

Attleboro Municipal Council

Rules of Procedure

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Article I. Authority

Section 1—Charter:

- 1-1.1 The Home Rule Charter of the City of Attleboro (hereinafter the “Charter”) provides that the Municipal Council shall from time to time establish rules for its proceedings. [Article 2, Section 2-7 (c) of the Charter and MGL].
- 1-1.2 These Rules of Procedure establish guidelines to be followed by all persons attending a Municipal Council meeting, including members of the Municipal Council, administrative staff, news media, and visitors.
- 1-1.3 The following rules shall be in effect upon their adoption by Municipal Council until they are amended or new rules are adopted.

Article II. General Rules

Section 1—Meetings to be Public:

- 2-1.1 Regular meetings of the Municipal Council shall be held at a time and place fixed by ordinance. Except as otherwise authorized by the general laws, all sessions of the Municipal Council shall be open to the public and press. (Charter 2-7c) (Charter 11-6)
- 2.1.2 Meetings open to the public may be broadcast over cable television subject to any cable casting policy adopted by the Municipal Council.

Section 2—Quorum:

- 2-2.1 A majority of Members currently holding office shall constitute a quorum for the transaction of Municipal Council business. (Charter 2-7b and 11d)

Section 3—Attendance:

- 2-3.1 Members of the Municipal Council who will be absent from a meeting should contact the President prior to the meeting indicating the reason for his/her inability to attend the meeting. If the Member is unable to contact the President, the Member shall contact the Municipal Council’s Administrative Assistant, who shall convey the message to the President.
- 2-3.2 Attendance by all Councilors at all meetings is expected. Councilors missing multiple meetings due to illness, travel or other issues should notify the President of his/her anticipated prolonged absence. Councilors who miss 4 or more regular meetings are required to inform the Council President of the reason for the prolonged absence.

Section 4—Seating Arrangements:

- 2-4.1 Municipal Council members shall occupy the seats in the Municipal Council chamber assigned to them by the President, but any two or more Members may exchange seats. The exchange of seats must occur before the second regular meeting of the term.

Section 5—Minutes of Proceedings:

- 2-5.1 The Municipal Council's Administrative Assistant shall keep a permanent record of all Municipal Council proceedings. Once reviewed by the City Clerk and approved by a majority of Municipal Council Members present, these Minutes are the official records of the actions of Municipal Council. (Charter 2-7b) The minutes shall be posted on the City web site for a period of four years.

Section 6—Requests for Legal opinions:

- 2-6.1 The President shall be the liaison between the Municipal Council and the City Solicitor. In this capacity the President can request opinions on legal matters and consultations regarding procedural matters.
- 2-6.2 The Chairman of the Ordinance, Elections and Legislative Matters Committee may contact the City Solicitor only on matters currently pending before that committee. The Chairman must copy the President on matters submitted to the City Solicitor.
- 2-6.3 All other requests to the City Solicitor by any other Municipal Councilor, must request permission through the President.
- 2-6.4 The record of previous City Solicitor opinions are maintained by the Council's Administrative Assistant.

Section 7—City Clerk/Clerk of the Municipal Council:

- 2-7.1 The Clerk of the Council shall attend and keep the records of all meetings of the Municipal Council, record the names of the Members present, record all votes of the Municipal Council, and have the care and custody of all documents, maps, plans and papers pertaining to the proceedings of the Municipal Council when no other provision is made therefore. The Clerk shall, whenever requested by the presiding officer, read such ordinances, orders, resolutions, petitions, or other papers as may be presented for the information of the Municipal Council. In the absence of the Clerk, the Assistant City Clerk shall act, and in the absence of both, the Municipal Council shall choose a Clerk Pro Tempore who shall be sworn to the faithful performance of his/her duties (Charter 2-8b)

Section 8—Rules of Order:

- 2-8.1 Except where in conflict with these Rules, the Charter, any ordinance or State Law, Robert's Rules of Order (current revision) shall govern the conduct of all meetings.

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- 2-8.2 All Councilors will be provided with a copy of the Open Meeting Law and provided training through the Attorney General's Office, according to the law. The City Clerk will give direction on when the training must be completed.
- 2-8.3 The Presiding Officer (the parliamentarian) shall interpret and apply all rules, but the Presiding Officer's ruling may be challenged by a Member raising a point of order, upon which the Presiding Officer shall rule before continuing any further discussion. Any Council Member may appeal the Presiding Officer's ruling on a point of order to the Council.
- 2-8.4 If the appeal is seconded, the Member making the appeal may briefly explain the ruling; but there shall be no debate on the appeal, and no other Member shall participate in the discussion. The Presiding Officer shall then put the question, "Shall the decision of the Chair be sustained?" If a majority of the Members present vote "Yes," the ruling of the Presiding Officer is sustained; otherwise, it is overruled.

Section .9 Municipal Council Chambers:

- 2-9.1 The use of the Municipal Council Chamber or property is left to the discretion of the President regarding the following matters:
- a. Meetings held inside the legislative area using the Council members' desks.
 - b. When to allow the speaker system to be used by groups other than the Council.
 - c. When groups other than Municipal Council committees use the Council Annex rooms and make rearrangements of the furniture, the person who requested the meeting is responsible for placing the room back in proper order.
 - d. When the use of the Annex Room or Municipal Council Chambers is requested by an agency not related to the City, a request must be submitted in writing to the President, describing the nature of the meeting and an estimate the number of people expected to attend.
 - e. To the greatest extent possible, when individuals require information to be presented to the council, it should be in a format which can easily be broadcast over the cable television system. Permission for media displays of information must be obtained by the President two business days in advance of the meeting.
- 2-9.2 Except as otherwise provided, no written materials, documents or other items may be distributed and/or placed upon Council Member's Desks. Written materials, documents or other items may be distributed and/or placed upon Council Members' desks if:
- a. They are signed by the individual requesting distribution and clearly shows said individual's name, address
 - b. They have been delivered first to the President, Clerk or the Council's Administrative Assistant Staff with a request for distribution
- 2-9.3 -No individual may wear or display political campaign pins, shirts or other items promoting a particular individual running for elected office in the City while the

Council or any Committee of the Council is conducting business is in Council Chambers. Section 10 Conflict of Interest Law.

- 2-10.1 The conflict of interest law seeks to prevent conflicts between private interests and public duties, foster integrity in public service and promote the public's trust and confidence in that service by placing restrictions on what municipal employees may do on the job, after hours and after leaving public service (see MGL c. 268A)
- 2-10.2 The conflict of interest law defines municipal employees, and defines the areas of potential violation including, bribes, gifts/gratuities, misuse of position, nepotism, false claims, undue influence, release of confidential information, and other conflicts are now clearly defined in the law. Councilors are given the explanation of the law and potential conflicts in the Councilors manual when they take office and must sign off on having read and understood the conflict of interest law.
- 2-10.3 The City Clerk has been named the official in the City of Attleboro who will administer the Conflict of Interest Law and the Open Meeting Law.

