

**RULES OF ORDER
GOVERNING THE COUNCIL OF THE
CITY OF PARMA**

I. MEETINGS: PLACE, TIME OF CONVENING, QUORUM, ORDER OF BUSINESS

Rule 1. Meetings - Place. All Meetings of the Council shall be held in the Council Chamber in the City Hall, unless otherwise ordered by the Council.

Rule 2. Meetings - Public. All Meetings of the Council or Committees thereof shall be public. Any Citizen may appear and be heard by Council during the following: Legislative comment (discussion concerning any action the Council has on the agenda to vote on), Suspension of the Rules Comment (prior to taking a vote on any legislation being acted upon under Suspension of the Rules, the public who have not commented prior may do so now) and Public Comment. Any person desiring to address the Council shall first secure the permission of the Presiding officer to do so. Priority in speaking shall be given to those presenting to the Clerk of Council a written request to address the Council.

Each person addressing the Council shall rise, give their name and address in an audible tone of voice for the record and, unless further time is granted by the Council, shall limit their address to three minutes. All remarks shall be addressed to the Council as a body and not to any member thereof. No person, other than the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the Presiding Officer. No questions shall be asked of a Councilperson except through the Presiding Officer.

Persons desiring to be heard by any Committee of Council may by consent of such Committee be given an opportunity to be heard thereon. All Minutes and the record of the Council shall be open to the public at all reasonable times.

Rule 3. Regular Meetings. After the Council has been organized on the first day of January, following a regular Municipal Election, regular meetings of the Council shall be held in the Council Chamber on the first and third Monday evenings at 7 P.M. unless otherwise ordered by motion, resolution or ordinance. Whenever the Regular Meeting falls on a legal holiday or a Special Election Day or the day preceding a legal holiday or Primary or other Election Day, the meetings shall be held on a day to be fixed by the Council.

Rule 4. Summer Schedule. During the month of August, the Council shall be on summer schedule but shall have a regularly scheduled meeting on the First Monday in August and at such times as Special Meetings are called pursuant to the provisions of Rule 5.

Rule 5. Special Meetings. Special Meetings may be called at any time by the Mayor, the President of Council, or any three members upon at least twelve (12) hours written notice to each member of the Council, served by Electronic Mail (E-Mail) or other electronic means on each member or left at their usual place of residence. Any such notice shall state the subjects to be considered at the meeting, and no other subjects shall be there considered, the prepared legislation must accompany the Notice to allow the Council Members time to assess each piece of legislation proposed.

Rule 6. Quorum. A majority of all the members elected to Council shall be a quorum to do business, but a lesser number may adjourn from day to day and compel the attendance of absent members in the manner and under such penalties as shall be prescribed by ordinance.

Rule 7. Order of Business. The business of all regular meetings of Council shall be transacted in the following order, unless the Council by a two-thirds vote of its members shall suspend the rules and change their order.

1. Roll Call of Members
2. Invocation
3. Pledge of Allegiance
4. Voice Vote Resolutions of Condolence or Congratulations
5. Legislative Comment
6. Disposal of Journal
7. Communications, Petitions and Claims
8. Introduction of Ordinances and Resolutions (First Reading)
9. Second Reading of Ordinances and Resolutions
10. Third Reading of Ordinances and Resolutions
11. Reading and Passage of Legislation under Suspension of the Rules and Without Readings on Three Different Days
12. Appointments and Confirmations
13. Public Session
14. Miscellaneous Business
15. Report on Absent Members
16. Adjournment

Rule 8. The Calendar. It shall be the duty of the Clerk to have a Council Meeting agenda prepared. The said agenda shall be entitled: "The Calendar". Under this title he shall arrange and have printed in consecutive order by the title all by-laws, ordinances or resolutions to be entertained, considered, introduced, read, acted upon or enacted in accordance with the following format:

THE CALENDAR
OF THE
COUNCIL MEETING OF _____

1. Legislation To Be Read and Referred to Committee
 - A. First Reading
 - B. Second Reading
2. Legislation on For Passage
 - A. Second Reading Suspension of the Rules
 - B. Third Reading
 - C. On for Passage Under Suspension of the Rules and Without Readings on Three Different Days

"The Calendar" and a copy of any legislation on for passage under Suspension of the Rules and Without Readings on Three Different Days shall be delivered by Electronic Mail (E-Mail) or other electronic means to each member of Council or left at his usual place of residence at least three (3) days prior to the meeting for which "The Calendar" is prepared.

