

STANDING  
RULES OF THE COUNCIL  
OF THE  
TOWN OF ORANGE PARK  
EFFECTIVE:           OCTOBER 5, 2010

Rule 1.010 MEETINGS

All Council meetings shall be held in the Council Chambers in Town Hall and shall be open to the public. In case of emergency, the Mayor may designate an appropriate meeting place for a meeting open to the public.

Rule 1.020 REGULAR MEETINGS

The Council shall hold regular meetings on the first and third Tuesdays of each month commencing at 7:00 P.M., except that: (a) when a regular meeting day shall fall on a Legal Holiday, the regular meeting shall be held on the following day at the same time and place, (b) in March, there shall be only one regular meeting to be held on the second Tuesday of the month commencing at 7:00 P.M., (c) in June, the regular meetings shall be held on the first Tuesday of the month commencing at 7:00 P.M. and the fourth Tuesday of the month commencing at 5:01 P.M., (d) in July, there shall be only one meeting to be held on the third Tuesday of the month commencing at 7:00 P.M., and (e) regular meetings shall be reduced to one only per month on the first Tuesday during the months of August, November, and December. The news media shall be notified and appropriate notice shall be posted at Town Hall. Regular meetings will adjourn no later than three hours after the meeting is called to order, unless: (a) a motion is carried by an affirmative vote of at least three-fourths of the members present at the meeting to adjourn the meeting at a later time or (b) the Council is required by law to consider a particular item or items at the regular meeting. If the regular meeting fails to adjourn after three hours because the Council has not yet considered a particular item or items that it is required to consider by law, then the Council shall immediately consider said item or items, and adjourn after consideration of said item or items.

Rule 1.030 SPECIAL OR CALLED MEETINGS

The Mayor, or in the Mayor's absence the Vice-Mayor or three or more members, may call a special meeting of the Council upon not less than twelve (12) hours notice to every member. Whenever possible such meeting should be called on the second, fourth or

fifth Tuesday, except holidays or eves of holidays. Notice of the call of such special meetings shall be in writing, signed by the party or parties making the call, and shall be served on every member, either by notifying the member in person or by telephone or by leaving a copy of said notice at the member's legal residence. The news media, the Town Attorney, the Town Clerk, the Town Manager, and affected Department Heads shall also be notified. The notice shall state the business to be transacted at such meeting and no other business than that so specified shall be transacted. Notice shall be posted at Town Hall.

#### Rule 1.031 COMMITTEES, BOARDS AND MEETINGS

Committees of the Council shall be standing committees of General Government Administration, General Services and Recreation, Public Safety & Public Works, Finance & Budget, and Land Use Planning & Policy. The Council may form ad hoc or special committees from time to time. Committee Chairs and Committee Vice-Chairs shall be assigned by the Mayor and both shall serve for a term of one year. Committee members shall be nominated by the Committee Chair and approved by the Council. Committee meetings may be called by the Chair, Vice-Chair, Mayor or the Town Manager when sufficient business or timing is appropriate. Such meetings will have an agenda published to each Committee member when possible at least seventy-two (72) hours in advance. If the Committee Chair is unwilling or unable to call committee meetings, the Vice-Chair may call the meeting. Generally, committee meetings should be scheduled on the second, fourth and fifth Tuesdays. The news media shall be notified and appropriate notice shall be posted at Town Hall. Candidates for appointment to the Planning and Zoning, Environmental Quality and Magnolia Cemetery Boards shall be nominated by the member whose term is concurrent with the board seat then being filled.

#### Rule 1.040 QUORUM

A quorum of the Council for the transaction of any business shall consist of three (3) members, but a lesser number may adjourn from time to time until a quorum is present. In the absence of a quorum the Council may compel the attendance of members absent without cause by a fine of \$25.00 for each meeting not attended.

#### Rule 1.050 PRESIDING OFFICER

(a) The Mayor, or in the Mayor's absence the Vice-Mayor, shall preside over all meetings of the Council. In the absence of the Mayor and Vice-Mayor, at the hour fixed for any meeting, the Town Manager shall call the Council to order, whereupon a temporary chair shall be elected by the members present. Upon arrival of the Mayor or Vice-Mayor the temporary chair shall relinquish the chair upon conclusion of the business immediately before the Council.

