

RULES OF THE LAWRENCE CITY COUNCIL

ADOPTED JANUARY, 1986
(Updated through April 19, 2022)

RULE 1 - ORGANIZATION

The City Council shall meet at seven o'clock in the evening on the first secular day in January in each even numbered year. After a majority of the Councilors elect have been sworn, they shall be called to order by the City Clerk, or in the absence of the City Clerk, by the member present, senior in years of service, who shall preside. The City Council shall then elect, from its membership, by separate roll call votes, a President and a Vice President. Five votes shall be necessary for election. No other business shall be in order until the City Council has thus been organized.

RULE 2 - REGULAR MEETINGS

The City Council shall meet at seven o'clock in the evening on every Tuesday, except as may otherwise be provided by Council order.

The place of such meeting shall be the City Council Chambers, City Hall, unless some other place may be agreed upon by majority vote.

Special meetings shall be controlled by Section 3.5C II, and Section 4.8 of the Lawrence City Charter.

All meetings of the City Council and every committee and subcommittee thereof shall be open to the public and media unless otherwise provided by law, and all meetings shall conform to the Massachusetts Open Meeting Law (General Laws, Chapter 39).

In no event shall a meeting of the City Council extend beyond 10 P.M. unless 2/3 of the Council present vote in the affirmative. Votes will then be taken hourly.

RULE 3 - ORDER OF BUSINESS

At every regular meeting of the City Council, the order of business shall be as follows:

- (a) Calling roll of members
- (b) Acceptance of minutes of previous meeting
- (c) Public hearing
- (d) Communication from the Mayor
- (e) Communication from City Officers
- (f) Orders, ordinances and resolutions
- (g) Receiving Committee Reports
- (i) Items—Previously tabled
- (j) New Business
- (k) Recess or Adjournment

RULE 4 - DUTIES OF THE PRESIDENT

1. The President of the City Council shall take the chair at the hour fixed, or to which the Council has adjourned or been called together, call the members to order, cause the roll to be called, and on the appearance of a quorum, proceed to business.

The President shall preserve order and decorum. He may speak to points of order in preference to other members and shall decide all questions of order, subject to an appeal to the Council on the motion of any member.

The President may express his opinion on any subject under debate only by leaving the chair and in such case he shall not resume the chair while the question is pending, provided the same is taken previous to adjournment. The presiding officer, however, may state facts and give opinions on questions of order without leaving his place.

When a matter is initially introduced to the Council, it shall be immediately referred by the Council President to the appropriate committee.

Resolutions submitted by Councilors at a regular Council meeting shall be referred to the committee, which, in the opinion of the Council President, has proper jurisdiction over the subject matter.

The President shall appoint all standing and special committees of the City Council.

- (a) The President shall be an "ex-officio" member of all standing and special committees of the City Council as established pursuant to the Rules of the Lawrence City Council. As an "ex-officio" member of any such standing or special committee, the President shall possess all authority and privileges of any member of any and all standing and special committee member, including, without limitation, the right to deliberate and vote on any item before said standing and special committee for consideration except the President shall serve upon any standing or special committee of the City Council in accord with the provisions of Rule 6 herein. The provisions of this paragraph shall not apply to the Committee of the Whole at any time and the Council President shall be a member of any and all Committee of the Whole in accord with the provisions of all other effective Rules of the City Council.

(Document 52/2015, Approved Effective June 2, 2015)

RULE 5 - DUTIES OF THE VICE PRESIDENT

The Vice President shall serve as presiding officer in the absence of the President.

RULE 6 - COMMITTEES

The City Council shall provide for the establishment of standing committees to which all business shall be referred for study and recommendation before action is taken by the City Council. The President of the City Council shall appoint all members of standing committees.