No by-law, Ordinance or resolution shall be entertained, considered, read, acted upon or enacted at any meeting unless its title is printed upon "The Calendar" for each meeting, except as follows:

- (a) A Resolution of condolence or congratulation.
- (b) When action upon legislation appearing on "The Calendar" of a previous meeting is postponed to a day certain, whether or not it appears on "The Calendar" of the day certain.
- (c) A motion for reconsideration of legislation acted upon at last preceding meeting.
- (d) Action upon the Mayor's veto of any legislation.

II. OFFICERS AND EMPLOYEES OF COUNCIL

Rule 9. Presiding Officer. The President of Council and, in that person's absence, the President of Council Pro Tempore, shall preside over the meetings of Council. In the absence of the President of Council and the President of Council Pro Tempore, the City Clerk shall call the Council to order; and if, after the roll call is called a quorum shall be present, the Council shall choose one of its members to act as temporary Chairman, who shall preside until the President of Council or the President of Council Pro Tempore appears, but in no event beyond such meeting, and that person shall discharge all the duties and be clothed of all the powers of the President of Council as such presiding officer during the President's absence. The presiding officer shall call all meetings of the Council to order at the hour appointed and shall proceed with the order of business. If a quorum be present, the Presiding Officer shall give the members an opportunity for correcting the journal of the previous meeting, a copy of which shall have been delivered to each member of the Council. In the absence of any objections or corrections, the minutes shall stand approved. The Presiding Officer shall preserve order and decorum, prevent personalities or the impugning of members' motives, confine members in debate to the question under discussion, shall decide all points of order subject to a request by a Councilperson for an opinion from the Law Director as to the point of order, and appeal to Council as set out in Rule 28. The Presiding Officer, with confirmation of a majority of Council, shall assign seating positions, appoint members of Council to standing committees, appoint all chairmen and vice chairmen, and appoint select committees as may be authorized by Council. (See Rule 14 for Sub Committees)

Rule 10. The Vote Necessary for Election of President Pro Tempore, Clerk and Other Employees of Council. **No candidate for President Pro Tempore or Majority Leader shall be declared** elected unless they receive a majority vote of all members elected to Council. The Clerk of Council and other employees of Council shall also require a majority vote of all the members elected to Council. No vacancy, which Council is authorized to fill shall be filled except pursuant to a majority vote of all members elected to Council. The Majority Leader is a member of Council whose responsibility is to assist the members of Council regarding legislation or pending matters with the administration.

Rule 11. Roll Call upon Election of President Pro Tempore, Clerk and Other Employees of Council. Upon the roll call for the election of President Pro Tempore, Clerk of Council or employee of Council, each member shall respond by stating the names of the candidate of their choice eligible for such office or appointment, which candidate shall not be required to be a person duly nominated and seconded.

Rule 12. The City Clerk. The Council shall choose a Clerk and such other officers and employees as may be deemed necessary and fix their compensation. The Clerk shall keep the record of the Council. The Clerk shall keep a proper file of all papers and documents which are part of the transactions of the Council, of meetings of committees and all orders of the Council and shall make such records available to the public. The Clerk shall be Secretary to all Committees, but may assign an assistant as Secretary to any Committee. When directed by any Committee, the Clerk shall cause to be kept Minutes of each Meeting of such Committee which shall be kept in record form and be made available for public inspection. The record of Committee Meetings may be kept in the form of loose sheet records and the Clerk shall cause to be kept attendance roll calls of Committee Meetings. In addition the Clerk shall report to Council the absence of members from Council Meetings; and the Clerk shall perform such other and further duties as may from time to time by statute or ordinance be required. The Clerk shall see that the following rules are observed in the preparation and introduction of ordinances and resolutions:

- (a) The title of all ordinances and resolutions shall be confined to a brief statement of the subject matter of the bill and shall be printed in bold face type.
- (b) Preambles or "Whereases" in ordinances and resolutions shall be restricted to one emergency preamble, except where a "Whereas" is an essential part of the ordinance or resolution.
- (c) Ordinances of a general or permanent nature shall, in their preparation, be divided into short sections, wherever practicable in order to permit amendments being made without printing so much of the original ordinance.
- (d) No Resolution of Condolence or Congratulations shall be introduced, except in the case of the death of an outstanding person or on the occasion of great civic importance. In lieu of such Resolution, the Clerk, upon motion of Council, shall prepare a suitable memorial or congratulation, which shall be sent to the family of the deceased or the honoree. Such memorial or congratulation shall contain the names of all members of Council and the President of Council, unless otherwise provided.
- (e) A copy of the Minutes and proceedings of all administrative Boards and Commissions shall be furnished by all such Boards to the Clerk and a permanent record shall be kept in the Office of the Council, and such records shall be available to the public at all reasonable times.
- (f) Once each year there shall be prepared for distribution a cumulative subject index covering the proceeding of Council.
- (g) Audio tapes of all meetings where printed minutes are maintained shall be kept for six months after acceptance by Council of printed minutes. These will be stored in the Council Office and will not be released from the Office.