(b) The Presiding Officer shall take the chair at the hour fixed for the meeting and call the members to order. They shall thereupon take their seats. The Presiding Officer shall preserve order and decorum at all meetings of the Council. The Presiding Officer shall state every question given before the Council, and direct the Clerk to call roll. The Clerk shall call roll in a random order as selected by the Clerk but never alike in sequence. This will include elections of Mayor and Vice-Mayor. The Clerk will record the vote on all matters in which the recording of ayes and nays is required by law or with respect to which any member requests such recording. The Presiding Officer will announce the decision of the Council on all subjects and decide on questions of order. Any member may appeal from the decision of the Presiding Officer, in which event a majority vote of the members present shall govern and conclusively determine the ruling appealed. No other business, except a motion to adjourn or to lay on the table, shall be in order until the question on appeal has been decided.

Rule 1.051 ELECTION OF MAYOR AND VICE-MAYOR

The election of Mayor and Vice-Mayor pursuant to Sec. 2.05 of the Charter shall occur at the first regular meeting in April.

Rule 1.060 JOURNAL AND CLERK

It shall be the duty of the Town Clerk of the Council, in addition to other duties prescribed by law, to keep and preserve a correct journal of the proceedings of the Council. The journals shall be a public record. Proposed substantive additions or corrections to proposed minutes, other than spelling and grammatical corrections, shall be furnished in writing to the Town Clerk not less than twelve (12) hours prior to the meeting at which approval action is scheduled. The record of every meeting when approved and entered in the journal shall be signed by the Presiding Officer at such meeting and attested by the Town Clerk. The Town Clerk shall furnish each member, the Town Attorney and the Town Manager a copy of all

ordinances and resolutions introduced in the Council and a copy of the proceedings of each meeting of the Council. The Town Clerk shall prepare an agenda for each regular meeting of the Council in the order of business and furnish a copy thereof to each member, the Town Attorney and the Town Manager at least seventy-two (72) hours in advance of said meeting. All official meetings of the Council shall be recorded on an automatic recording device by tape, record or other device and permanently preserved in the official records of the Town or until their destruction as specifically authorized by the Council.

Rule 1.070 MOTIONS

(a) A motion is to be worded in a concise, unambiguous and complete form.

(b) No speech is to be made in reference to a motion when it is introduced. There will be no debate until a motion has been seconded and the question stated by the Presiding Officer or the Clerk.

(c) When the question has been stated, it is before the Council and the mover is entitled to the floor.

(d) The order of procedure of motions shall be in accordance with Robert's Rules of Order.

Rule 1.080 RULES OF DEBATE

(a) The Presiding Officer may move, second and debate, subject only to such limitation of debate as are enforced by these standing rules on all members and shall not be deprived of any of the rights and privileges as a member.

(b) When a member desires to speak in debate on a subject open to debate, the member must address the Presiding Officer. When recognized by the Presiding Officer, the member may speak only on matters germane to the business or questions under debate.

(c) A member, once recognized, shall not be interrupted while speaking unless the member is called to order for transgressing any rule of the Council or failing to maintain proper decorum. If a member is called to order while speaking, the member shall cease speaking until the question of order is determined by the Presiding Officer.

(d) No member shall speak more than twice at any meeting on any matter before the Council, nor shall any member speak a second time until every member desiring to speak has had an opportunity to do so once. No member shall speak more than five minutes the first time and no more than two minutes the second time, except by permission granted by the Presiding Officer. The proponent of the measure shall have not more than two minutes to close.

(e) After the decision on any question, it shall be in order only for a member voting on the prevailing side to move for reconsideration at the same meeting, but such motion may be seconded by any member. If a motion to reconsider is lost, it shall not be renewed again at the same meeting. A motion to reconsider may be laid on the table or postponed indefinitely, and the effect of such action in either case shall be to defeat the motion to reconsider and to prevent further consideration thereof.

#### Rule 1.090 CONDUCT AND RESPONSIBILITY OF MEMBERS

(a) Any member who is unable to attend a Council or Committee Meeting due to sickness or for a duly authorized reason shall notify the Town Clerk, who shall notify the Presiding Officer before the meeting.

(b) No member present at any meeting of the Council shall leave the meeting without permission from the chair.

(c) While the Council is in session, the members shall preserve order and decorum. A member shall neither by conversation or otherwise delay or interrupt the proceedings or the peace of the Council, or disturb any member while speaking, or refuse to obey the orders of the Council or the Presiding Officer.

(d) No member shall speak on any question, discuss any matter, interrupt another, or make a motion without first addressing the Presiding Officer and obtaining recognition.

(e) No member shall be allowed to vote on any motion or measure, or gain the privilege of the floor unless the member is at his or her designated Council seat.

