

ORDINANCE NUMBER 1497 - 16

AN ORDINANCE APPROVING THE RULES OF PROCEDURE FOR MEETINGS OF THE COUNCIL OF MUSCLE SHOALS, ALABAMA FOR THE TERM COMMENCING NOVEMBER 7, 2016

The Council of Muscle Shoals, Alabama being elected and meeting pursuant to law in organizational session on the first Monday of November 2016 and for the purposes of setting forth the rules of procedure and operation of the Council of Muscle Shoals, Alabama desires to enact certain rules of procedure and operation:

BE IT ORDAINED BY THE COUNCIL OF MUSCLE SHOALS, ALABAMA, that Resolution Number 2581-12, and the provisions thereof, is hereby repealed and of no further force and effect.

BE IT FURTHER ORDAINED BY THE COUNCIL OF MUSCLE SHOALS, ALABAMA, that the order and rules of procedure in all instances for meetings of the Council shall be as follows:

Section 1. That the rules or order of procedure herein contained shall govern deliberations and meetings of the Council of Muscle Shoals, Alabama.

Section 2. Regular meetings of the Council shall be held on the following dates: The first and third Monday of each month except on holidays as recognized and/or designated by the Council of Muscle Shoals, Alabama. In lieu of the foregoing, the Council may schedule a regular meeting of the Council at another time by setting the date and time certain at and during any regular or special meeting of the council.

Section 3. Special meetings may be held at the call of the President of the Council by serving notice to each member of the Council not less than twenty-four hours before the time set for such special meetings, or special meetings may be held as provided by Section 11-43-50 of the Alabama Code of 1975, whenever two Council members request in writing that the presiding officer call such meeting, upon the failure or refusal of the presiding officer to call such meeting when requested, the two Council members making the request shall have the right to call such meeting and notice shall be given to each member of the Council not less than twenty-four hours before the time set for the special meeting.

Section 4. A quorum of the Council shall be determined as provided by Section 11-43-48 of the Alabama Code of 1975. In the event that a lesser number than a quorum shall convene at any regular or special meeting of the Council, they are authorized to send the Chief of Police or some other person for any or all absent members, as the majority of the members present may agree.

Section 5. There shall be a work session of the Council preceding the regular meetings of the Council or at such other time as the President of the Council may designate by giving notice to

the public by posting the time of said meeting at City Hall at least three (3) hours before the commencement of said work session. The work sessions preceding the regular meetings of the Council shall commence at 5:30 p.m. The regular meetings of the Council shall commence immediately at the conclusion of the work session but in no instance prior to 6 p.m. All meetings of the Council, regular, special or work sessions, shall be open to the public.

Section 6. The Clerk of the City shall prepare and furnish copies of the minutes of the previous meeting and shall also prepare and furnish an agenda of the next meeting of the Council to each member of the Council by Friday of the next succeeding meeting of the Council.

Section 7. The order of business shall be as follows:

1. A call to order
2. Roll call
3. Adoption of the minutes
4. Comments of the Mayor
5. Comments of the public
6. Reports of standing committees
7. Reports of special committees.
8. Reports of officers.
9. Hearing on petitions, applications, appeals, communications, etc.
10. Financial reports
11. Resolutions, ordinances, orders and other business.

Section 8. In all roll call votes of the Council, the Clerk shall call the roll of the Council members in order of the place numbers held by each of them [i.e. Place 1, Place 2, Place 3, Place 4 and Place 5].

Section 9. No member shall speak more than twice on the same subject without permission of the presiding officer.

Section 10. No person, not a member of the Council, shall be allowed to address the same while in session without unanimous consent of the Council.

Section 11. Persons seeking to address the Council during the meetings of the Council shall be recognized to do so during and pursuant to Item 4 of Section 7 [Comments of the public] of these rules of order and procedure. All persons shall address and speak to the Council from a designated rostrum. Each person so recognized to address the Council shall be allowed a period of five (5) minutes to do so and the Clerk shall keep the time and shall notify the person addressing the Council when one (1) minute of the time remains. All persons obtaining recognition to address the Council shall do so only upon the matters within the purview and jurisdiction of the Council and touching upon matters that are to be acted upon or which may be acted upon by the Council. All general supervisory and executive matters within the Mayor's responsibility shall be taken up with the Mayor at a time other than during the meetings of the Council.

Section 12. Every officer, whose duty it is to report at the regular meetings of the Council who shall be in default thereof, may be fined at the discretion of the Council.

Section 13. All resolutions and ordinances shall be in writing.