Rule 13. Sergeant-at-Arms. The Council may appoint a Sergeant-at-Arms who, under the direction of the Presiding Officer, shall preserve order and compel the attendance of absent members in the manner to be prescribed by ordinance. The Sergeant-at-Arms shall be a police officer or police auxiliary assigned by the Chief of Police, to be in attendance at all meetings of Council.

III. COMMITTEES OF THE COUNCIL

Rule 14. Standing Committees. No Chairman, Vice Chairman or temporary Chairman of any Committee shall preside over any meeting where there is, or may be, an appearance of a conflict of interest concerning specific legislation to be discussed in said Committee. In the absence of the Chairman, the Vice Chairman shall preside until the Chairman appears and shall discharge all the duties and be clothed with all the powers of the Chairman during such absence. In the absence of the Chairman and the Vice-Chairman, a quorum being present, a temporary Chairman shall be selected by a majority vote of the members present who shall preside until the appearance of the Chairman or Vice-Chairman, and he shall be clothed with the powers of the Chairman during such absence. The six (6) standing Committees shall be styled and called to order in the following priority unless prior arrangements are made with the Committee Chairman:

A. **COMMITTEE ON FINANCE:**

To which shall be referred all ordinances, resolutions and other matters relating to municipal finances, assessments, the budget, taxation, indebtedness, appropriation of funds, the payment of money not otherwise provided for by previous legislation, concessions, licenses and permit fees, the purchase, lease or sale of real property or personal property by or from the City.

B. **COMMITTEE OF GOVERNMENTAL OPERATIONS:**

To which shall be referred all ordinances, resolutions and other matters relating to the City Civil Service Commission, Civil Service, employees, officers or officials, the determination of municipal employment, the creation of conditions of municipal employment, the creation of positions in the classified or unclassified service, the Parma Municipal Court, the rates of public utilities, franchises, transportation, initiative or referendum petitions, matters relating to insurance, charter proposals or amendments, redistricting annexation, merger or consolidation, intergovernmental relations with the County, State or Federal Government or any agencies thereof and the Rules of Council.

C. **COMMITTEE ON PLANNING:**

To which shall be referred all ordinances, resolutions and other matters relating to city planning, the recommendations of the City Planning Commission, the Planning and Zoning Code, amendments to the Zone Map, the location of public buildings, the purchase of real property for public purposes.

D. COMMITTEE ON PUBLIC SAFETY

To which shall be referred all ordinances, resolutions and other matters relating to the Fire Prevention Code, the Building Code, the Housing Code, the improvement, repair, construction, public health, the Division of Police, the Division of Fire, the Division of Buildings, use of the public streets and sidewalks, street lighting, the traffic code, penal ordinances, and public nuisance abatement

E. COMMITTEE ON PUBLIC SERVICE:

To which shall be referred all ordinances, resolutions and other matters relating to public parks, playgrounds, recreation sites, golf course, recreational buildings, swimming pools, skating, recreation programs, public charities, direct and work relief, hospitals, welfare, social services, Senior Citizens' programs, maintenance and cleaning of public streets and sidewalks and the maintenance and repair of public buildings and real properties.

F. COMMITTEE ON ENVIRONMENTAL STANDARDS:

To which shall be referred all ordinances, resolutions and other matters relating to the natural watercourses, streams, creeks, brooks, the pollution thereof, the water supply, smoke abatement, air pollution, surface and storm water drainage, the construction, maintenance and repair of storm sewers or sanitary sewers, sewage disposal, and the collection and disposal of refuse and other waste.

G. SUBCOMMITTEES:

A Chairman may appoint Subcommittees consisting of members of his Committee.

