

THE CITY OF NEWPORT

RESOLUTION

OF THE
COUNCIL

NO.

RESOLVED: that the Council of the City of Newport hereby adopts the following Rules of the Council:

CITY OF NEWPORT, RHODE ISLAND
RULES OF THE COUNCIL

- A. The procedures of the Council are governed by the following provisions of the Charter of the City of Newport:

Sec. 2-17. ORGANIZATION OF COUNCIL. The Council shall meet on the first day of December following each regular election under this Charter and regularly thereafter at such times as the Council may determine, but not less frequently than once each month. Until the election of a Chair, the Presiding Officer shall be the City Clerk. Special meetings of the Council shall be held upon the written request to the Mayor by three members of the Council. All meetings of the Council shall be open to the public (as required by law) and the record of the proceedings shall be kept by the City Clerk and shall be open to public inspection. All votes for the approval and election of officers shall be by written ballot and all votes of the passage of resolutions shall be by roll call vote upon request of any member.

Meetings of the Council closed to the public pursuant to the Open Meetings Act, G.L.R.I. Chapter 42-46 shall be held at City Hall to ensure confidentiality of information discussed.

Sec. 2-18. QUORUM; PROCEDURE. A simple majority of all members of the Council shall constitute a quorum. All members of the Council present must vote on any question unless they recuse themselves on the question before the Council on ethical or other legal grounds.

The Council shall, from time to time, establish rules for its proceedings.

Sec. 2-19. ADJOURNMENT BY LESS THAN QUORUM; COMPELLING ATTENDANCE. If there is no quorum a majority of the members of the Council present may adjourn from time to time and be authorized to compel the attendance of absent members in such manner and under such penalties as may be prescribed by the rules of the Council.

Sec. 2-20. INTRODUCTION AND PASSAGE OF ORDINANCES AND RESOLUTIONS. Every ordinance and resolution shall be introduced only in written or printed form. No ordinance or resolution shall be so amended in its passage as to change its original purpose. Any ordinance adopting a budget or making appropriations shall be confined to the subject of the budget or the appropriations. No ordinance shall be acted upon until it has been read on two separate days, nor until at least forty-eight hours shall have elapsed between such two readings, except in the case of an emergency ordinance as hereinafter provided. The second reading of such ordinance shall be in full, unless a copy thereof has been furnished to each member of the Council prior to such reading. The enacting clause of all ordinances shall be, "Be It Ordained by the City of Newport."

Sec. 2-21. EMERGENCY MEASURES. An emergency ordinance to provide for the immediate preservation of public peace, property, health or safety, in which the emergency claimed is set forth and defined in a preamble thereto, may be passed without a second reading by an affirmative vote of at least five (5) members of the Council. No measure making or amending a grant, renewal or extension of a franchise or other special privilege shall be passed as an emergency measure. No situation shall be declared an emergency by the Council except as defined in this section and such definition shall be strictly construed.

Sec. 2-22. AUTHENTICATION AND PUBLICATION OF ORDINANCES AND RESOLUTIONS. Upon its final passage, each ordinance or resolution shall be authenticated by the signature of the City Clerk and shall be recorded in a book kept for that purpose.

Sec. 2-23. INSPECTION OF PROPOSED ORDINANCES AND RESOLUTIONS BY THE PUBLIC. After the introduction of any ordinance or resolution in the Council, the City

Clerk shall keep available for public inspection a copy of such proposed ordinance or resolution, together with all amendments thereto, which copy shall be a public record. For purposes of this section, "keep available for public inspection" shall include, but not be limited to, the posting of such ordinances or resolutions, with all amendments thereto, on the City's website.

- B. The proceedings of the council are further governed by the following rules, adopted pursuant to the provisions of the charter.
1. If a Council Member is recused on a vote because of a conflict of interest and there is to be substantial discussion on the issue, that member must leave the dais until the item is voted upon at the meeting. And further, until the item for which the council member has been recused is closed, said member cannot participate in discussion with other members of the council or lobby others either for or against the issue.