(f) Every member, in speaking on any matter, shall be confined to the question; shall not use unbecoming or abusive language; and shall avoid personalities.

(g) No member shall be permitted to explain his or her vote during roll call, but may do so for a period of not more than one minute prior to the result of the roll call being announced.

(h) Every member who is present when a question is put, unless excluded by a conflict of interest, shall vote in the affirmative or negative.

(i) Every member shall observe the code of ethics as set forth in the laws of the State of Florida and as required by the Charter of the Town. Disclosure to the Council of a private interest, as required by the state law on ethics, shall be accomplished by filing with the clerk an executed document. This document shall be in the form as prescribed by the Commission on Ethics, State of Florida.

(j) No member shall direct the Town Manager to forward to another political subdivision or government agency communications on matters under consideration by the Council or its committees except where there is clear understanding of approval by the Council or in response to routine matters in consonance with the previous actions of the Town Council. Nothing precludes a member from initiating correspondence on Town stationery over their own signature indicating the Council seat they currently hold. Nothing in this rule is to be construed to limit or restrict the Mayor acting in his or her official capacity from coordinating with the Town Manager in answering or responding to correspondence or communications relative to the business of the Town.

#### Rule 1.100 ORDINANCES - RESOLUTIONS - PUBLIC HEARINGS

(a) Any ordinance or resolution prepared for consideration by the Council shall be reviewed by the Town Attorney prior to introduction in the Council. All ordinances or resolutions introduced in the Council shall be typewritten and double spaced on eight and one-half by eleven inch letter size paper or legal size paper as required. Upon request by the Presiding Officer or any member, the Town Attorney shall render an opinion to the Town Council concerning the legality of any ordinance or resolution pending before it. Every ordinance and resolution which amends prior ordinances or resolutions shall indicate words being deleted by enclosing in brackets or by strikeouts, and shall include underling of words being added to existing provisions. When underlining, bracketing, or striking out will otherwise defeat the purpose of this rule or reduce the clarity of the amending ordinance or resolution (e.g. a major

substantive revision of a lengthy provision), the following may be done: Substantial rewording of text; for present text, see (reference present text).

(b) In acting upon ordinances, the ordinance shall be introduced on first reading. The Town Manager or Town Clerk shall then cause the ordinance to be published in a newspaper of general circulation in the Town, at least fourteen (14) days before the second reading, a notice of proposed enactment pursuant to and in compliance with Chapter 166, Florida Statutes. Prior to adoption, on second and final reading, a public hearing shall be held to enable citizens to comment on the proposed ordinance. On second and final reading, an affirmative vote of the majority of the members present shall be necessary for the passage or adoption of the ordinance.

(c) The Council may, by two-thirds vote of its membership, declare an ordinance to be an emergency measure and pass such ordinance without regard to any reading as required by the Town Charter. Every emergency ordinance, except emergency appropriations, shall automatically stand repealed as of the sixty-first day following the date on which it was adopted, but this shall not prevent reenactment of the ordinance under regular procedures, or if the emergency still exists, in the manner specified in the Town Charter. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in the Charter for adoption of emergency ordinances.

(d) Whenever any ordinance or resolution has been introduced for the consideration of the Council, and the measure failed to be adopted or passed, such measure, unless substantially changed, shall not be introduced again until the lapse of at least three months from the date of the Council meeting at which it failed of adoption or passage.

(e) Upon final passage, every ordinance and resolution shall be signed by the presiding officer of the Council and authenticated by the Town Clerk. Each ordinance shall be published by title once in a newspaper of general circulation within the Town after its adoption and passage.

Rule 1.110 COUNCIL MEMBERS' REQUEST FOR INFORMATION, ANALYSIS OR RESEARCH

(a) If the Town Manager or his or her staff receives a request from a Council member for information, analysis or research that

cannot be immediately provided because staff time is required to produce an appropriate response, then the Town Manager or his or her designee shall, within 2 business days of the receipt of the request, provide the Council member with an email or letter setting forth the specific date by which an appropriate response will be provided. If the Town Manager concludes that the request is particularly cumbersome, then the Town Manager shall submit the request to the entire Council so that the Council can determine whether the staff should devote the time necessary to comply with the request.

(b) Any request from a Council member for information, analysis or research that requires the engagement of outside consultants shall be submitted to the entire Council so that the Council can determine whether the Town should devote the financial resources necessary to comply with the request.