Rule 15. Committee Meetings. A majority of the members of a Committee shall constitute a quorum for the transaction of business. Each Committee shall hold its regular meetings at the time and place fixed in the schedule, as prepared by the President of Council and Clerk of Council in conference with the Chairmen of the several Committees. Such schedule shall be approved by the Council and be posted upon the bulletin board in the Office of the Clerk. Should the Chairman of a Committee find it necessary to hold the meeting at another time and place, he shall cause notice thereof to be given in writing stating the new time fixed for the meeting. General notice is to be given to the newspapers, elected officials and directors. All Committee Meetings shall be open and a record of the attendance of members of the Committee and the action taken thereat shall be kept by the Secretary of the Committee in a record provided for that purpose. Such record shall be kept on file with the Clerk of Council and open to public inspection as other public records.

No legislation shall be amended while in Committee, and it shall be the duty of the Committee to recommend to Council the approval, disapproval or amendment of any legislation pending before the Committee. A majority of the members of a Committee shall be necessary for the recommendation of approval, disapproval or amendments of any legislation pending before a Committee. All other motions shall require only a majority vote of the members of the Committee present.

Rule 16. Rules of Committees. Except in case of obvious inconsistency or inapplicability, Committee hearings shall be governed by the rules applicable to Council proceedings.

Rule 17. Reports. No Ordinance, resolution, petition, or other matter referred to a committee for action shall be approved or disapproved and reported out until it shall have been first been considered at a Committee meeting regularly called as provided for herein, and no Committee shall consider or hold a hearing on any proposed legislation until it has been introduced in Council and referred to the Committee. The question of the recommendation of approval or of approval when amended, shall be put by the Chairman upon motion of any member which shall not require a Second. If a majority of the members of the Committee vote affirmatively, such legislation shall be reported forthwith to Council as recommended for passage, but if a majority of the members of the Committee vote negatively on such question, such legislation shall be reported forthwith to Council as a recommendation of adversal of such legislation. The vote on all matters before the Committee shall be recorded in the Minutes of the Committee Meeting. When a majority of a Committee has reported, recommending or not recommending the passage, adoption or approval of the legislation under consideration the minority may present a minority report.

All such reports shall be in writing and signed by the members of the Committee voting in favor of or against the report.

Rule 18. Undisposed of Legislation Pending in Committee. Legislation, which at the date of the first day in January following a regular Municipal Election has not been acted upon by the Committee or Committees to which referred within the period of two years from the date of introduction in Council, shall be deemed not recommended by said Committee or Committees and without objection shall be laid upon the table at the next Regular Meeting of Council thereafter.

Rule 19. Committee of the Whole. When the Council shall decide to go into Committee of the Whole, without objection the regular officers shall continue to serve, otherwise the Council shall appoint a Chairman to preside, and the Presiding Officer of the Council shall leave the chair. The Rules of Council, insofar as practicable, shall be observed in the Committee of the Whole, except that no limit shall be placed on the frequency of speaking, that the 'yes' and 'no' votes shall not be taken, and that a motion to rise and report progress shall always be in order and shall be decided without debate.

Rule 20. Joint Committee. When it is desired that legislation shall be considered by two or more Committees jointly, a reference by the President of Council without objection, or upon motion to refer by any member and adopted by a majority vote of the members elected to Council, to a joint committee composed of the membership of said standing committees, shall operate to constitute such committees a single committee. A quorum of such joint committees shall consist of a majority thereof counting membership in each committee separately so that a member of each or two or more committees constituting such joint committee shall be counted once for each committee of which they are a member. A majority vote, similarly counted, shall be required for action by such joint committee.

IV. DUTIES, PRIVILEGES AND DECORUM OF MEMBERS

Rule 21. Roll Call of Council. Every member shall be in his seat at the time of Roll Call; otherwise, he shall not be recorded as present except upon special order of Council. The Clerk shall record the names of the members present and absent.

Rule 22. Duty to Vote. Every member present shall vote on all questions upon the call of the 'Yes' and 'No' vote, except that no member shall vote on any question in which that member is financially interested or which in any way involves that member's personal or private rights. Any member present, unless excepted as above, who refuses to vote upon any question relating to the City Government, upon which they may vote, when the 'Yes' and 'No' votes are being taken, shall be guilty of contempt of the Council, and may, for such contempt, be censured by a majority vote of Council, or may be expelled from the Council by a vote of two-thirds of all the members of the Council.

