

**RULES OF THE BOARD OF ALDERMEN, ~~ADOPTED JUNE 14,~~
2012 PROPOSED 1/10/13**

Meetings

Rule 1. Regular meetings of the board shall be held on the second and fourth Thursday evenings of each month at seven o'clock except when the Thursday falls on a holiday, in which case the meeting shall be held on the preceding Tuesday evening at seven o'clock. Special meetings of the board may be convened by the mayor, by the president of the board, or by six members at any time upon such notification as the General Laws may provide.

Rule 2. The seats of the members of the board shall be numbered and assigned by drawing the names of the members and the numbers of the seats simultaneously, annually, at the first meeting of the board. The president and vice president shall sit in the last two seats, respectively.

Rule 3. The city clerk shall prepare the agenda for a meeting, post it, and distribute it to all members in accordance with MGL c. 30A §§ 18-25 as amended, with regulations promulgated thereunder, hereinafter called the open meeting law. Any matter submitted by a non-member shall only appear on the agenda if it is in the hands of the city clerk by the close of business four workdays before the meeting (Friday for a regular Thursday meeting). Any matter submitted by a member shall only appear on the agenda if it is in the hands of the city clerk by the close of business three workdays before the meeting (Monday for a regular Thursday meeting). Any item submitted after these times but by the close of business one workday before the meeting (Wednesday for a regular Thursday meeting) shall be added to the agenda as a supplemental item, subject to the requirements of the open meeting law. The agenda and supplement shall be made available to all members of the board by 3 PM on the day of the meeting. Any additional item not included in the agenda or supplement that the city clerk presents, if challenged, shall be accepted only by a two-thirds vote of the board.

Rule 4. A majority of the entire membership shall constitute a quorum for the transaction of business. The presiding officer shall take the chair at the hour fixed or to which the board has recessed, and shall convene the meeting. If a quorum is not present at such time, then the presiding officer shall recess such meeting until a quorum is in attendance, but if a quorum fails to materialize within thirty minutes of the time originally set forth, then the presiding officer shall adjourn such meeting forthwith.

Rule 5. No employee of the city government, except the city solicitor, shall be required to appear before the board unless one week's written notice shall have been given to the employee, following approval by a majority vote of the board. Such notice shall be prepared by the city clerk and shall describe the matter that the board is interested in discussing.

Rule 6. Minutes of executive sessions shall be recorded by a recorder of the board's choosing. The recorder shall obtain the written preliminary approval of the minutes by the presiding officer within 24 hours, and shall then seal the minutes and present them to the city clerk, who shall thereafter maintain them. All executive session minutes shall remain confidential until the board votes in open session to release them. The city clerk and city solicitor shall regularly prepare a

recommendation to the board as to which minutes should be released pursuant to the open meeting law.

Presiding Officer

Rule 7. The president of the board or in his/her absence, the vice president, shall take the chair and preside at the meeting. At any meeting of the board, in the absence of the president and vice president the oldest in age of members present shall preside until a president pro tempore is elected.

Rule 8. The presiding officer shall preserve decorum and order and may speak to points of order in preference to other members. The presiding officer shall be entitled to call a recess of up to five minutes in duration when deemed appropriate. The presiding officer shall decide all questions of order and shall be the determinant on all interpretations of these rules. If any member wishes to appeal such decision or determination, he/she shall make a motion, and if it is seconded, then no other business shall be in order until the question on appeal is decided by a majority vote of the board.

Rule 9. The presiding officer may refuse to allow any items which in his/her opinion do not have a direct bearing on the business of the board. These items shall be placed on file and shall not be further considered.

Rule 10. The president may express his/her opinion on any subject under debate, but in such case he/she shall leave the chair and the vice president shall preside. He/she may state facts and give his/her opinion on questions of order without leaving his/her place.

Rule 11. The presiding officer shall declare all votes, but if any member doubts the vote, the chair, without further debate, shall require the members to vote in the affirmative or negative by roll call. He/she shall declare the result only after all members present have voted. No member shall be recorded on any vote unless he/she is physically situated within the board's chambers.

Rule 12. The presiding officer shall name the member who shall first be heard, whenever two or more members address the chair at the same time.

Rule 13. When a question is under debate the presiding officer shall entertain no motion but:

- 1) to adjourn,
- 2) to lay on the table,
- 3) for the previous question,
- 4) to postpone to a day certain,
- 5) to refer to a committee,
- 6) to amend,
- 7) to postpone indefinitely, or
- 8) to recess.

These motions shall take precedence in the order in which they are arranged, and the first two shall be decided without debate. On a motion for the previous question no more than five minutes shall be allowed for debate and no member shall speak except in opposition to the

motion or for more than two minutes. All questions of order arising after a motion for the previous question shall be decided without debate, except on appeal, and on appeal no member shall speak more than two minutes or more than once. The adoption of the previous question shall put an end to all debate and bring the board to a direct vote upon pending amendments, if any, and then upon the main question.