DUTIES OF THE CHAIR

2. Upon election of the chair, the chair shall call for the election by the council of a Vice-chair.
3. The chair of the council shall take the chair at the appointed hour of each regular and special meeting and shall call the council to order.
4. Immediately after the chair calls the council to order, the clerk of the council shall record the roll of the members present.
5. The chair shall preserve order and decorum. The chair may speak as other members on all questions. The chair shall decide all questions of order subject to appeal to the council. On every appeal the chair shall have the right in the chair's place to assign reasons for the chair's decision. A majority vote of those present shall be required to overrule the chair.
6. The chair shall propound all questions in the order in which they are moved.
7. All matters coming before the council shall be decided by a simple majority vote, except where otherwise provided in the City Charter.

8. The vice-chair shall preside over the sessions of the council during the absence of the chair from the chair of the council.

ON DEBATE

9. When any member is about to speak in debate or to deliver any matter to the council, such member shall respectfully address themselves to "Mr. Chair" or "Madam Chair," and shall not proceed until recognized by the chair.
10. When a motion is made and seconded, it shall be stated by the chair, or be in writing before debate whenever the chair or any member shall so request.
11. A question that is susceptible of division shall, at the request of any member, be divided and put separately upon the propositions of which it is compounded, but a motion to strike out and substitute shall not be divided.
12. Any resolution of more than one section shall be passed upon section by section at the request of any member.
13. No motion or proposition of the subject different from that under consideration shall be admitted under color of amendment.
14. When a question is under debate, no motion shall be received except to adjourn, to lay on the table (which motions shall be decided without debate), to postpone consideration either definitely or indefinitely, "the previous question," to commit, or to amend, which several questions shall have precedence in the order in which they are here arranged.

The council may adjourn to a day certain, or to the call of the Chair, or may recess to a certain hour, or to a certain day and hour, or to the call of the Chair.

15. The chair, while occupying the Chair, may make or second any motion.
16. After a roll call vote has been ordered, there shall be no debate whatsoever, but a member may explain the member's vote.

17. A motion to reconsider a motion that has passed or failed is in order if made at the same meeting or at the next regular council meeting, but must be made by one who voted with the majority.
18. Any person not a member of the council desiring to address a subject under consideration by the council may do so upon being recognized by the chair and for a period not to exceed five (5) minutes.

MISCELLANEOUS

19. Regular meetings of the council shall be held on the second and fourth Wednesdays of each month at 6:30 p.m., or at such other hour as the council may designate, and if any such date shall occur on a legal or major religious holiday, the meeting for that week shall be held on the day following, or on such date as the council may determine at the previous meeting. Requests for special meetings shall be filed with the city clerk.
20. There shall be a period at the beginning of each regularly scheduled council meeting, known as the Citizen's Forum, to allow citizens to address issues related to substantive city business; said issues shall not include matters to be considered or discussed as part of the regular council agenda.

No comments regarding personnel or job performance are allowed. The entire Citizen's Forum period shall be no longer than fifteen minutes and citizens may address the Council on one subject only and for no longer than three minutes. Citizens shall complete a written request to speak, noting the subject to be addressed during the public forum, and submit that form to the city clerk prior to the start of the meeting. (Resolution No. 2004-41)

21. All ordinances and resolutions to be acted upon by the council must be introduced by one member of the council or by the city clerk in the city clerk's official capacity. A resolution to be introduced by a member of the council that might potentially impact city resources and staffing shall be submitted to the city manager for evaluation and a report at the time the resolution is before the council for consideration. No resolution, ordinance, report, communication,

claim, etc., shall be acted upon at any regular meeting of the council unless the same shall have been filed in full with the city clerk at or before 4:30 p.m. on the Tuesday in the week preceding the week of the regular council meeting. The city clerk shall, on the Wednesday preceding each regular meeting of the council, prepare a docket of all matters filed on time with the city clerk, and shall send to each member of the council a copy of the docket and copies of all ordinances, resolutions, reports, claims, communications, etc.