Rule 23. 'Yes and 'No'. On the passage of every ordinance or resolution, and on the appointment of every officer, the vote shall be taken by 'Yes' and 'No', and entered in full upon the record. On any other question, the 'Yes' and 'No' shall be entered upon the record on the request of any member. Upon the call of the 'Yes' and 'No', the Clerk shall call the names of members alphabetically and record the vote, except that the first name called shall be advanced by one position at each regular and special meeting of Council. The Roll shall be called in that order for the duration of that meeting. When once begun, voting shall not be interrupted except that any member, upon first declaring his vote, may explain their vote in a statement consuming not more than two (2) minutes.

Rule 24. Change of Vote. Before the announcement of the vote of any question the Clerk shall read the vote of each member so taken upon the demand of any member, at which time any Councilperson, on account of error or for any other reason, may change their vote; but no Councilperson shall be permitted to change their vote as recorded after the Roll Call has been verified and the result declared.

Rule 25. Right of Floor. When any member is about to address the Council, that member shall respectfully address themselves to the Presiding Officer and, when recognized by the Chair, shall confine themselves to the question under debate, avoid personalities and refrain from impugning the motives of any other member's argument or vote. When two or more members ask recognition at the same time, the Presiding Officer shall name the member who was first to speak and the exercise of such discretion by the Presiding Officer shall not be subject to appeal under Rule 28.

Rule 26. Time Limitation of Speaking. No member shall be allowed to speak for longer than five minutes at any one time without permission of the Council. No member shall speak more than once on the same motion until every other member desiring to speak on that motion shall have had an opportunity to do so.

Rule 27. Members Called to Order. If any member in speaking or otherwise transgresses the Rules of Council, the President shall call the offending member to order. The member so called to order shall immediately cease speaking unless permitted by the President to explain. Any member may by raising the point of order call the attention of the President to

such transgression. The point of order shall be decided by the President without debate. Every such decision of the president shall be subject to appeal to the Council by any two members.

Rule 28. Right of Appeal. Any member may appeal to the Council from a ruling of the Presiding Officer. Either the member making the appeal or the Presiding Officer may request a legal opinion from the Law Director as to the ruling made by the Presiding Officer. The member making the appeal may briefly state their reasons for the appeal, and the Presiding Officer 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 chair is sustained; otherwise, it is overruled.

Rule 29. Division of Question. If the question contains two or more divisible propositions, the Presiding Officer may, and upon request of a member, shall divide the same; but a motion to strike out a provision and insert a substitute is not divisible.

Rule 30. Personal Privilege. Any member may rise to explain a matter personal to themselves, and on stating that it is a matter of personal privilege, they shall be recognized by the President, but shall not discuss a question or issue in such explanation. Such explanation shall not consume more than five (5) minutes of time unless extended by consent of the Council. Matters of personal privilege shall yield only to a motion to recess or adjourn.

Rule 31. Proper Decorum. Business attire will be worn at Council and Committee Meetings. There will be no eating on the floor of Council.

V. MOTIONS

Rule 32. Purpose and Form. Motions shall be used only to expedite the orderly transaction of the business of Council and shall not be substituted for resolutions or ordinances. The form of all motions shall be "I move that" followed by the substance of the motion. No second shall be required for any motion except as specifically provided for in a rule, but open demand of any member, any motion shall be reduced to writing. Any such motion may be withdrawn by the maker before it has been amended or voted upon. When a motion is made, it shall be stated by the Presiding Officer before any debate shall be in order. All motions which have been entertained by the President of Council shall be entered upon the Minutes.

Rule 33. Precedence of Motions. When a question is before the Council, no motion shall be entertained except the following:

1. To fix the time to which to adjourn.
2. To adjourn.
3. To recess.
4. For the previous question.
5. To postpone to a day certain.
6. To refer to committee.
7. To amend.
8. To postpone indefinitely.

These motions shall have precedence in the order indicated. Motions to adjourn, or to lay on the table, or for the previous question, or to recess, shall be put to a vote without debate; the motion to fix the time to which to adjourn shall be debatable only as to the time of such adjournment; and all other motions shall be debatable.

Rule 34. The Previous Question. The motion for the previous question shall require a majority vote of all members elected to Council; shall be considered only once; may be renewed after intervening business; shall take precedence over all debatable questions and shall be in order to prevent amendment of undebatable questions. When the previous question is moved and seconded by one other member, it shall be put as follows: "Shall the main question be now put?" There shall be no further amendment or debate but pending amendments shall be put in their order before the main question. If the question, "Shall the main question be now put?" be decided in the negative, the main question remains before Council.