Article III. Meetings of the Municipal Council

Section 1—Regular Meetings:

- 3-1.1 Regular Meetings of the Municipal Council shall be held on the first and third Tuesdays of each month, except for the months of July and August. In July, meetings will be on third Tuesdays and Thursday of the month. In August, meetings will be on the third Tuesday and Thursday of the month.. (Section 1-9 of Ordinances)
- 3-1.2 Regular Meetings shall be held in the Attleboro City Hall Municipal Council Chambers, 77 Park Street, Attleboro, commencing at 7:00 p.m. unless the time and/or place is changed to any other public building suitable (including broadcasting by the media) for conducting City business by a vote of the Municipal Council or by the Council President, and notice of such change is given, as required by the Open Meetings Law. Whenever a regularly scheduled meeting falls on a holiday the Municipal Council shall meet on the call of the council president at the next appropriate time.
- 3-1.3 The Municipal Council President or, in his absence, the Vice-President, shall have the authority to postpone any regularly scheduled meeting or to change the place of any meeting when necessary due to severe and extreme conditions such as storms, floods and fires. The President may move a meeting due to anticipated attendance as well. Any postponed meeting shall be held on the next possible evening within the rules of the Open Meeting Law.

Section—2 Special Meetings:

- 3-2.1 Special Meetings—Special meetings of the Municipal Council may be held on the call of the Mayor, as provided in section 3-5 (b) of the Charter, or on the call of

the President of the Municipal Council, or on the call of any three or more Members, by written notices delivered in hand or to the place of business or residence of each Member. Notices must be delivered in person at least forty-eight hours in advance of the time set.

- 3-2.2 The notice shall contain the name(s) of the person(s) calling for the Special Meeting, the date, time and place of the Special Meeting, and the date and location such notice has been posted.

Section—3 Emergency Meetings:

- 3-3.1 In the event of an emergency, of which the Mayor shall be the judge, the required forty-eight hour time period required for public notice of said meeting shall not be required. (Section 3.5 (B) Charter)

Section 4—Executive Sessions:

- 3-4.1 Executive session meetings of the Council are not open to the public and may be held only if called in compliance with the Massachusetts Open Meetings Law in order to consider matters listed among the permitted purposes of Executive Sessions as set forth therein.
- 3-4.2 Calling Executive Session: The Municipal Council may, at any time, upon a call by the President or the Mayor or, if in session, upon a motion of a Council Member, duly seconded and carried by a roll call vote of the majority, meet in an executive session meeting. Attendance at such sessions shall be limited to the Mayor, members of the Council, the City Solicitor, Administrative Assistant, City Clerk and such invitees as majority of the Municipal Council shall deem necessary.
- 3-4.3 The President (or Chairman) must state the purpose of the Executive Session and present “all subjects which may be revealed without compromising the purpose for which the Executive Session was called.”
- 3-4.4 The President (or Chairman) must state whether the body is returning to open session or they can not return to open session.

Article IV. Duties of Municipal Council Officers and Council Members

Section 1—Election of Officers:

- 4-1.1 The election of a President and a Vice-President shall be made in accordance with Section 2-3 of the Charter.
- 4-1.2 Term of Office: The terms of office of the newly elected President and Vice President shall commence upon their election, and shall terminate upon their successors taking office, or upon the expiration of the officer's term as a Municipal Council Member, whichever occurs first.

Section 2—Filling Of Vacancies In The Office Of President or Vice President:

- 4-2.1 Whenever a vacancy shall occur in the office of the President or Vice President, the Municipal Council shall elect a replacement within thirty (30) days from the date the vacancy occurred.
- 4-2.2 The nomination and election process to fill a vacancy shall be in accordance with Section 2-3 of the Charter.
- 4-2.3 The person chosen to fill a vacancy shall serve for the balance of the term of the person being replaced.

Section 3—Duties Of Council Officers:

- 4-3.1 The President shall:
 - a. Preside over all meetings and serve as Parliamentarian.
 - b. Call to Order all regular and special meetings
 - If the President is absent, the Vice President shall assume the responsibilities of the President.
 - If both the President and Vice President of the Municipal Council are absent, the member with the most years of service on the City Council shall act as the Temporary Presiding Officer. The Temporary Presiding Officer shall preside for the balance of the meeting or until the President or Vice President returns.
 - The Presiding Officer may call any Member to the Chair, but such substitution shall not continue longer than one meeting.
 - c. Preserve Order: The President shall preserve order and decorum, prevent attacks on personalities or impugning Members' motives, and keep those in debate to the question under discussion.
 - d. Prepare an agenda: Chair must list in the agenda topics which the Council “reasonably anticipates will be discussed at meeting.” The agenda must be posted according to Open Meeting Law and as a courtesy is placed on the City’s Web site.
 - e. Carry out items on the Agenda: The President shall identify each subject to be considered and may request the Mayor, any Council Member, staff member, or other interested person to explain, but not engage in debate, the matter under consideration.
 - f. State Questions: No motion or resolution shall be voted upon until it has been stated by the President. Any Council Member may require that the motion or resolution be put in writing before the vote is taken and, if necessary, the Meeting shall be recessed for that purpose.
 - g. Enforce the Rules of Council.
 - h. Set and prepare Council Meeting Dockets.
 - i. Serve as liaison between Council and Mayor.
 - j. Serve as Mayor Pro Tem of the City, in accordance with Article 3, Section 3-7 of the Charter.
 - k. Act as representative of the Municipal Council at various functions.
 - l. Perform such duties as may be directed by the Municipal Council.

- m. Appoint a sitting municipal councilor to serve as the Attleboro Youth Commission mentor.
- 4-3.2 The Vice-President, in the absence of the President, shall perform the duties of the President as set forth in these Rules of Procedure. The Vice President shall act as President during the absence or disability of the President.

Section 4—Duties of Council Members:

- 4-4.1 During Municipal Council meetings, Council Members shall assist in preserving order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the orders of the presiding officer or the rules of the Municipal Council.
- 4-4.2 A Council Member desiring to speak shall address the Presiding Officer and, upon recognition by the Presiding Officer, shall confine discussion to the question under debate, avoid discussion of personalities and indecorous language, and refrain from personal attacks and verbal abuse.
- 4-4.3 A Council Member, once recognized, shall not be interrupted while speaking unless called to order by the Presiding Officer, unless a point of order is raised by another member, or unless the speaker chooses to yield to questions from another member. If a Council Member is called to order while speaking, that member shall cease speaking immediately until the question of order is determined. If ruled to be in order, the member shall be permitted to proceed. If ruled to be not in order, the Member shall remain silent or make additional remarks so as to comply with rules of the Municipal Council.
- 4-4.4 Where any new business is introduced, the subject matter of which affects only one Ward, the Council Member from the Ward concerned shall be notified by the sponsoring Council Member and afforded the opportunity to be its co-sponsor.
- 4-4.5 New Business must be submitted to the Council President and Council Administrative Assistant by the Thursday prior to the regular meeting where the business is to be presented. In the event of an emergency, special motions or new business may be made with prior knowledge and consent of the President.
- 4-4.6 The City Council shall sit in the judgment of itself and shall have the power to discipline its members by censure, reprimand, or warning, as the conduct of any individual member so warrants.