1. There shall be a committee on Budget and Finance to which shall be referred every measure which would involve an expenditure of City funds.
2. A committee on ordinances and inter-governmental relations to which shall be referred every measure which in the form of adoption is categorized "an ordinance" or the effect of which is more than of temporary significance; and furthermore, every measure which involves another unit of government and the city.
3. A committee on personnel and administration to which shall be referred all personnel measures within the purview of the City Council and all measures the effect of which would be to alter the administrative structure of City government.
4. There shall be a committee on housing to which shall be referred every measure concerning the housing of the citizens of Lawrence.
5. The Council President shall be an "ex-officio" member of all standing and special committees of the City Council as established pursuant to the Rules of the Lawrence City Council. As an "ex-officio" member, the Council President shall possess all authority and privileges of any member of any and all standing and special committee members, including, without limitation, the right to deliberate and vote on any item before said standing and special committee for consideration and further subject to the following limitations:
 - (a) The Council President shall not serve as the "chair" of any standing or special committee at any time;
 - (b) Upon the presence and/or appearance of any duly appointed fourth member of the standing or special committee at any time during any meeting of said standing or special committee where the Council President is also present and attending, the Council President shall no longer possess the authority and privilege of membership of the standing or special committee member, including, without limitation, the right to deliberate and vote on any item before said standing and special committee for consideration; (c)
 - (c) The authority and privilege of membership provided to the Council President by this Rule of the City Council shall be fully reinstated upon the absence of any duly appointed fourth member of the standing or special committee which shall include, without limitation, the right to deliberate and vote on any item before said standing and special committee for consideration;
 - (d) The provisions of Rule 6 shall not apply to the Committee of the Whole at any time and the Council President shall be a member of any and all Committees of the Whole in accord with the provisions of all other effective Rules of the City Council;
 - (e) The provisions of Rule 6 shall not apply to any standing committee, special committee upon the vote of two-thirds of the members of the Lawrence City Council as it may deem necessary;

(Document 52/2015, Approved Effective June 2, 2015)

RULE 7 - DECORUM

I Every member, when about to speak, may rise, address the chair and confine himself or herself to the question under debate, avoiding personalities.

- (a) No member in debate shall mention another member by name but may describe him or her by such designation as may be intelligible and respectful.
- (b) No member shall speak or vote out of his place without leave of the presiding officer.
- (c) No member shall interrupt another while speaking, except by rising to a point of order, to a point of personal privilege, to a question of parliamentary procedure, or to doubt the presence of a quorum.
- (d) A member may rise to a point of personal privilege by leave of the presiding officer, but, shall not discuss pending questions and shall confine his or her remarks to statements which have been made regarding his rights, reputation, or conduct in his capacity as a City Councilor.
- (e) A member may rise to ask questions of parliamentary inquiry by leave of the presiding officer, but, shall not discuss pending questions.
- (f) When a member is ruled out of order, he or she will immediately take his seat, unless permitted to explain, and the Council, if appealed to, shall decide on the case without debate, and if the decision is against the member, he shall not be permitted to speak.
- (g) No member shall speak to the same question more than once until all members choosing to speak, have spoken.
- (h) The members of the Council shall not leave their place on adjournment until the presiding officer declares the Council adjourned.
- (i) When two or more members rise at the same time, the presiding officer shall name the member who is to speak first.

II Proper Decorum within the City Council Chamber during Meetings.

- (a) In order to preserve the public safety and proper decorum during Council Meetings, there shall be no signs within the Council Chambers during Council Meetings and Council Subcommittee Meetings. The intention of this Rule is to ensure that civility shall be maintained and enforced at all times within the chamber walls. The action that takes place is by and for the residence of Lawrence and deserves respect at all time.

(Document 339/2010, Approved Effective May 24, 2011)

RULE 8 - QUORUM

The presence of five members of the City Council shall constitute a quorum for the transaction of business. The affirmative votes of six members shall be required to adopt an appropriation order.

Every member present, when a question is put, shall vote, unless any Councilor, for special reasons stated before the roll call vote, and decided upon without debate, shall be excused. No member shall leave the Council Chambers without permission if his presence is necessary to make a quorum. Members may leave a Council Meeting which has been extended past 10:00 P.M.

RULE 9 - APPEAL

Any member of the City Council may appeal the decision of the presiding officer, by motion. No other business shall be in order until the question of the appeal is decided. No debate shall be permitted upon the question of appeal. The vote upon the question of appeal from the ruling of the presiding officer shall be by roll call. The decision of the presiding officer shall stand unless a majority of the votes are to the contrary. The presiding officer shall be allowed to vote on any question of appeal.

RULE 10 - VOTING

Every matter which comes before the City Council and of every committee and subcommittee thereof shall, unless the vote is unanimous, be decided by a roll call vote, which shall be recorded as part of the public record. Voting by roll call shall proceed alternatively left to right and right to left when called by the Clerk. The presiding officer shall vote last.

