

ORDINANCE NO. 129

**AN ORDINANCE ADOPTING GOVERNING BODY
RULES OF PROCEDURE AND FOR OTHER PURPOSES.**

WHEREAS, it is necessary and desirable for the Governing Body, hereinafter "Town Council," of the incorporated Town of Garfield, Arkansas, to enact an Ordinance setting out rules to promote the orderly and businesslike consideration of the questions which come before it for determination; and

WHEREAS; Rules allow the Town Council to set the priority and manner of consideration of questions and to provide an orderly and methodical plan so that business may receive proper consideration; and

WHEREAS; A.C.A. §14-63-5019a)(2)(C)(i) provides that the Town Council shall determine the rules of its proceedings.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF
THE TOWN OF GARFIELD, ARKANSAS:**

That the following rules of procedure are hereby adopted:

Section 1: General Provisions:

- a) For the purposes of this Ordinance, "Governing Body" is defined as the duly elected council of the incorporated Town of Garfield and shall be referred to as the "Town Council."
- b) Meetings shall be the regularly scheduled meetings of the Town Council and all properly advertised special meetings or emergency meetings.
- c) Mayor shall be the duly elected executive of the incorporated Town of Garfield.

Section 2: Meetings:

- A. Meetings of the Town Council shall be held in accordance with Resolution No. 82 and in compliance with A.C.A. § 25-19-106; the section of Arkansas Code incorporated into the Arkansas Freedom of Information Act.
- B. All binding actions of the Town Council shall be taken at regular meetings, special meetings or emergency meetings.
- C. The Town Council may recess and reconvene a meeting to a subsequent date provided that prior to recessing, the presiding officer specifies the date, time

and place for continuation, and immediately posts notice of the date, time and place for the reconvened meeting on or near the door of City Hall and other posting places within the Town of Garfield. Only matters appearing on the agenda of the original meeting will be discussed at the reconvened meeting.

- D. Notice of all meetings shall be made in accordance with the "Open Public Meetings Act" known as A.C.A. § 25-19-106 and all such notices shall be placed by the duly elected Clerk of the incorporated Town of Garfield.
- E. Members of the Town Council are expected to attend all regularly scheduled meetings and shall make every effort to attend all special and emergency meetings.
- F. A quorum shall consist of the majority of the elected members of the Town Council and shall be no fewer than three members.

Section 3: Duties of the Presiding Officer: The Mayor shall possess the following powers and perform the following duties;

- 1. Preserve order and decorum and have general authority over the meetings and Council Chambers.
- 2. Announce the business before the Town Council in the order in which it is to be acted upon.
- 3. Recognize the speakers entitled to the floor and guide and direct the proceedings of the Town Council.
- 4. Call for public input on agenda items as appropriate.
- 5. Decide all points of order, subject to appeal, unless s/he prefers to submit the question to the decision of the Town Council.
- 6. Put to vote all questions that are regularly moved or otherwise arise in the course of the proceedings.

In the absence of the Mayor, the Town Clerk shall act as the presiding officer.

Section 4: Time Allotted for Input from the Electorate and Other Guests: Any person so requesting and who wishes to bring his/her concerns before the Garfield Town Council shall be allowed to appear and address the Town Council subject to the following:

- a) Each person so requesting shall be allowed fifteen (15) minutes to speak provided the person has requested to be on the agenda of the meeting of the Town Council no less than seven (7) days prior to the scheduled meeting.
- b) No person requesting to be permitted to address the Town Council may offer his/her allotted time to another person nor utilize the time reserved by another person.
- c) Any person who has not requested to be on the agenda of the Town Council meeting shall be allotted three (3) minutes to address the Town Council. No person requesting to be permitted to address the Town Council may offer his/her allotted time to another person nor utilize the time granted to another person.
- d) All persons who request and are permitted to address the Town Council shall observe all the rules of decorum to which the members of the Town Council are subject, including but not limited to, restraining from the use of threats and profanity, restraining from personal attacks on members of the Town Council, and following the requests of the Presiding Officer.

Section 5. Adoption of Procedural Rules for Municipal Officials; The Arkansas Municipal League has prepared and distributed information contained within its publication entitled "Procedural Rules for Municipal Officials." All members of the Town Council have reviewed the publication and hereby agree to adopt the "Procedural Rules for Municipal Officials" to promote the orderly and businesslike consideration of the questions which come before it for determination.

Section 6. Severability: It is hereby declared to be the intention of the Garfield Town Council that each section of this Ordinance is severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decrees of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of the Ordinance.

Section 6. Repealing Clause. All Ordinances or part of Ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED this ____ Day of _____, 2009.

APPROVED: _____
LAURA HAMILTON, Mayor

ATTEST: _____
Merlene Snoderly, Town Clerk