Rule 35. Motion to Lay on the Table. The motion to lay on the table shall dispose finally of the legislation against which it is invoked, but a motion to lay a pending amendment to an ordinance or resolution shall not carry the ordinance or resolution with it. Motion to lay on the table shall require a majority vote of all members elected to Council.

Rule 36. Motion to Postpone to a Day Certain. A motion to postpone to a day certain shall require a majority vote of the members present; shall be subject to reconsideration; may be renewed after intervening business; shall be debatable as to the propriety of the postponement, but not upon the merits of the legislation; and may be amended by changing the date. Upon the arrival of the date to which postponed, the legislation shall be considered in the regular order of business of that day.

Rule 37. Motion to Postpone Indefinitely. The motion to postpone indefinitely shall have the same effect as motion to lay on the table, and shall require a majority vote of all members elected to Council. Motion to postpone indefinitely shall not be reconsidered; shall be debatable and shall open the legislation to debate; may be renewed after intervening business and may not be amended or laid on the table, and shall be subject to previous question.

Rule 38. Reconsideration. After the decision of any question, any member who voted with the majority may move for a reconsideration of any action at the same or next succeeding meeting; provided, however, that legislation authorizing or relating to any contract may be reconsidered at any time prior to the final execution thereof and legislation vetoed by the Mayor may be reconsidered at any meeting prior to the first day of January following a General Municipal Councilperson Election or 60 days from the date of veto, whichever occurs later.

VI. ORDINANCES AND RESOLUTIONS

Note: "The adoption of a resolution is the proper procedure for an informal enactment providing for the disposition of a particular item of business, while the passage of an ordinance is the proper procedure for the enactment of a regulation of a general or permanent nature." (19 R.C.L. 895; 46 C.J. 519; 29 O.A. 386).

Rule 39. Introduction. Ordinances and resolutions shall be introduced in the Council only on the printed form prescribed and furnished by Council, and with the name of the member introducing the same endorsed thereon. No ordinance or resolution shall be introduced affecting a particular Ward unless with the prior approval of the member of Council from such Ward, and it shall be introduced in their name, if they assent thereto, otherwise it shall be introduced in their name (by request). Ordinances submitted by the initiative shall have endorsed thereon "Submitted by Initiative Petition."

Rule 40. Preparation of Legislation. In order that adequate time may be given to the preparation of legislation, members of Council shall present requests for legislation bearing their names to the office of the Law Director on the form prescribed and furnished by Council, not later than 3:00 o'clock P.M. on the Wednesday preceding the meeting at which such legislation is to be introduced for first reading, and not later than 3:00 o'clock P.M. on the Monday preceding introduction of legislation for passage under suspension of the Rules.

Rule 41. Legislation. All requests for legislation shall comply with the following rules:

- a. The form furnished by the Clerk of Council shall be used.
- b. That part of the prescribed form known as the letter of transmittal, setting forth the reason for the legislation, shall be completed by the person requesting the legislation.
- c. Any request for legislation originating with a Councilperson, shall be signed by the Council Member in the space following "Originated by".
- d. Any request for legislation originating in an administrative department shall be signed by the department head or division head in the space following "Originated by" and shall also be approved and signed by the department head in the spaces following "approved (Department Head)".
- e. No legislation requested under subsection (d) hereof shall be prepared by the legal department or introduced in Council unless a Councilperson has consented to introduce the legislation and has signed the prescribed form in the space following "By request (Councilperson)".
- f. No legislation shall be introduced in Council unless signed by the Law Director in the space following "Form Approved (Law Director)".
- g. No legislation involving an expenditure of funds shall be prepared or introduced in Council until such time as the Auditor's Certificate appearing on the prescribed form is completed and signed by the City Auditor or Deputy Auditor, in the spaces provided therefor.
- h. A brief description known as the title of legislation shall be inserted in the space provided on the prescribed form.
- i. The ordinance or resolution as drafted shall be printed on the reverse side of the prescribed form and any additional sheets needed to complete the ordinance or resolution shall be attached thereto.
- j. The Clerk of Council shall complete the balance of the prescribed form when the appropriate action has been taken.
- k. All ordinances or resolutions shall state the Councilperson's name who is sponsoring same; and if requested by someone other than a Councilperson on this piece of legislation, the following wording shall be shown "By Request" with the position of the individual that requested same.

All legislation shall have indicated at the end thereof the date of preparation and the initials of the draftsman and typist.