Procedures of disciplining members of Council

- a. Warning – a verbal admonition to a member for acts or behavior that are in repeated violation of the Rules of Procedure and which have not been corrected by the Councilor. A warning is initiated by the President and no vote of the Council is required. A warning would be read into the record at a regular meeting of the Municipal Council by the President and shall be contained in the minutes of the meeting.

- b. Reprimand - A severe or formal criticism for a fault. This formal criticism is more severe than a warning. A reprimand shall be voted on as a result of a motion by the President and shall be voted by a simple majority which will remain on the record permanently. The individual being reprimanded would have the opportunity to provide a written formal response.
 - c. Censure: a judgment involving condemnation, this is the most severe of discipline measures. A formal motion of censure must be made to the full council by the President. While a motion of censure is non-debatable, the accused Councilor may make a statement (verbal or written) regarding the motion. A motion of censure must pass with a 2/3rds majority vote of those currently in office. The censured Councilor shall surrender committee assignments.
- 4-4.7 All Members shall be properly attired (business attire) during formal sessions of the Municipal Council. Members shall not leave the Council Chambers without being excused by the Presiding Officer, and shall not leave their places upon adjournment until the Presiding Officer declares the Council adjourned.
- 4-4.8 The use of cell phones (or other similar devices) to send or receive calls or to send or receive text messages is not allowed in Council Chambers by Councilors or members of the public during formal sessions. Because this technology interferes with television broadcasts, all cell phones must be turned off in the Council Chambers. .

Article V. Order Of Business And Docket

Section 1—Order Of Business:

- 5-1.1 Regular Meetings: The President, or in his/her absence, the Vice-President, shall take the chair at the hour appointed for any regular, temporarily adjourned, or special meeting, and shall immediately call the Municipal Council to order.

When a quorum is present, the Municipal Council shall proceed to the business before it, which shall be conducted in the following order:

ORDER OF BUSINESS

1. Pledge of Allegiance
2. Moment of Silence (if called for)
3. Approval of the Minutes
4. Joint Public Hearings with the Planning Board
5. Public Hearings
6. Communications from the Mayor
7. Petitions, reports and other communications
8. Committee of the Whole
9. Reports of Committees

10. Old business
11. New business
12. Question of Privilege
13. Adjournment

Section 2—Dockets:

5-2.1 Regular Meeting Docket:

- a. The President shall be responsible for the preparation of a Docket for each Regular and Special Meeting, and shall consider for inclusion on the Agenda items submitted by the Mayor, any Council Member or any member of the public.
- b. The Municipal Council's Administrative Assistant shall be responsible for causing a Docket Packet to be prepared, which shall be available to each Council Member for pickup at a place designated by the Council prior to each Regular and Special Meeting.
- c. Any Council Member, other City official or other person may supplement the materials dealing with any agenda item prior to or at the public meeting for which the Docket has been prepared.
- d. Docket items from Council Members (new business) should be given to the Municipal Council's Administrative Assistant and filed with the City Clerk no later than the Thursday prior to the next regular meeting
- e. Dockets shall be posted on the City web site as soon as possible and may be subject to changes as they develop.

Section 3—Discussion Items:

5-3.1 The following shall apply to the discussion of all matters coming before the Municipal Council:

- a. Council Members and others wishing to speak shall address and be recognized by the Presiding Officer.
- b. All discussion shall be relevant to the motion under consideration, or in the absence of a motion, items under discussion.
- c. Rules of Debate:
 - The President shall recognize all Members wishing to speak until there are no more requests for the floor.
 - When there is a motion on the floor, the maker of the motion shall be afforded the first opportunity to speak on that motion.
 - A Member may yield the floor temporarily, through the President, in order to obtain information/input directly related to the issue, without relinquishing the right to retain the floor.
 - A Member who has the floor shall indicate to the President when he/she is finished speaking.
 - The President may provide his/her comments about the item under discussion, provided he leaves the chair and appoints the Vice-President, or in his absence some other member, to preside temporarily.
 - Once it has been determined that no further discussion will take place, the President shall close discussion and proceed to the vote, or next agenda

item. Once discussion is closed on an item, no Member shall be recognized to speak on that item without leave of the President.

- Call or Move the Question.
 1. The motion to Call or Move the Question cannot be made while someone is speaking.
 2. A Member, after being recognized by the President, may make a motion to close debate (Call or Move the Question). The motion needs a second, and is not amendable or debatable.
 3. The President, prior to restating the motion, may provide comment on the issue under discussion, but not testify on the merits of the measure that is the subject of the Call. Upon conclusion, the President must state the motion to Call or Move the Question which must be adopted by a two-thirds (2/3) vote of Council present without further discussion.
 4. Upon passage, the President shall have Council proceed with the vote of the motion under debate.

5-3.2 When the Municipal Council is in session, any City Official or employee may, upon request of the Council or at their own request, give such information as the Council or Official may require, but at no time will an Official be allowed to enter into the debate of the Municipal Council.

Section 4—Minutes:

5-4.1 Regular and Special Meetings:

- a. Minutes of each Regular and Special Meeting shall be kept by the City Clerk and shall be signed by the City Clerk.
- b. With the review and approval of the City Clerk, the Administrative Assistant to the Municipal Council shall record and prepare the official minutes of each public meeting, which shall contain the date, time, place, Members present, Members absent and all actions taken by the Council, and a sufficient amount of the discussion to permit an understanding of what transpired at the meeting. In addition, the minutes must include a list of documents and other exhibits used at the meeting. Copies of documents and other exhibits, such as photographs, recordings or maps used by the Council at an open or executive session shall, along with the minutes, be part of the official record of the session. (Required by MGLC 30A section 22b)
- c. Minutes of the Municipal Council Meetings shall be submitted to the Council for approval and/or correction in draft form. It is the policy of the Municipal Council that only Members of the Council and the City Clerk have the authority to make revisions to the Minutes, subject to a majority vote of the Municipal Council. Unless a reading of the minutes of a Council Meeting is requested by a member of the Council, such minutes may be approved without reading.
- d. Minutes shall be made available to the public in accordance with the Open Meetings Laws.
- e. The official copy of all Municipal Council Minutes shall be kept by the City Clerk, who shall make copies of them available to the public upon request and

payment of the reasonable cost of copying according to current Massachusetts State Law.