Section 14. Motions to reconsider must be by a member who voted with the prevailing side and at the same or next succeeding regular meeting of the Council. If the latter, such intent to make a motion to reconsider must be filed in writing with the Clerk of the City by 4 o'clock p.m. on Thursday before the next succeeding regular meeting of the Council. A matter shall be subject to a motion to reconsider one time only.

Section 15. Whenever it shall be requested by one or more members the "yeas" and "nays" shall be recorded; and any member may call for a division on any question.

Section 16. All questions of order shall be decided by the presiding officer of the Council with the right of appeal to the Council by any member. The presiding officer shall refrain from voting on any appeal of a ruling by the presiding officer to the Council.

Section 17. Motions to lay any matter on the table shall be first in order and a motion for adjournment shall always be in order.

Section 18. The rules of the Council may be altered, amended or temporarily suspended by a vote of three-fifths of the members present. Notice of intent to alter or amend these rules of procedure shall be given in writing at the regular meeting of the council before the next succeeding regular meeting of the council at which a member intends to alter or amend the said rules.

Section 19. The chairman of each respective committee, or the Council member acting for him in his place, shall submit or make all reports to the Council when so requested by the presiding officer or any member of the Council.

Section 20. All ordinances, resolutions or propositions submitted to the Council which require the expenditure of money shall lie over until the next regular meeting, provided, that such ordinances, resolutions or propositions may be considered earlier by the unanimous consent of the Council, such consent shall be by roll call and the "yeas and nays" shall be recorded and the vote thereon spread on the minutes; and provided further, that this rule shall not apply to the budgeted items and/or current expenses of officers, or wages of employees, of the city.

Section 21. No ordinance or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent be obtained for the immediate consideration of such ordinance or resolution, such consent shall be by roll call and the "yeas and nays" shall be recorded and the vote thereon spread on the minutes.

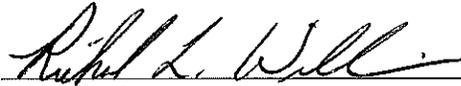
Section 22. This Ordinance shall become effective immediately upon its passage and approval by the Mayor or upon its otherwise becoming effective as provided by law.

Adopted and approved this 7th day of November, 2016.



Council President

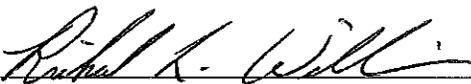
ATTEST:



City Clerk

TRANSMITTAL

I hereby certify that the foregoing Ordinance Number 1497 - 16 was passed on the 7th day of November, 2016 by the City Council of the City of Muscle Shoals and was transmitted to the Mayor on the 8th day of November, 2016 at 2:00 o'clock p .m.



City Clerk

APPROVED on November 8th, 2016 at 9:00 o'clock a.m.



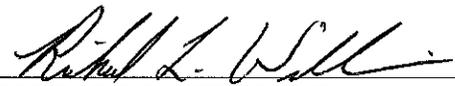
DAVID H. BRADFORD
Mayor of the City of Muscle Shoals, Alabama

CERTIFICATE

I, Richard L. Williams, the City Clerk of the City of Muscle Shoals, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly passed and adopted by the City Council of the City of Muscle Shoals, Alabama at a regular meeting of the Council held on the 7th day of November, 2016 and that said Ordinance is on file in the Office of the City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 8th day of November, 2016.





RICHARD L. WILLIAMS
CITY CLERK

CERTIFICATE OF POSTING

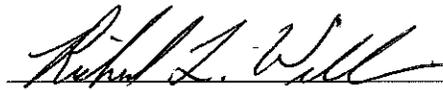
I, Richard L. Williams, City Clerk for the City of Muscle Shoals, Alabama, hereby certify that the above and foregoing Ordinance was duly and properly adopted by the Council of the City of Muscle Shoals, Alabama at a regular meeting of the said Council held on the 7th day of November 2016 at 6:00 o'clock p.m. in said City.

The said Ordinance has been duly and properly published on this the 8th day of November 2016 by posting a copy of said Ordinance at the Office of the Mayor at City Hall in the City of Muscle Shoals, Alabama; Muscle Shoals Public Library; Muscle Shoals Recreation Building # 1, Gattman Park; and First Metro Bank, Muscle Shoals Branch; being four conspicuous public places lying and being within the City of Muscle Shoals, Alabama, there being no newspaper published and of general circulation in the City of Muscle Shoals, Alabama.

I certify that a copy of the said Ordinance has been posted to the City's website which may be found at www.cityofmuscleshoals.com.

Reasonable steps will be undertaken to maintain the postings for not less than thirty (30) days.

This 8th day of November, 2016.



RICHARD L. WILLIAMS
CITY CLERK