Rule 42. Legislation on for Passage under Suspension of the Rules. In arranging "The Calendar", the Clerk shall not include any introductory legislation in the "On for Passage Under Suspension of the Rules and Without Readings on Three Different Days" portion of "The Calendar", unless the member of Council, official or department head requesting such legislation provides the Clerk with a written statement setting forth in detail the written statement setting forth in detail the reason requiring immediate action thereon. A copy of such statement shall be attached to the legislation and delivered in accordance with Rule 8 hereof. In the event that such written statement shall not be timely provided, the Clerk shall include such legislation in the "First Reading" portion of "The Calendar". Any legislation included in the "First Reading" portion may not be passed without the unanimous consent of all members elected to Council.

Rule 43. Form of Ordinances. The enacting clause of all ordinances shall be "Be it ordained by the Council of the City of Parma, State of Ohio". All ordinances before introduction shall be in typewritten form on the forms to be provided by the City Clerk. No ordinance or resolution or section thereof shall be revised or amended unless the new ordinance or resolution contains the entire ordinance or resolution, or section revised or amended, and the original ordinance, resolution, section, or sections so amended shall be repealed. No ordinance or resolution, except appropriation ordinance, shall contain more than one subject, which shall be clearly stated in its title.

Rule 44. Emergency Ordinances. If an emergency ordinance or resolution fails to receive a two-thirds affirmative vote of all members elected to Council, such measure shall cease to be before the Council as an emergency measure and shall have the standing that a measure would have had if it had not been read as an emergency measure.

Rule 45. Reference to Committee. All ordinances and resolutions shall be read on the day introduced and shall be referred to Committee by the Presiding Officer, which reference shall be forthwith announced. The Committee to which reference is made, after due consideration and at least one public hearing, shall report the same back with or without proposed amendments and with recommendations for approval or disapproval. When so reported, such ordinance or resolution shall be read a second time and laid over until the next meeting of Council when it shall be read a third time and a vote taken thereon.

No ordinance or resolution shall be acted upon without first having been referred to Committee and reported upon, except for a resolution of condolence or congratulation or an ordinance or resolution included in the "On for Passage Under Suspension of the Rules and Without Readings on Three Different Days" portion of "The Calendar".

Rule 45-1. Re-reference to Committee. Any pending legislation may, by a vote of a majority of the members elected to Council, be referred to any Committee to which previously referred under these rules, or to any appropriate Committee designated in the motion to re-refer. When referred back to the Council, such legislation shall have the same standing as it had at the time when re-referred.

Rule 46. Reference to More than One Committee. Whenever any pending matter is referred to more than one Committee for consideration and report, said Committee may consider the same in joint session as a Joint Committee, if the Chairmen of the Committees concerned consent thereto. The Chairman of the Committee first named shall preside at such Joint Session and each member of the Joint Committee shall have one vote for each Committee of which they are a member composing the Joint Committee. A majority of the members of each of the separate Committees shall constitute a quorum of such Committee and the vote shall be taken by roll call of each of the separate Committees constituting the Joint Committee. Its report shall be made in the same manner and under the same rules as reports are made by standing Committees.

Rule 47. Relieving Committees.

(a) Any Committee to which an ordinance or resolution has been referred by the Presiding Officer under Rule 45, without specific motion to commit, may be relieved of further consideration of such legislation by a motion duly made and adopted by a two-thirds vote of all members elected to Council; provided a majority vote of the members elected to Council shall be sufficient to relieve a Committee if notice of the intention to relieve such Committee or Committees of further consideration of said legislation has been made at the Meeting preceding the meeting at which such motion is made.

(b) Any Committee to which an ordinance or resolution has been referred by motion to commit or recommit may be relieved of further consideration of such legislation at the next meeting following the meeting at which such legislation was referred by a motion to reconsider the vote to commit or recommit as the case may be, which motion shall require only a majority vote of the members elected to Council; and at any time subsequent to the meeting next succeeding the meeting at which such legislation has been committed or recommitted, the procedure to relieve the Committee shall be as provided in paragraph (a) of this rule.

Rule 48. Three Readings _____ No by-law, ordinance or resolution of a general or permanent nature or creating a right, or involving the expenditure of money, or the levying of a tax, or for the purchase, lease, sale or transfer of property, shall be passed, until it has been fully and distinctly read on three different days, unless this rule is dispensed with by a three-fourths (3/4) vote of all members elected to Council; provided, however, this rule shall not be dispensed with if the by-law, ordinance or resolution shall have been first included in the "On For Passage Under Suspension of the Rules and Without Readings on Three Different Days" portion of "The Calendar".