5-4.2 Executive Session Minutes:

- a. A separate set of Minutes shall be taken by the City Clerk or his/her designee at the Executive Session.
- b. These Minutes will be retained by the City Clerk in accordance with the Massachusetts Open Meeting Laws.
- c. As soon as the matter is resolved, the City Clerk shall make the Minutes public, in accordance with the Massachusetts Open Meeting Law.

Article VI. Congratulatory Resolutions, Ordinances, and Motions

Section 1 Congratulatory Resolutions

6-1.1 Memorializing and congratulatory resolutions honoring individuals, groups or organizations may be drafted, signed and presented by the President and/or the Vice-President, along with the Council Member requesting such resolution, upon notifying each Council Member. Such notification may be provided by written notice, electronic notice and/or telephonic notice, as the President may deem reasonable under the circumstances.

6-1.2 If, upon being notified in accordance with Section 6-1.1, any Council Member objects to the presentation of said resolution, the resolution shall be voted on by the Council.

6-1.3 Such memorializing and congratulatory resolutions, and other matters of an honorary nature, may be voted upon at the meeting at which they are first proposed.

6-1.4 Three levels of Resolutions

1. Certificate of Merit/Congratulatory. Any Councilor may author and present a "Certificate of Merit Congratulations."
 - An email should be circulated to all Council members from the Administrative Assistant informing all members of the Certificate of Merit (thus avoiding duplication).
 - The Council member who wishes to recognize an individual or group achievement must write the accomplishment themselves so as to not burden the Administrative Assistant.
 - This type of resolution does not require a vote of the Council.
2. Council Resolution of Thanks
 - A Councilor may wish to recognize achievements by the entire Council (i.e. when a soldier returns from service, etc.)
 - Request for the Resolution must be made at least two weeks prior to the date with the knowledge and permission of the Council President
 - This type of resolution does not require a vote of the Council.

3. Resolutions that require a Council Vote:
 - Capital Improvement Program
 - Comprehensive Plan
 - Certified Projects
 - Petitions to the General Court for a Special Act
 - State Questions
 - Resolutions of strong support or opposition (new business)

Section 2—Ordinances and Other Measures:

6-2.1 The affirmative vote of a majority of the full Council shall be necessary to adopt any ordinance or appropriation order. Except as otherwise provided by law or the Charter, any other motion or measure may be adopted by a majority vote of those Members present. [Article 2, Section 2-7 (b) of the Charter]. If a motion ends in a tie, the motion will be considered defeated. *(City Solicitor asked when do ordinances take place added this language: Except as otherwise provided by the charter, every adopted measure shall become effective at the expiration of thirty days after adoption or at any later date specified therein. Measures not subject to referendum shall become effective upon adoption. No ordinance shall be amended or repealed except by another ordinance adopted in accordance with the charter, or as provided in the initiative and referendum procedures. (Section 2-9 (a) of the Charter)*

6-2.2 Emergency Measures.-An emergency measure shall be introduced in the form and manner prescribed for measures generally except that it shall be plainly designated as an emergency measure. A preamble which declares that an emergency exists and which defines its nature in clear and specific terms shall first be separately voted upon and shall require the affirmative vote of two-thirds of the Municipal Council then in office. An emergency measure may be passed with or without amendment or rejected at the meeting at which it is introduced.

No measure making a grant, renewal, or extension, whatever its kind or nature, of any franchise or special privilege shall be passed as an emergency measure, and except as provided by general laws, no such grant, renewal, or extension shall be made otherwise than by ordinance. After its adoption, an emergency measure shall be published as prescribed for other adopted measures. It shall become effective upon adoption or at such later time as it may specify.

6-2.3 Vetoed Measure—Every measure relative to the affairs of the City adopted by the Municipal Council, except such measures as relate to the internal affairs of the Municipal Council, shall be presented to the Mayor for his approval. If the Mayor does approve it, he shall signify his approval by signing it; if he does not approve it, he shall return it, with his objections in writing, to the Municipal Council. The Municipal Council shall enter the objections of the Mayor upon its records, and shall reconsider such measure. If upon such reconsideration, two-thirds of the full Council agrees to pass the measure, it shall be considered approved. If such measure is not returned by the Mayor within ten days after the presentation to him, it shall be considered approved. Every vote taken under the provisions of this

section shall be determined by a call of the roll. A filing with the Clerk of the Council shall be considered a return to the Municipal Council. (Article 3, Section 3-6 of the Charter)

- 6-2.4 Requirements for sale of land taken by eminent domain—Two votes are required: (1) Council must by a two-thirds vote of the full council find that the unused portion of land is no longer needed for the stated purpose; and (2) The Council must by a two-thirds vote of the quorum authorize the transfer of the unused portion of land from the stated purpose for that use to being available for sale by the City of Attleboro.

Section 3—Motions:

6-3.1 Definitions of Motions:

- a. Fix the time of the next meeting: (Fix the time to which to adjourn): Sets a time and date to continue the present meeting as an adjourned meeting, but has no effect on when the present meeting will adjourn. Posting requirements for the adjourned meeting must be handled in accordance with the Open Meetings Law; that is if the meeting is recessed for more than thirty-six (36) hours, the date, time and place of the meeting shall be posted at least eighteen (18) hours before the meeting is reconvened.
- b. Adjourn: Closes the present meeting whether or not all business has been completed. It is a non-debatable motion; requires a second and majority vote.
- c. Recess: A short intermission in the meeting, which does not close the meeting. A recess may be called either by:
 1. The President for up to a 15-minute recess at regular intervals of approximately one hour at appropriate points in the meeting agenda.
 2. By a roll call vote of the majority of the council.After a recess, business is taken up at exactly the point where it was interrupted.
- d. Lay on the table: Temporarily lays aside the pending question (motion) and is undebatable and unamendable and requires a majority vote. The motion cannot specify a time for resumption. A motion to lay on the table expires upon adjournment of the next regular session after that at which it was laid on the table.
 - To consider something else of immediate urgency, a motion to postpone indefinitely or a motion to object to the consideration of the question would be appropriate.
 - If made to postpone consideration until more information is available, move to postpone to a time and date certain.
 - If made so that it can be investigated further, move to refer to a committee or staff.
- e. Motion to take from the table: Requires a second, and is undebateable and unamendable and requires a majority vote.
- f. Charter Objection -- On the first occasion that the question of adoption of any measure, except an emergency measure as defined in section 2-9 (c) of the Charter, is put to the Municipal Council, if a single member objects to the taking of the vote, the vote shall be postponed for not less than seven days. If

when it is brought up, four or more members object, a second postponement of at least seven days shall be made. This procedure shall not be used more than once for any measure notwithstanding any amendment to the original measure. The Charter Objection can be made by any Council member at any time after the President calls for a vote and before the President declares the result of the vote. ‘