Rights And Duties Of Members

Rule 14. Every member when about to speak, shall address the chair as "Mister/Madame President", and shall confine himself/herself to the question under debate, avoiding personal remarks at all times.

Rule 15. Any member may sponsor an employee of city government to address the board on any matter properly before the board, or request the reading of any item in full, unless such sponsorship or reading is objected to by any member. Upon such objection, the address or reading shall occur only by majority vote of the board.

Rule 16. Any member may sponsor a member of the public to address the board on any matter properly before the board unless such sponsorship is objected to by any member. Upon such objection, the address shall occur only by a two thirds vote of the entire membership.

Rule 17. No member shall speak on the same question more than once unless all other members who wish to speak have already spoken. No member shall speak on any subject for more than five consecutive minutes without having first relinquished the floor to any other member who wishes to speak on the subject. No member shall interrupt another, except on a point of order, a ~~point of~~request for information, or a ~~point~~question of personal privilege.

Rule 18. No member shall vote or serve on any committee where the subject under debate concerns his/her private as opposed to the public interest. Otherwise, every member who is present when a question is put shall vote in the affirmative or negative unless excused from doing so by the board. Application to be so excused shall be made before the vote is taken.

Rule 19. No member shall represent the board unless he/she is appointed to do so by the president.

Committees

Rule 20. The president shall annually, as soon after the organization of the board as may be convenient, appoint the members to the following standing committees, and any special committees he/she may choose to create. The president may, at any time, change the membership of any committee. The president shall not serve as chair or vice-chair of any standing committee. The president and vice president shall be members of the committees on finance and legislative matters.

- 1) Confirmation of Appointments (five members)
- 2) Finance (five members)
- 3) Housing and Community Development (three members)

- 4) Information Technology (three members)
- 5) Land Use (three members)
- 6) Legislative Matters (five members)
- 7) Licenses and Permits (three members)
- 8) Public Health and Safety (three members)
- 9) Public Utilities and Works (three members)
- 10) Senior Services (three members)
- 11) Traffic and Parking (three members)
- 12) Veteran and Public Services (three members)
- 13) Youth Services (three members)

Rule 21. The member first named on each committee shall be its chair; and in the case of his/her resignation, inability to serve or absence, the other members in the order in which they are named shall call meetings of the committee and act as chair, subject to the provisions of Rule 20. The most recent edition of Robert's Rules of Order shall be the authority on all questions of debate in committee wherever they do not conflict with the several rules of the board that apply to committees.

Rule 22. A majority of a committee shall constitute a quorum for the transaction of business. The chair shall take the chair at the hour fixed or to which the committee has recessed, and shall convene the meeting. If a quorum is not present at such time, then the chair shall recess such meeting until a quorum is in attendance, but if a quorum fails to materialize within thirty minutes of the time originally set forth, then the chair shall adjourn such meeting forthwith, and shall prepare a report of the committee indicating such.

Rule 23. The chair of any committee may call and preside at a meeting of the committee of the whole, to include all members of the board, pursuant to the notice requirements of the open meeting law, whenever in his or her judgment such meeting shall facilitate the consideration of an item before the committee. In such case, a majority of the entire membership shall constitute a quorum for the transaction of business. In other respects, the provisions of Rule 22 shall apply to these meetings.

Rule 24. The clerk of committees shall prepare the agenda for each committee meeting, and shall make a record of the proceedings and prepare the minutes as well, as prescribed by the most recent edition of Robert's Rules of Order and pursuant to the requirements of the open meeting law. No committee shall act by separate consultation and no report shall be received by the board unless the subject thereof shall have been considered in committee actually assembled. All reports of committee shall be approved by the chair, but in no case shall this preclude a member not in agreement from submitting a minority report, which shall be included as part of the committee report.

Rule 25. All items of business reported adversely by a committee shall contain the endorsement, "Should Not Be Approved" on such order, ordinance, resolution, petition or other matter, and if the report is accepted, the matter shall be disposed of.

Rule 26. Pursuant to the Open Meeting Law, if less than a quorum of the full Board of Aldermen attends a committee meeting, the visiting members may participate in full discussion. However, if a quorum of the full Board of Aldermen is present at the committee meeting, the visiting members must sit in the audience and participate as members of the public and may not deliberate.

Order Of Business

Rule 27. At every meeting of the board the order of business shall be as follows:

- 1) Call of the meeting, with a prayer, salute to the Flag of the United States of America and a call of the roll of members.
- 2) Approval of the minutes of the previous meeting.
- 3) Citations.
- 4) Public hearings.
- 5) Ordinances, orders, resolutions and motions of members.
- 6) Unfinished business.
- 7) Reports of committees.
- 8) Communications of the mayor.
- 9) Communications of city officers.
- 10) New business.
- 11) Supplemental items.