22. The council may, from time to time, elect such standing committees or temporary committees as it shall deem necessary for the orderly conduct of its business.
 23. Robert's Rules of Order shall govern the council in all cases to which they are applicable and in which they are not inconsistent with these rules.
 24. The council shall keep written minutes of all meetings. Such minutes shall include, but need not be limited to:
 1. The date, time and place of the meeting.
 2. The members of the council recorded as either present or absent.
 3. A record by individual members of any votes taken.
 4. Any other information relevant to the business of the council that any member of the council requests be included or reflected in the minutes.
 25. Any of these rules may be suspended temporarily by a vote of a majority of those present, but no rules shall be repealed or amended except by a vote of the majority after notice is given at a previous meeting.
- C. A record of all votes taken at all meetings of the council listing how each member voted on each issue shall be a public record and shall be available within two (2) weeks of the date of such vote. The minutes shall be public records and unofficial minutes shall be available within thirty-five (35) days of the meeting or at the

next regularly scheduled meeting, whichever is earlier, except where such disclosure would be inconsistent with R.I.G.L. 42-46-4 and R.I.G.L. 42-46-5, or where the council, by majority vote, extends the time period for the filing of said minutes and publicly states the reason.

- D. The minutes of a closed session shall be made available at the next regularly scheduled meeting unless the majority of the council votes to keep said minutes closed pursuant to R.I.G.L.42-46-4 and R.I.G.L.42-46-5.
- E. The nominations of people for appointment to all city boards and commissions, and other bodies as determined by the council, shall be made by the chair and be subject to a majority vote of the council. Applicants to the Planning Board, Zoning Board of Review, Historic District Commission, Waterfront Commission, and the Trust and Investment Commission shall be interviewed by a majority of the council in open session, who will make appointment recommendations to the chair. Nominations to other boards and commissions and other bodies shall be made by the chair without interviews, unless interviews are requested by a member of the council.
- F. Members of the City Council may be appointed as members of or liaison to various community, civic, municipal, and governmental bodies. Nominations will be made by the chair and will be subject to a majority vote of the council. Councilors appointed as members of such bodies are not considered as voting members of that body and should refrain from making motions or voting on matters that come before the body.

STANDARDS FOR PROFESSIONAL CONDUCT FOR
NEWPORT CITY COUNCIL MEMBERS

City Council members are entrusted with the obligation to determine the policy of the City and should exercise all the powers of the City Council consistent with the Charter and the Laws and Constitution of the State. To meet that responsibility and to ensure the City's business is conducted fairly and efficiently, members must conduct themselves at all times in a courteous, civil and professional manner. Conduct that may be characterized as uncivil, abrasive, hostile or obstructive impedes the proper function of City business.

A member's conduct should at all times be characterized by personal courtesy, professional integrity, and patience toward all participants.

Civility and professionalism are hallmarks of a member's dedication to public service. Voluntary adherence is expected as part of this commitment by all members.

In furthering these stated goals:

1. All members are expected to conduct themselves according to the highest standards of courtesy and professionalism and owe each other, and anyone appearing before them, respect, diligence, and protection against unjust and improper criticism or attacks.
2. All public interactions shall be conducted with regard for the best interests of the City, City employees, and citizens of the City.
3. It is expected that anyone appearing before the members also will conduct themselves with courtesy and respect and not engage in improper criticism or attack of members or staff.
4. The City Council Chair is charged with preserving order and decorum and, in the event a member or anyone appearing before the Council engages in behavior contrary to these policies and goals, the Chair, or any Councilor, shall call attention to the offending behavior, request that it be stopped immediately and continue on with proper discussion by strict adherence to these rules.
5. There shall be no texting via cell phone or other electronic device on the dais when the meeting has come to order.

H. These rules shall take effect upon their passage.

IN COUNCIL
READ AND PASSED

LAURA C. SWISTAK, CMC
CITY CLERK