- g. Move the Question: Used to close debate. This motion is not debatable. A two-thirds (2/3) roll call vote of those present is required for adoption. If it passes, debate closes and a vote is taken on the pending question (Motion on the Floor).
- h. Postpone to a certain time: Postpones consideration of a motion until later in the same meeting or to a future meeting or date, as stated in the motion.
- i. Commit or refer: Commits a pending question to a group of selected persons - a committee - so that the question may be carefully investigated, or refers the question to staff to obtain additional information.
- j. Amend: Modifies the wording of a pending motion. An amendment must be germane, that is closely related to the subject of the motion. A motion may be amended by inserting or adding words, striking out words, or substituting other words.
- k. Postpone indefinitely: Indefinitely postpones a direct vote on the motion. Debate can go fully into the merits of the main motion.
- l. Discharge from Committee: Any Council Member, during any convened meeting of the Council, may make a motion to remove a measure from a Standing or Special Committee. Said motion, if seconded, shall require a two-thirds (2/3) majority vote of the Council then present. If the motion carries, the measure shall be released from the Standing or Special Committee and shall be deemed properly before the Council.
- m. Reconsideration:
 - 1. The Clerk of the Council shall hold every measure passed by the Municipal Council for a period of twenty-four hours, Sundays and legal holidays excepted, and if during said time notice of a motion to reconsider is filed with the Clerk of the Council by any Member, the measure shall be presented to the Municipal Council at its next meeting otherwise it shall forthwith be presented to the Mayor at the expiration of said twenty-four hours. (2-9 (e) Charter)
 - 2. The question having been taken up, it shall be in order for any Member having voted on the prevailing side to move for reconsideration thereof at the same meeting, but no more than one such motion for reconsideration of any vote shall be permitted. (Article 2, Section 2-9 (e) of the Charter.)
- n. Rule of Necessity—If in the opinion the City Solicitor, all members of the Municipal Council have a Conflict of Interest which prohibits them from voting on the question, the council may invoke the “Rule of Necessity” because the Members of the Council are “municipal employees” within the meaning and intent of Chapter 268 of the General Laws and have a financial interest in a matter.
- o. Disclosure of Financial Interest—If a Councilor has a financial interest in a business, etc. it should be submitted in writing to the City Clerk who is the official for the City responsible for the Conflict of Interest Law. . Also if a

Councilor is a member of an organization or has an affiliation with a business, he/she must verbally disclose this at the time of the vote.

- p. Questions of Privilege. Questions of Privilege are those relating to the privileges of the Council as a whole (such as the accuracy of published reports of its proceedings or the conduct of its officers) or to those of one or more of its Members (such as charges circulated against a Member's character). In rising to a question of privilege, a member rises, addresses the Presiding Officer without waiting to be recognized, and says "I rise to a question of privilege affecting this Council [or affecting a Member of this Council]". The Presiding Officer should then direct the Member to state the question of privilege.
- q. Motion to amend after adoption: To amend a previously adopted measure. Requires a 2/3 majority vote of the Council (this motion must be considered prior to or as the first item of business at the next regular meeting)
- r. Rescind, Repeal: By 2/3 majority vote to nullify a previously adopted measure. A motion to rescind or repeal may be made at any time at any Regular or Special Meeting of the Council. A majority vote is required for adopting, if such matter has been formally placed on the agenda for consideration by action of the City Council.
- s. Division of the Question: The Presiding Officer may require, or any member may request the division of a question when, in the opinion of the Presiding Officer, the question is distinct enough so that each part can be taken up individually. The Presiding Officer shall rule on whether the question shall be divided, subject to the appeal process.
- t. Withdrawal of a motion: After a motion is seconded and accepted by the Presiding Officer, unless some member shall request that it be read again, it shall be deemed to be in possession of the Municipal Council and shall be disposed of by vote; but the moving party may, with the agreement of the party seconding, withdraw it at any time before being put to a vote.
- u. Request for a Public Hearing: Any Councilor may request a public hearing on an issue in committee where public input is important and even where a public hearing is not required for passage. The vote will be a simple majority vote.

6-3.2 Order of Motions:

- a. When another motion is on the floor and under debate, no other motions shall be accepted by the President except one (1) or more of the following:
 - Fix the time of the next meeting.
 - Adjourn.
 - Lay on the table.
 - Charter Objection.
 - Vote immediately (Move the Question).
 - Postpone to a certain time.
 - Commit or refer.
 - Amend.
 - Postpone indefinitely.
- b. The above motions take precedence in the order in which they are listed above.

6-3.3 The Following Motions are Non-debatable:

- a. Lay on the table.
- b. Adjourn.
- c. Recess.
- d. Charter Objection.
- e. Vote immediately (Move the Question).

Section 4—Duty To Vote:

- 6-4.1 Whenever a question is put before the Municipal Council, every Member shall vote, unless a Member has a direct personal or pecuniary interest not common to other Council Members, or if the Member's participation is prohibited under State Law, or if the Municipal Council for special reasons excuses him. A Member who abstains from voting due to a conflict of interest shall refrain from participating in deliberation on the question.
- 6-4.2 General Consensus: General Consent or consensus may be used to give direction and the Minutes should indicate that a majority consented.

Section 5—Recording Of Votes:

- 6-5.1 Voice or Roll Call Votes
- a. Every matter coming before the Municipal Council for action shall be put to a vote, the result of which shall be duly recorded. When requested by any member, voting shall be by a call of the roll, and the ayes and nays shall be recorded in the journal. All records shall carry the names of those voting other than in the affirmative.
 - b. All petitions, resolutions, orders, ordinances, memorials, and reports all be offered in writing. Any motion shall be in writing when the presiding officer so directs or any Member so requests.
 - c. The reading of any paper, when objected to, shall be determined by a vote of the Municipal Council.
 - d. Except in instances where a Roll Call Vote is required by Charter, Ordinance, State Law, these Rules, or demand by a Council Member, the President shall determine whether the vote shall be a Voice or Roll Call Vote.
 - e. If any Council Member declines to vote "yes" or "no", their vote shall be counted as a "no" vote.
 - f. During the taking of a Roll Call Vote, no person shall speak on the question being voted on and no new motion shall be made.
 - g. Voting by Roll Call shall proceed alternatively from left to right and right to left when the roll is called by the Clerk. The Presiding Officer shall be called to vote after all other Members have voted.
 - h. The President shall announce the results of all voting.