RULE 11 - SUSPENSION OF RULES

Any Councilor asking for suspension of a Council rule shall identify that rule which he seeks to suspend. No Council rule shall be suspended unless at least six members of the Council consent thereto. No suspension shall be allowed on any rule which prohibits suspension or requires a specific Council vote of more than six members.

No committee shall be discharged of a matter pending before that committee unless six or more members of the Council consent thereto.

RULE 12 - LEGISLATIVE PROCEDURES

A. In general, no measure shall be adopted by the City Council on the date it is introduced, except in the case of a special emergency involving the peace, health, safety or convenience of the public or their property. Except as otherwise provided by the Charter, every measure approved by the City Council shall be effective at the expiration of the 30th day following the date of Council approval unless a later date is specified in such measure. No ordinance shall be amended or repealed except by another ordinance or by the provisions for citizen initiative and referendum as provided for in Article 8 of the Charter.

B. Emergency Measures—An emergency measure shall be introduced in the form and manner provided generally except that it shall be plainly designated an emergency measure. A preamble, which describes the emergency which exists in clear and specific terms shall first be separately voted upon and shall require six affirmative votes. Following such vote, the City Council may, by majority vote, pass the measure with or without amendment at the meeting at which it is introduced. Emergency measures shall stand repealed on the 61st day following the date of Council approval, unless an earlier date of expiration is otherwise provided, or unless a second emergency measure, adopted in conformity with this section, is adopted extending it, or unless a measure adopted in conformity with the procedures for measures generally is adopted extending it.

RULE 12 - LEGISLATIVE PROCEDURES (CONTINUED)

C. *Charter Objection*—On the first occasion that the question of adoption of any measure is put to the City Council, excepting an emergency measure in accordance with Section 3.8(b) if a single member objects to the taking of the vote, the vote shall be postponed until the next meeting of the City Council, regular or special. If, when the matter is next put to the Council for a vote, four or more members object to the taking of the vote, the matter shall be postponed for not less than an additional five days. This procedure shall not be used more than once for any measure, notwithstanding any amendment to the original measure.

D. *Publication and public hearing required* — Every proposed ordinance or loan order, except any submitted in accordance with Section 3.8(b) shall be published once in full in the local newspaper and in any additional manner required by law or by ordinance. Such publication shall also state the time, not less than seven nor more than fourteen days following such publication, and the place at which the City Council, or a standing committee of the City Council will hold a public hearing on the proposed ordinance or loan order.

E. *Publication of adopted measures*—After final adoption, and approval by the mayor if required, all ordinances and loan orders and such other measures as the City Council shall, by ordinance direct, shall be published in full in a local newspaper. Section 3.8(f) of the Charter provides for exceptions to the publication requirements contained in paragraphs D or E.

RULE 13 - ENACTING STYLE

Any measure passed by the City Council, the effect of which is of more than temporary significance, shall be entitled *ORDINANCE*, and the enacting style shall be, "Be it Ordained by the City Council of the City of Lawrence ...".

Any proposal or proposition seeking Council endorsement of a particular course of action or the option of the Council shall be entitled a *RESOLUTION* and the enacting style shall be "Resolved".

Any invitation to any person to appear before the City Council or one of its committees or any request for written material shall be entitled *A REQUEST* and the enacting style shall be, "You are Requested by the City Council of the City of Lawrence ...".

Any measure by which the City Council expresses anything by command shall be entitled, *ORDER* and the enacting style shall be, "Ordered".

Every proposed ordinance, resolution or order shall be reduced to writing and signed by the member or members presenting the same. Every request shall be reduced to writing and shall include an explanation of the matter to be discussed including specific questions, if any, and shall be signed by the member or members presenting such requests. Requests may be debated and are subject to amendment. A request may be acted upon at the same meeting at which it is introduced.

RULE 14 - REFERRAL TO CITY SOLICITOR

Before final passage, a copy of every new proposed ordinance or loan order shall be submitted to the City Solicitor for examination and advice as to form, legal character and constitutionality. He shall carefully examine all such proposed ordinances and loan orders and advise the Council as to whether the same are rightly and truly drawn and whether they are constitutional.

RULE 15 - QUESTION IN POSSESSION OF COUNCIL

After a Motion is stated or read by the presiding officer it shall be deemed to be in possession of the Council and shall be disposed of but the mover may withdraw it by a majority vote of the Council at any time before decision or amendment.