Rule 28. All items on the agenda shall be acted upon in the order in which they are read by the city clerk, unless the board shall otherwise direct by majority vote of the boardmembers present. All items shall be read by their titles only, unless any member requests a reading pursuant to Rule 15.

Rule 29. No report of a committee shall be acted upon by the board unless it is printed on the agenda of a meeting.

Rule 30. After a motion or item is stated or read before the board it shall be deemed to be in possession of the board and shall be disposed of by vote, but the mover may withdraw it at any time before a decision or amendment if no objection is made.

Rule 31. Every motion shall be reduced to writing if the presiding officer so directs or if any member so requests. A motion need not be seconded, except as provided in Rule 8.

Rule 32. A question containing two or more propositions may be divided whenever such division can clearly be made, and such division shall be determined by a majority vote of the boardmembers present.

Rule 33. Every item shall, after its passage, remain in the possession of the city clerk until twelve o'clock noon of the second weekday (Saturdays and holidays excepted) following the day of the meeting at which final action was taken. If, during that time, notice of intent to move for reconsideration is filed with the city clerk, then such item shall be considered unfinished business before the board. If, during that time, no notice of intent to move for reconsideration is

filed with the city clerk, then such item shall be considered as having passed out of the custody of the board.

Rule 34. A motion for reconsideration shall only be made by a member on the prevailing side. No motion for reconsideration shall be made upon any of the following motions: to adjourn, for a roll call vote, to lay on the table, or for the previous question. On a motion for reconsideration no more than twenty minutes shall be allowed for debate, and no member shall speak more than two minutes. No motion for reconsideration shall be made during a meeting at which final action on a matter has been taken except by two thirds vote of the entire membership. No motion shall be twice reconsidered, but this shall not prevent the board from reconsideration of any matter vetoed by the mayor.

Rule 35. Petitions for licenses or permits shall, upon their receipt by the board, be referred to the committee on licenses and permits unless a motion to approve without referral to committee is approved by two thirds of the entire membership.

Rule 36. Appointments and reappointments subject to confirmation shall, upon receipt by the board, be referred to the committee on confirmation of appointments unless a motion to approve without referral to committee is approved by two thirds of the entire membership.

Rule 37. Mayor's requests for direct appropriations, transfers, tax levies or loans shall, upon receipt by the board, be referred to the committee on finance unless a motion to approve without referral to committee is approved by two thirds of the entire membership.

Rule 38. Proposed ordinances relating to pedestrians or vehicular traffic, the parking of vehicles on the public ways, or to taxicabs shall, upon receipt by the board, be referred to the committee on traffic and parking.

Rule 39. Proposed ordinances relating to zoning shall, upon receipt by the board, be referred to the committee on land use and to the Planning Board.

Rule 40. Proposed ordinances not above described shall, upon receipt by the board, be referred to the committee on legislative matters.

Rule 41. On all matters not described in Rules 35 through 40, the presiding officer shall determine how the matter shall be disposed of, unless a majority of members present shall vote otherwise.

Rule 42. No endorsement of any kind, except reports of committees, shall be made upon any items referred to committee.

Rule 43. Any item referred to a committee and not acted on within sixty days of such referral may be ordered for discharge from that committee by any member upon a vote of a majority of the entire membership.

Orders, Ordinances and Resolutions

Rule 44. All orders, ordinances and resolutions shall be submitted by the member who presents them, or by an authorized representative. Any member may solicit more than a quorum of the board to co-sponsor an order, ordinance, resolution, or citation, but any discussion or deliberation which reaches a quorum of the members must occur in open session. The solicitation should instruct that questions or discussions be withheld until the board next meets in open session.

Rule 45. In all votes, when the board expresses an action by way of command the form of expression shall be, "ordered"; and when the board expresses an opinion, principles, facts or request, the form shall be "resolved."

Rule 46. Every order and resolution shall be read a single time before the question on final adoption is taken, unless it is referred to a committee.

Rule 47. Every proposed ordinance and home rule petition shall be printed and a copy made available to each member at the start of the meeting at which its approval is expected to be under consideration.

Rule 48. Every ordinance, before being enrolled, shall be printed and a copy made available to each member. No ordinance once enrolled shall be amended. No ordinance shall be passed through all its stages of legislation at the same session, except by a two thirds vote of the entire membership taken by roll call.