Article VII. Standing Committees and Special Committees,

Section 1—Municipal Council Standing Committees:

7-1.1 There shall be the following standing committees, each to consist of three (3) Council members to be appointed by the President. Committees shall review policy matters, including, but not limited to providing advice and recommendations to the Mayor, City Council and staff on matters relating to matters in each committee:

7-1.2 **COMMITTEE ON CITY PROPERTY and CLAIMS**, whose purpose shall include the review of city property policy matters dealing with the purchase, sale or use of City property. The Chairman will deal with accepting tangible items given to the City or disposing of items which have outlived their usefulness to the City. This committee may from time to time be responsible to examine claims the City may have or claims made against the City. This committee typically interacts with the Treasurer, Auditor/Accounting, Assessor, Legal Secretary to the Mayor, and City Solicitor.

1. Items that go before this committee:

- Gifts to the City of Attleboro (Ordinances Section 1-12)
- Matters pertaining to city parking lots, properties and buildings
- Acquisition of real property (Ordinances section 2-11 et seq)
- Disposition of property tangible supply (Ordinances section 2-12 et seq)
- Miscellaneous appropriations and transfers relating to city property
- Claims against the City or claims the City can bring against another.

7-1.3 **COMMITTEE ON THE BUDGET AND APPROPRIATIONS**, whose purpose shall be to review the City budget, set the city tax rate and tax split, evaluating transfers affecting the budget between accounts and departments, evaluating appropriations, and special measures and motions after the budget is approved. This committee will interact with Accounting, Budget and Administration, Treasurer, Auditor, Assessor, Collector, and Mayor's office.

1. Items that go before this committee:

- Budget, revolving accounts re-authorizations with continuing balance for the following year (annual) (Charter- Section 6-1 & 6-2) * Setting the Rates for Water, Wastewater and Trash (annual)
- Water and Wastewater Enterprise budgets (annual) Miscellaneous appropriations and transfers
- Tax Classification and Tax Factor (Tax Rate) (November or December) (Mass General Laws)
- Loan Orders

2. Public Hearings are required for:

- Budget, Re-authorizations with continuing balance for following year
- Water, Wastewater and Trash Enterprise budgets and establishment of the rate.
- Tax Classification and Tax Factor (Tax Rate)
- Loan Orders and amendments to Loan Orders

7-1.4 **COMMITTEE ON CAPITAL IMPROVEMENTS AND CITY DEVELOPMENT**, whose purpose shall be to evaluate all Capital Improvements of the general, school and enterprise budgets and departments. This committee shall review capital development projects as they may come before the Council including IBP, Steetscape, Downtown Revitalization, and CDBG. The Chairman of this committee will be named to sit on the CDIB Board for the duration of his/her term. This Chairman will act as the liaison between the City Council and the Attleboro Redevelopment Authority. This committee typically interacts with all City departments.

1. Items that go before this committee:
 - Capital Improvement Plan Program (January)
 - Certified Projects (sections 2-17.2)
 - Tax Increment Financing Zones (section 2-17.3)
 - Exemptions from Property Tax (section 2-17.4)
 - District Improvement Finance Zones
 - Community Development Block Grant Entitlement
 - Industrial Development
2. Public Hearing are required for:
 - Capital Improvement Plan Program
 - Community Development Block Grant Entitlement

7-1.5 **COMMITTEE ON LICENSES**, whose purpose shall be to review license policy matters dealing with business licenses in the City of Attleboro. This committee will evaluate licenses, which require approval of the Municipal Council and when necessary, visit places of business to ensure compliance to the law. The Chairman will have contact with the Police Department and submit their recommendations to the Municipal Council. This committee typically interacts with the City Clerk, Police Department, Fire Department, Building Inspection Department and makes site visits.

1. Items which require a license that go before this committee:
 - Amusement Arcade- (50% of floor space) (*Ordinances Section 9-4*)
 - Amusement Device License-video games, pool tables, juke box, pin ball machines (*Ordinances Section 9-3*)
 - Antique Dealer
 - Auctioneer's License (resident and non-resident)
 - Billiard & Pool Tables
 - Bowling Alley
 - Bus (*Ordinances Section 9-9*)
 - Driving Range
 - Fireworks Display (*Ordinances Section 9-6*)
 - Fortune Teller
 - Gasoline, Inflammables or other explosives
 - Guard Dog License (*Ordinances Section 9-33*)
 - Hackney Carriage Driver's License (taxi) (new applications and renewals) (*Ordinances Section 9-12*)
 - Hackney Carriage public stand (taxi) (*Ordinances Section 10-4.7*)
 - Hawker's & Peddler's License) (*Ordinances Section 9-15*)
 - Inn Holder

- Junk Collector & Dealer (*Ordinances Section 9-21*)
 - Keeping-a-stand license (*Ordinances Section 9-20*)
 - Motor Vehicles –Class I, II and III
 - Pawn Brokers (*Ordinances Section 9-34*)
 - Public Entertainment License (*Ordinances Section 9-5*)
 - Ring a Bell License (*Ordinances Section 9-16*)
 - Signs & Awnings
 - Sunday License-Automatic, Amusement Devices, Billiards and Pool Tables, Bowling Alley, Sports and games, Theatre
 - License to keep trucks (i.e. ice cream)
 - Waive fees for applications
 - Second Hand Buy and Sell License
 - Check Cashing License
 - Keep more than one unregistered vehicle on property (*Ordinances Section 9-32*)
2. Public Hearings are required for:
- Above ground storage of fuel
 - Keep more than one unregistered vehicle on property
 - New Motor Vehicle Licenses (Class 1,2 & 3)
 - Hackney Public Stand

7-1.6 **COMMITTEE ON PERSONNEL AND HUMAN SERVICES**, whose purpose shall be to review city personnel policy matters relating to personnel policies, and appointments to those boards and commissions requiring confirmation by the Municipal Council. Additionally, this committee shall review human services policy matters relating to public assistance programs and programs relating to the promotion of the general health and well-being of Attleboro’s youth, families, and elderly population. This committee will interact with all departments concerning personnel matters.

1. Items that go before this committee:
- Appointments of Department Heads, Boards and Commissions (*Ordinance Section 1-13 & 1-14*)
 - Personnel matters, appropriations and transfers
 - Issues relating to the schools, recreation, the Park, the Zoo the Library, the Attleboro Youth Commission, and the Senior Center.

7-1.7 **COMMITTEE ON ORDINANCES, ELECTIONS and LEGISLATIVE MATTERS**, whose purpose shall be to review all City of Attleboro Ordinances and recommend ordinance changes and implementation to the Municipal Council. This committee will evaluate policy related to elections, the Charter and State Law and make recommendations to the Municipal Council on those policy issues. This committee will also review legislative matters affecting the City of Attleboro, evaluate issues which are legislative, and make recommendations to the Municipal Council. The Chairman may seek legal opinions from the City Solicitor and shall notify the President of all such requests. This committee typically interacts with the Election Commission, City Clerk, State Representatives Office, State Senators office.

