossible to undo. (The unexecuted part of an order, however, can be rescinded or amended).
3. When a resignation has been acted upon, or a person has been appointed and they have been informed of the appointment (unless this person is not eligible to hold office).

PETITIONS

The name of any council member, citizen, or taxpayer who presented a petition, or a letter shall be entered into the minutes.

MOTION TO WITHDRAW

A motion to withdraw must be made by the same member who moved it, with the approval of the member who seconded the motion, and with majority approval.

VOTING

1. Voice votes may be taken on any matter at the discretion of the presiding officer except that roll call votes are required for any motion involving finances, contracts and agreements, the consideration of an ordinance, and the appointment of an employee or

of an individual to a board, office or committee. The presiding officer must publicly announce the results of any vote.

2. On minor motions or general procedural matters including approval of minutes from previous meetings and adjournment, the presiding officer may take a vote by simply and clearly stating, "Without objection, so ordered." Any member of council may dispute this ruling and ask for a voice or roll call vote on the motion by immediately requesting such a vote. Such request must occur prior to the consideration of the next item of business.

SUSPENSION OF THE RULES

A two-thirds vote of council is required to suspend, amend, or to repeal the rules.

SPECIAL MEETINGS

Special meetings may be called by the president of council or upon request of 1/3 members of council according to Section 1006 (2) of the Borough Code.

PUBLIC PARTICIPATION

Residents and taxpayers of the borough have the right to comment on matters before or matters of concern before council (Section 710.1 of the Sunshine Act) during the public participation segment during the public comment portion of all regular and special meetings.

If a resident needs a reasonable accommodation to attend the meeting then they should contact the Borough Secretary no later than three days' in advance so the borough can make the accommodation for them to attend the meeting.

1. The President shall review the rules of meeting decorum with council and the citizens and copies shall be provided in the chambers at every council meeting.
2. Residents and taxpayers of the borough wishing to address council must state their name and addresses for the record.
3. A resident of the borough or taxpayer of the borough has the right to address council via the President subject to any time limit established by council.

4. The President shall be the spokesperson for Council and they may ask questions to council members or may refer the question to a committee to research.
5. There shall be no interruptions when a member of the public has been granted the floor by the President of Council.
6. The President of Council cannot turn off the microphone or remove a citizen because they don't like comments about Council or the staff.
7. The President shall attempt to answer questions during the public comment period, however, if they need more information then they should note the question and tell the citizen that they will refer it to a committee and respond to the speaker at a future date.
8. If the meeting is running long and there's still a crowd who wants to speak then the President shall schedule a special meeting to take further comments per the Sunshine Act.

THE PRESIDENT OF COUNCIL

Section 1001 of the Borough Code requires the council to elect both a president and a vice president of council at the mandatory reorganization meeting on the first Monday in January of the even-numbered year. These officers serve at pleasure of council. This means a council member at any public meeting can make a motion to remove the President, the Vice President, or both provided there is a second and a majority vote then the action is taken however, the mayor does not preside at this meeting.

Under Section 10A08 of the Borough Code the president shall serve as acting mayor in the incapacity of the mayor and when doing so, votes as the mayor to break tie or split votes and not as a council member.

MINUTES

1. Minutes are taken to record the substance of each public meeting. They are not transcripts detailing what each person said but a summary of official actions. Tape recordings of each meeting may be made for the convenience of the secretary and are not considered the official record. Official copies of minutes are available after council has approved them at the regular meeting in the following month. Copies will be made after a written request is received and at a cost to cover the expense of doing so as established by the administrative staff. Citizens should allow a minimum of 2 business days for a request to be fulfilled unless otherwise required by law.

2. Following a voice vote, a member may specify that he/she wants to ensure that his/her vote is recorded as an aye or nay in the minutes. Otherwise, the minutes will simply state the results of the vote as determined by the chair.