Rule 49. Any order, ordinance, resolution or final vote may be passed through all its stages of legislation at one session, provided that no member objects thereto; but if a single member objects, the measure shall be postponed for that meeting, and if when it is next brought up, three or more members object to its passage, a second postponement of at least one week shall take place. The invocation of a member's rights under this Rule or under Section 15 of the City Charter shall automatically halt discussion of the matter. Any matter postponed under this Rule shall be considered unfinished business at subsequent meetings, but shall remain on the table until removed by a majority vote of the board.

Rule 50. Every order, ordinance, resolution or final vote of the board, except as relates to its internal affairs, shall be presented to the mayor. If he/she approves, he/she shall so signify in accordance with state law; but if he/she does not approve, he/she shall return it with his/her objections to the board. The matter shall then be considered not approved, unless the board proceeds to reconsider it, and two thirds of the entire membership vote to pass it notwithstanding the objections of the mayor, in which case it shall be finally approved. In all cases, the vote to reconsider shall be by roll call. If such order, ordinance, resolution or final vote is not returned to the board within 10 days after it has been presented to the mayor, it shall be considered approved.

Rule 51. After an order or resolution is adopted by the board, the board, by a majority vote, may refer such item to a committee of the board for further action. In that event, the clerk shall note on the item that it was adopted by the board and referred to a committee for further action.

Whenever the committee discusses such item at a committee meeting, the committee report for that meeting shall list the item number and report on the action taken by the committee on that item. When the committee, by a majority vote at a committee meeting, has determined that it has completed its work on the item, the committee report shall note that it is the recommendation of the committee that the item be returned to the full board. If the committee's recommendation is accepted by the board, then the clerk shall note on the item that it was returned by the committee to the board with the date. ~~If an item is~~ No item shall be referred by the board to more than one committee, ~~then any action taken by the committees on that item must be at joint meetings of the two committees.~~

Rule 52. Whenever any order, ordinance, resolution or other matter shall have been finally rejected by vote of the board, no measure embodying substantially the same subject matter shall be acted upon by the board, by any committee or member within six months of the date of its rejection.

Duties Of The Clerks

Rule 53. The city clerk shall have charge of all journals, records and documents of the board and shall attest all warrants. He/she shall be the clerk of the board, shall attend all meetings, shall record the names of the members present and shall keep a record of all votes and proceedings. He/she may make changes to correct the form of an item once acted on by the board but prior to its presentation to the mayor, provided that its substance is not thereby affected. He/she shall maintain the papers and all documents for which no other provision has been made by law or ordinance. He/she shall also keep and submit minutes of every meeting of the board, which shall become the official record of the board's actions upon acceptance by the board. In his/her absence, the assistant city clerk shall serve as clerk of the board pro tempore, who shall be sworn to the faithful performance of his/her duties.

Rule 54. The clerk of committees or in his/her absence the assistant clerk of committees shall keep a list of committees and their respective memberships posted in a convenient place in the committee room of the board. He/she shall also prepare correspondence for each committee, and keep a record of every item of business before each committee. The clerk of committees shall notify every member of the board of all committee meetings and shall prepare the agenda and minutes of each committee meeting. The clerk of committees shall also prepare and deliver to the city clerk all orders, ordinances and resolutions. The clerk of committees and his/her assistants shall be directly responsible to the president of the board. He/she shall conduct research, prepare reports and perform such other functions and have such other duties as the president or any committee, by majority vote, shall from time to time direct.

Rule 55. The city clerk shall schedule usage of the aldermanic chambers and committee room for the board of aldermen or other city boards, committees, commissions, or departments. The committee room, however, shall only be scheduled business days between the hours of 8:30 AM and 4:30 PM. The board of aldermen reserves the right to use the rooms at any time, even if they had previously been scheduled by another entity. The rooms may be used if available, but may not be scheduled, by individuals for a wedding ceremony licensed by the city clerk's office. The rooms may not be used by other entities without the expressed consent of the president. Use of

the rooms may be withheld from any group that, in the opinion of the president or city clerk, does not leave them in a clean and orderly condition.

Suspension Or Alteration Of the Rules, Parliamentary Authority

Rule 56. No standing rule of the board shall be suspended unless either two thirds of the entire membership consents or the rule to be suspended specifies otherwise. No objection to suspension of the rules shall be deemed as an objection under Rule 49 or Section 15 of the City Charter.

Rule 57. Every amendment to a rule, proposed new rule or repeal of a rule shall be forwarded to each member of the board and shall be referred to the committee on legislative matters, or any appropriate special committee, which shall recommend its adoption or rejection. Two thirds vote of the entire membership shall be required to amend, add or repeal a rule of the board.

Rule 58. The rules of parliamentary procedure, as contained in the most recent edition of Robert's Rules of Order and interpreted by the city clerk, shall be the authority on all questions of debate or parliamentary usage wherever they do not conflict with the rules of the board.