1. Items that go before this committee:

- Proposed amendments to the Ordinances of the City
 - Proposed new ordinances
 - Election Office appropriations and transfers
 - Charter amendments
 - Retirement Board matters
 - Amendments to Council Rules and Procedures
 - Referendum questions for the ballot
2. Public Hearings are required for:
- Proposed amendments to the Ordinances of the City
 - Proposed new ordinances
 - Charter amendments
 - Referendum questions for the ballot
 - Free Petition, Initiative, and Referendum questions that may go before the voters (pursuant to article 10 of the Charter)

7-1.8 COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT, whose purpose shall be to review policy matters of public safety, including, but not limited to: fire protection, police protection, emergency medical service, and emergency planning and operations. This committee typically interacts with the Police Department, Fire Department, Emergency management, Building Inspection, and Health Departments.

1. Items that go before this committee:
- Emergency Management matters/Crisis prevention and intervention and Homeland Security and disaster planning and prevention
 - Fire Department matters, appropriations and transfers
 - Police Department matters, appropriations and transfers.
 - Safety Hazards

7-1.9 COMMITTEE ON PUBLIC WORKS, whose purpose shall be to review public works policy matters relating to the Department of Public Works, including such things as planning, programming, budgeting, execution of maintenance, repair, and capital improvement of streets, water, sewer, storm water, and facilities. This committee will interact with Public Works department, Water Department, Waste Water Department, and local utilities carriers.

1. Items that go before this committee:
- Petitions of public utility companies to locate poles, manholes, duct locations
 - Proposals for sidewalks
 - Easements or Order of takings for sewers, sidewalks, etc.
 - Public Works Department matters, appropriations and transfers
 - Matters dealing with the collection of solid waste
 - Water and Wastewater Departments matters appropriations and transfers
 - Drainage and Flooding problems on streets
2. Public Hearing are required for:
- Petitions of public utility companies to locate poles, manholes, duct locations (Ordinances section 9-28)

7-1.10 **COMMITTEE ON TRANSPORTATION AND TRAFFIC**, whose purpose shall be to review traffic related and pedestrian safety policy matters that are affecting the community and to look for effective solutions to solve or mitigate these problems. This committee typically interacts with all City Departments. The Chairman off the Transportation and Traffic Committee is a non-voting, ex officio member of the Traffic Study Commission. The Chairman shall refer all matters and ordinance changes to the Traffic Study Commission for study and recommendation. The committee shall not make any recommendations to the full Council until 21 days have elapsed or a recommendation is received from the Traffic Study Commission.

1. Items that go before this committee:

- One Way Streets I (*Ordinances Section 10-4.9*)
- Isolated Stop Signs (*Ordinances Section 10-4.11*)
- Multi-Way Stop Sign (*Ordinances Section 10-4.12*)
- Right Turn Required (*Ordinances Section 10-4.13*)
- Left Turn Required (*Ordinances Section 10-4.14*)
- Operation of heavy Commercial Vehicles Restricted (*Ordinances Section 10-4.15*)
- Parking on Prohibited on Certain Streets (*Ordinances Section 10-5.2*)
- Time Limited on Designated Places (*Ordinances Section 10-5.3*)
- Time Limited Loading and Unloading in Designated (*Ordinances Section 5-6*)
- Handicapped and Veterans' Parking Spaces (*Ordinances Section 5.10*)
- Ordinance changes pertaining to parking, pedestrian traffic, crosswalks and vehicular traffic issues on city streets (*Ordinances See Chapter 10 Motor Vehicles & Parking*)
- Miscellaneous appropriations and transfers

2. Public Hearings are required for:

- Ordinance changes that pertain to Location of Traffic Lights; “stop signs” and “Multi-way stop signs” “speed limit and “caution signs”; “No Left hand or Right hand turn” signs; “No thru Trucking” signs; “No parking to Corner”
- Ordinance Changes that pertain to Location of “No Parking” signs; “Handicap” parking spaces; “15 min. 1, 2 ,3 and 4 hour “parking spaces” Designation of “one-way” and “two-way” streets

7-1.11 **COMMITTEE ON ZONING AND LAND USE**, whose purpose shall be to review zoning policy matters, including, but not limited to: holding joint public hearings with the Planning Board for re-zonings and zoning ordinance text amendments, and to make recommendations to the Municipal Council. This Committee typically interacts with Planning Department, Conservation Commission, Planning Board, Zoning Board.

1. Items that go before this committee:

- Industrial Development
- Rezoning Petitions (*Mass General Laws Chapter 40A, Section 5*)*
- Miscellaneous application submittals for grants
- Historic Landscape Preservation Grant, Bungay River Conservation Project grant)

- Amendments to Section 17, Zoning of the Revised Ordinances of the City of Attleboro (*Mass General Laws Chapter 40A, Section 5*)*
 - Matters that pertain to open space and conservation
 - Comprehensive Plan (*Charter, Article 8*)
 - * Joint Public Hearings with the Planning Board
2. Public Hearings are required for:
- Rezoning Petitions
 - Amendments to Section 17, Zoning of the Revised Ordinances of the City of Attleboro

7-1.12 Terms and Miscellaneous

1. Committee Members shall be appointed by the President to Committees for two (2) year terms that expire when their successor is qualified (Charter 2-1.c).
2. The President may refer to the Committee policy matters and the Committees shall have the responsibility of reviewing and making progress reports and final recommendations to City Council on those policy matters.
3. The Committees shall not be limited to issues referred to them and may discuss and make recommendations to the City Council on any policy matters within the purview of the Committees.
4. The records of committee meetings shall be completed in writing by each committee chairman within 3 days of committee meeting and kept in accordance with the Massachusetts Open Meeting Laws.
5. The Member first named on a Committee shall be its Chairman. In the case of the resignation, absence, or inability of the Chairman, the other Members in the order in which they are named respectively shall act as Chairman.
6. The President shall be a voting ex-officio member of all Special and Standing Committees.
7. Meetings of Committees may be called by the Chairman or upon the written request of two Members of the Committee.
8. The Chairman or acting Chairman of a Committee shall have the right to make procedural motions at any meeting of the Municipal Council with regard to any matter referred to his Committee; provided, however, that no matter shall be finally decided by any such procedural motion. Procedural motions shall include, but not limited to, calls for public hearings, matters of notice and advertisement, and referrals to other municipal officials, Boards and Commissions.