RULE 16 - MOTIONS RECEIVED DURING DEBATE

When a question is under debate, the presiding officer shall receive no motion except the following:

- (1) to adjourn;
- (2) to take a recess;
- (3) to leave to withdraw a motion;
- (4) to lay upon the table;
- (5) for the previous question;
- (6) to postpone to a definite time;
- (7) to commit or refer to recommit;
- (8) to place on file;
- (9) to postpone indefinitely;
- (10) to amend.

These motions shall take precedence in the order in which they are arranged.

RULE 17 - AMENDMENTS

No motion or proposition on a subject different from that under consideration shall be admitted under the color of an amendment.

RULE 18 - DEBATE

No debate will be allowed on any matter unless and until there is a motion pending before the Council. The motion to adjourn, when to adjourn, the motion to lay upon the table or take from the table, for the previous question shall be decided without debate.

RULE 19 - PREVIOUS QUESTION

The presiding officer shall put the previous question in the following form: "*Shall the main question now be put?*" and all debate upon the main question and pending amendments shall be suspended until the previous question is decided. After the adoption of the previous question, the vote shall forthwith be taken upon pending amendments in their regular order and then upon the main question.

RULE 20 - RECONSIDERATION

When a vote has passed it shall be in order for any member voting with the prevailing side to move for reconsideration thereof at the same meeting in which the vote was taken. But, when a motion for reconsideration is decided, that vote shall not be reconsidered.

RULE 21 - FINAL REJECTION

When an ordinance or resolution has been finally rejected or disposed of by the City Council, no ordinance or resolution which is substantially the same shall be introduced by any Council member or committee at any time within twelve months next following final action on such ordinance or resolution. This restriction shall not apply when a Council has granted leave to withdraw on a previous ordinance or resolution.

RULE 22 - DUTIES OF THE CLERK

The Clerk shall attend and keep records of all meetings of the Council and shall record the names of the members present and shall have the care and custody of the City Records and all documents, maps, plans and papers pertaining to the business of the City Council.

Every ordinance, after its passage, to be ordained and every resolution shall be engrossed by the Clerk and presented without unnecessary delay to the President of the Council or presiding officer of the meeting at which the same was adopted for his signature. The Clerk shall enter upon the records of the Council the day on which such ordinance or resolutions were presented to the presiding officer.

The City Clerk shall prepare a list of all matters to come before the City Council at each meeting in accordance with the established order of business and shall deliver to the residences of each Councilor, a copy of the same, no later than 24 hours prior to the meetings.

As part of the agenda for each meeting on a separate sheet in a suitable format, there shall be a list of all orders, documents, reports, and communications which have been referred to a Council committee for a report or action, along with the date submitted to the committees.

No business or documents scheduled to come before the City Council may be removed or omitted from the agenda prior to a meeting.

All papers of whatever description which may require action by the City Council shall be presented to the City Clerk no later than 12:00 o'clock noon on Thursday, preceding the day of each regular meeting. Papers presented after that hour on such day will not be considered until the next meeting unless admission is approved by seven members of the City Council. If the preceding day is a holiday all papers shall be presented at the same hour on the Wednesday preceding the day of the meeting.

RULE 23 - APPOINTMENTS TO CITY OFFICES

All new appointments submitted by the Mayor for appointive positions for city offices shall be accompanied by a written resume of the appointee's background and qualifications, including background and work experience. The City Council reserves the right to request a personal interview with all new appointees within the time provided for by Section 3.7 (a) of the Charter.

RULE 24 - PUBLIC HEARINGS

In order to ascertain the will of the people to carry out the provisions of the Charter, the City Council shall hold public hearings, notice of which shall be published in the local newspaper not less than seven nor more than fourteen days prior to the hearing. The notice shall contain the date, time and place of the hearing and shall specify the purpose for the hearing.

RULE 25 - AMENDMENT OF RULES

These Rules may be amended at any regular meeting of the City Council by a two-thirds vote of the City Council provided that notice of intent to amend the Rules, stating the complete substance of the proposed change, has been given in writing at a previous meeting and that such notice be signed by at least two members of the City Council.

RULE 26 – PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the City Council in all cases to which they are applicable and in which they are not inconsistent with these rules and any special rules of order the City Council may adopt.

(Document 102/22, Approved Effective April 19, 2022)