GENERAL RULES FOR SPEAKING DURING A MEETING

1. Persons wishing to present petitions or speak before council must state their name and address for the record. Names of persons presenting at Council meetings will be recorded in the minutes.
2. All comments from the floor will be addressed to the presiding officer.
3. Persons speaking from the floor will have up to 5 minutes to address Council.
4. A group of people representing one interest will choose one spokesperson who will have no more than 10 minutes to address Council on behalf of the entire interest. The spokesperson may yield any remaining time to another member of the group.
5. The presiding officer has no obligation to respond to comments from the floor. The presiding officer, may, at their discretion, answer a question immediately, solicit a response from a council member or staff, answer it at a later time, or refer it to a committee for further research.
6. There shall be no debate permitted between members speaking from the floor.
7. No questions or comments will be taken from the public once the public session has concluded unless a new item of business that has not been previously advertised or noted prior to the public comment period.

SIMPLIFIED CHART OF MOTIONS

Motion	Purpose of Motion	Interrupt Speaker?	Second Needed?	Debat-able?	Amend-able?	Vote Needed?
PRIVILEGED MOTIONS: <i>Require immediate Action because they involve the rights of the group. No other motion may be considered until they are settled</i>						
I move we adjourn	To close the meeting	No	Yes	No	No	Majority
I move we recess until...	To recess a meeting	No	Yes	No	Yes	Majority
Point or question of privilege	To interrupt pending business due to a situation affecting comfort, convenience, integrity, rights or privileges of a meeting or an individual member; may also concern member or group's reputation or to present a motion of an urgent nature	Yes	No	No	No	Chair rules
MAIN MOTIONS: <i>Proposals for final action to be taken or to change a decision</i>						
I move that...	To introduce new business	No	Yes	Yes	Yes	Majority
I move we reconsider our action regarding...	To change a decision	No	Yes	Yes	No	2/3 Majority
	A motion to reconsider can only be made by an individual who voted with the majority on the initial decision. It in effect cancels the previous vote.					
SUBSIDIARY MOTIONS: <i>Used to dispose of or change main motions</i>						
I move we table the matter	To postpone temporarily (later may take from the table unless time for consideration is specified when tabled)	No	Yes	Yes (can go into main question)	No	Majority
I move the previous question	To close debate	No	Yes	No	No	2/3 Majority
I move debate on this motion be limited to...	To limit (or extend) the amount of time for debate	No	Yes	No	Yes	2/3 Majority
I move we postpone this matter until...	To delay action	No	Yes	Yes (only on motion)	Yes	Majority
I move we refer this matter to a committee	To study or take action	No	Yes	Yes	Yes	Majority

Motion	Purpose of Motion	Interrupt Speaker?	Second Needed?	Debat-able?	Amend-able?	Vote Needed?
I Move this motion be amended by...	To change or modify a motion	No	Yes	Yes	Yes	Majority
Motion to amend: is a motion to change, add words to, or omit words from an original motion and is used to clarify or improve the wording of the original motion. It must pertain to the original motion. An amendment can be amended by an amendment to the amendment but no further. If the original motion is debatable, the amendment is, too. However, debate must be limited to the amendment not the original motion. Amendments are voted on first, in reverse order and new amendments may be proposed once the original amendment has been disposed of. Once amendments have been voted on, debate returns to the original motion before voting. To speed business, an amendment that is friendly or pleasing to the proposer's motion (or amendment) may be immediately enacted and the original motion (amendment) changed immediately as if it had been originally proposed.						
I move this motion be postponed indefinitely ...	To reject a motion without actually voting on it	No	Yes	Yes (can go to the main question)	No	Majority
INCIDENTAL MOTIONS: Motions that arise during debate or other business of the meeting. Must be settled before returning to the business pending.						
Point of Order	To correct a procedural error	Yes	No	No	No	Chair rules
Point of Information	To request information (out of order if used to state an opinion or idea)	Yes	No	No	No	None
I appeal the chair's decision	To assert rights, used to appeal the chair's ruling on an issue	Yes	Yes	Yes	No	Majority
I raise a parliamentary inquiry	To raise a question of parliamentary procedure	Yes	No	No	No	Chair rules
I move to suspend the rules so that...	To permit council to take action when it is prevented from doing so by one or more of its rules.	No	Yes	No	No	2/3 majority
I object to the consideration of the question	To remove consideration of a motion that is undesirable or outrageous	Yes	No	No	No	2/3 majority