Section 2—Special Committees of Council:

- 7-2.1 The Council may, from time to time, establish Special Committees for the purpose of assisting the Council in carrying out its duties. Special Committees shall be established by the President setting forth the following:
- a. Charge/responsibility of the Special Committee.
 - b. Expected results, including, but not limited to, time line.
 - c. Membership, including number of members, solicitation of members and qualifications of members.

d. Term of appointment.

7-2.2 The President may discharge a Special Committee from further consideration on any matter.

Article VIII. Citizens' Rights

Section 1—Committee of the Whole:

8-1.1 The purpose of Committee of the Whole is to afford members of the public an opportunity to address the Municipal Council on issues of significance to or affecting the City of Attleboro. Upon motion by any Member, properly seconded and carried by a majority, the Municipal Council may go into Committee of the Whole. When the Municipal Council goes into Committee of the Whole, the President shall act as Chairman or appoint one. The Chairman shall have complete charge of the Committee of the Whole, and shall determine the order in which speakers are called. The Chairman shall also allow such latitude of debate as deemed proper to handle the subject at hand, but a majority of the Council may at any time order the Committee to proceed in accordance with the Rules of Procedure of the Municipal Council.

8-1.2 During Committee of the Whole, a person, other than a city official, may address the Municipal Council concerning city-related issues in accordance with the following rules:

- a. A person wishing to address the Municipal Council during Committee of the Whole must first be recognized by the President of City Council and provide the Clerk with his/her name and residence.
- b. In order that the Municipal Council may properly consider each matter brought to it by citizens during Committee of the Whole, speakers will be asked to observe the following rules:
 - Only one person may approach the microphone at any one time, and only the person at the microphone will be allowed to speak.
 - Speakers must address their comments to the entire council as a whole rather than individual Municipal Council members or staff.
 - The Municipal Council shall not permit persons to testify or present evidence at a Committee of the Whole on a matter which has been the subject of a public hearing before the Municipal Council; where that public hearing has been closed and a decision thereon has not been rendered by the Municipal Council.
 - The President may limit the time of speakers coming before the Municipal Council during Committee of the Whole.
 - The Municipal Council shall not permit persons to present political platforms, policy or positions of any individual running for office in the City of Attleboro.

8-1.3 Upon motion by any Member, properly seconded and carried by a majority, the Municipal Council may rise from Committee of the Whole. When the Municipal

Council rises from Committee of the Whole, the President shall continue with the remaining Agenda.

Section 2—Public Hearings:

8-2.1 For the purpose of public participation during Public Hearings, each speaker will be allowed a reasonable length of time to address the Council. A person wishing to address the Municipal Council during a Public Hearing must first be recognized by the President of City Council and provide the Clerk with his/her name and residence. The President shall have complete charge in determining the order in which speakers are called.

8-2.2 In order that the Municipal Council may properly consider each matter brought to it by citizens during a Public Hearing, speakers will be asked to observe the following rules:

- a. Only one person may approach the microphone at any one time, and only the person at the microphone will be allowed to speak.
- b. Speakers must address their comments to the presiding officer rather than individual Municipal Council members or staff.

8-2.3 Notice to Abutters of Public Hearings Relative to Rezoning Requests

On requests made to the Municipal Council for an amendment to the Zoning Ordinance which involve a change from one type of zoning district to another type of zoning district, the Municipal Council, in addition to giving the notice required by Chapter 40A, Section 5 of the General Laws, shall give the same written notice to: the owners, if different than the applicant(s); direct abutters (of the land to be rezoned) and the owners of the land directly opposite on any public or private street or way, as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town.

The failure in any given case to give the additional notice of public hearing prescribed in this rule of procedure shall not constitute grounds for bringing in any legal claim of invalidity of the rezoning amendment and shall not constitute grounds for denial by any such municipal official of any permit requested as the result of such rezoning.

The costs incurred by the City in giving the additional written notice provided for in the second paragraph above shall be paid by the applicant(s) for the rezoning. (voted 4/6/93)

Section 3—Public Attendance:

8-3.1 Citizens and other visitors are welcome to attend all public meetings of the Municipal Council and will be admitted to the Municipal Council chamber or other room in which the Municipal Council is meeting up to the fire safety capacity of the room.

8-3.2 Everyone attending the meeting will refrain from private conversations while the Municipal Council is in session.

- 8-3.3 Citizens and other visitors attending Municipal Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the Municipal Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the Municipal Council or while attending the Municipal Council meeting shall be directed to cease such behavior by the presiding officer. Failure to cease such behavior shall result in that person being barred from further audience before the Municipal Council during that session of the Municipal Council. If the presiding officer fails to act, any member of the Municipal Council may move to require enforcement of the rules, and the affirmative vote of a majority of the Municipal Council shall require the presiding officer to act.
- 8-3.4 If after warning from the presiding officer a person persists in disorderly behavior, said officer may order him to withdraw from the meeting, and, if he does not withdraw, may order a constable or any other person to remove him and confine him in some convenient place until the meeting is adjourned. See M.G.L. c. 39, § 23C.

Section 4—Written Communication:

- 8-4.1 Interested parties or their authorized representatives may address the Council in writing regarding any matter. Copies will be distributed to Council Members by the Clerk's Office.
- 8-4.2 Any written correspondence or other materials filed with the office of the City Clerk or received at a City Council Meeting shall be documented with a receipt time and date by the City Clerk, distributed as indicated and may be read into the record if requested by the Council President. If the Clerk does not receive a copy of the written submittal at the Council meeting, it shall not be incorporated as part of the official record.

Section 5—Complaints And Suggestions To Council:

- 8-5.1 When citizen complaints or suggestions are brought before the City Council, other than for items already on an Agenda, the President shall first determine whether the issue is legislative or administrative in nature and then:
- a. If legislative, and a complaint about the letter or intent of legislative acts or suggestions for changes to such acts, and if the Council finds such complaint suggests a change to an ordinance or resolution of the City, the Council may refer the matter to a Committee, the Administration or the Municipal Council as a whole for study and recommendation.
 - b. If administrative, and a complaint regarding administrative staff performance, administrative execution or interpretation of legislative policy, or administrative policy within the authority of the Mayor, the President should then refer the complaint directly to the Mayor for his/her review if said complaint has not been so reviewed. The City Council may direct that the Mayor provide a report to Council when his/her response is made.

Article IX. Suspension And Amendment Of These Rules

Section 1—Suspension Of These Rules:

- 9-1.1 No rule or order of the Municipal Council shall be suspended unless a majority of the members present consent thereto by a roll call vote.
- 9-1.2 When the rules are suspended, only the portions requiring change are suspended. All other rules and procedures remain in full effect. The Presiding officer should detail the rules being suspended prior to the vote.

Section 2--Amendment Of These Rules:

- 9-2.1 No rule or order of the Municipal Council shall be repealed or amended without giving notice thereof at the preceding meeting, nor unless a majority of the Municipal Council concur therein.