#### Rule 1.120 RESERVED

#### Rule 1.130 BUDGET AND APPROPRIATIONS

A majority vote of all members shall be necessary to approve and adopt each annual budget required by the Charter to be submitted to the Council, or any item thereof. Budget review by the Council shall occur mid-fiscal year and include a semi-annual report from Finance and Budget Committee and budget planning by the Council.

#### Rule 1.150 PRIVILEGE OF THE FLOOR

By permission of the Presiding Officer, the privilege of the floor shall be extended to a citizen or citizens to address the Council on any matter pending before it or which needs the attention of the Council. At public hearings required by law or fixed by the Council, the Presiding Officer shall extend the floor to a reasonable number of proponents and opponents of the subject matter of the public hearing, and those filing written requests to be heard with the Clerk shall be heard prior to other persons who appear at the hearing. Each person addressing the Council shall proceed to the place assigned for speaking, give his or her name and address in an audible tone of voice for the record and limit his or her address to five (5) minutes, unless a lesser time is fixed for all speakers by the Presiding Officer or further time is granted by the Council. The person may speak only to matters germane to business or to questions under discussion. All remarks shall be addressed to the Council as a body and not to any member thereof. All questions of members shall be directed through the Presiding Officer.

Rule 1.160 PARLIAMENTARY AUTHORITY

Robert's Rules of Order, so far as they are applicable or are not in conflict with these standing rules or the ordinances or the Charter of the Town, shall govern the proceedings of the Council.

Rule 1.170 SUSPENSION OF STANDING RULES

Any standing rule contained herein may be temporarily suspended for special reasons by a vote of two-thirds of all members unless such suspension would conflict with provisions of the Charter or ordinances of the Town. No permanent change in the standing rules shall be made without notice specifying the purpose and wording of the change given at a previous regular meeting of the Council and the adoption of the permanent change by vote of two-thirds of all members.

Rule 1.180 EFFECT OF RULES

No ordinance, resolution or action duly passed, adopted or taken by the Council shall be held to be invalid because of failure of the Council to comply with or abide by any one or more of the provisions of these standing rules if such ordinance, resolution or action would otherwise be valid under the Charter or ordinances of the Town or laws of this State but for such provisions of these standing rules alleged to have been violated or ignored.

Rule 1.190 INFORMAL CONSIDERATION OF MATTERS

When, in the judgment of the Presiding Officer, it becomes necessary to give detailed consideration to a matter under conditions of freedom, approximating those of a Committee, the Presiding Officer may entertain a motion for the Council to consider the matter informally. When such a motion is made and properly seconded, the effect is to suspend the standing rule limiting the number of times a member can speak and inquire into matters of fact on the main question and any amendments, except that the member may not inquire a second time into questions of fact until other members have had an opportunity to do so.

While considering a question informally the Council may, by two-thirds vote, limit the number or length of speeches, or in any other way limit or close discussion.

Proceedings of the Council under informal consideration are recorded in the minutes of the meeting just as they would be if the considerations were under formal standing rules. Informal consideration ceases automatically as soon as the main question is disposed of. Informal consideration of a matter may also be ended before the main question is disposed of by a majority vote of the Council on a motion "that the regular standing rules of procedure be enforced."

Under the informal standing rules members may obtain the floor after being recognized by the Presiding Officer.

Rule 1.210 AGENDAS

(a) The agenda will be in two parts: Consent and Discussion.

(b) Deadline for items to be placed on the consent agenda is the Thursday before the next meeting. Content of items on the consent agenda shall be limited to routine items that do not need discussion, such as first reading of ordinances, reports from committees, resolutions and proclamations. During the reading of the consent agenda, any member may remove an item and place it on the discussion agenda.

(c) Deadline for items to be placed on the discussion agenda is the Tuesday before the next meeting.

(d) The Town Manager or any member may, in the event of an emergency, place items on the agenda after the above deadline.

(e) Agendas and all necessary background materials will be delivered to the members on the Friday before the next meeting. The Police or a member of the Town staff will deliver the agenda packet to the home of each member by 10:00 P.M. on Friday. In the event an item must be placed on the agenda after it has gone to the Council, an agenda addendum will be issued.

(f) A request from a citizen to be placed on the agenda will be in writing and include information on the subject they want to discuss. If a citizen does not present an appropriate topic or information in writing, the citizen will not be placed on the agenda (but will be told that he or she can speak at the end of the Council meeting).

(g) Citizens who wish to address the Council on an item on the agenda or an item not on the agenda should complete an

information card and give it to the Presiding Officer before the meeting starts.