Copies of all first reading legislation to be introduced for passage under Suspension of the Rules and Without readings on Three Different Days shall be delivered to each member of Council either personally or at their residence address, so that such copy or copies shall be in their hands or at their residence address at least three (3) days prior to the date of introduction.

No motion to suspend the rules shall be entertained unless the reason for the suspension is set forth by the member making such motion or the Director of the department involved. When it is desired to suspend this rule and Rule 45, in order to permit the passage of legislation upon introduction, the question on the motions for suspension shall be as follows: "Shall the statutory provision and Rule 48 requiring reading on three different days be dispensed with?" If three-fourths (3/4) of the members of Council vote "Yes", the statutory and rule provisions requiring reading on three different days shall be suspended and the question on the motion to suspend Rule 45 shall be as follows: "Shall Rule 45 requiring reference to Committee be dispensed with and (Ordinance No. _____) (Resolution No. _____) be placed on final

passage?" If three-fourths (3/4) of all members of Council vote 'Yes', the rule requiring reference to Committee shall be suspended.

As an exception to the foregoing, resolutions of condolence and congratulation, copies of which have been placed upon the desks of the members prior to the meeting, shall be read by title only and adopted viva voce or by rising vote.

Rule 49. Appropriation Ordinance. Ordinances making appropriations shall be confined to the subject of appropriations. No money shall be appropriated except by Ordinance. All ordinances for fixing a tax rate, the appropriation of money, the issuance of bonds, the transfer of money to any fund or the payment of claims, and all resolutions and ordinances whereby the City shall become liable for the payment of any money, shall be referred without debate to the Finance Committee for consideration and report unless this requirement shall be suspended by two-thirds and entered on the record.

Rule 50. Substitute Legislation. Legislation dealing with the same subject matter may be substituted for any pending ordinance or resolution by a majority vote of all the members elected to Council, upon the recommendation of any Committee to which such legislation has been referred. Substitute legislation shall be subject to all the provisions of the Ohio Revised Code and Rule applying to Ordinances on first reading, and the legislation for which such substitute is offered shall be laid upon the table as a final disposition thereof. Before accepting for introduction of any substitute legislation, the author of the original legislation shall be given notice thereof by the Clerk of Council.

Rule 51. Ordinances Fixing Fines and Penalties. All Ordinances imposing fines, penalties, forfeiture or imprisonment shall be referred to the Committee on Public Safety, and the Law Director shall be asked to give an opinion thereon.

Rule 52. Amendments. It shall be in order to amend an ordinance at any time when not in the hands of a Committee, but if amended after its second reading it shall again be read as the second reading thereof, and laid over for further and final action. A majority vote of all the members elected to Council shall be necessary for the adoption of an amendment to any legislation pending before the Council.

Rule 53. Adoption. All ordinances and resolutions shall require for passage or adoption a majority vote of all the members elected. The vote on their adoption shall be taken by 'Yes' and 'No' and entered on the records of the meeting except as otherwise provided in these rules.

Rule 54. Signing Ordinances and Resolutions. All ordinances passed and resolutions adopted by Council shall be signed by the President and Clerk of Council and presented forthwith to the Mayor by the Clerk.

Rule 55. Action on Mayor's Veto. When the Mayor refuses to sign an ordinance or resolution or part thereof and returns such ordinance or resolution to Council with the Mayor's objections within ten (10) days of its passage or adoption or, if Council is not in session, to the next regular meeting of Council, Council may, after ten (10) days, proceed to reconsider such ordinance and resolution. After the adoption of the motion to reconsider, the question shall be stated as follows: "Shall Ordinance No. ___/Resolution No. _____ be passed (or adopted) notwithstanding the veto of the Mayor? Those voting 'Yes' vote to override the Mayor's veto. Those voting 'No' vote to sustain the Mayor's veto." If two-thirds of all the members elected to Council vote 'Yes', such ordinance or resolution vetoed by the Mayor, shall

take effect without his signature. The adoption of the Motion to reconsider shall be in the manner provided in Rule 37.

VII. ADMINISTRATIVE OFFICERS

Rule 56. Attendance Required. The Mayor, the Directors of all departments, Building Commissioner, City Engineer, Treasurer, Auditor and Law Director shall be required to attend the Regular and Special Meetings of Council and shall be provided with seats on the floor of the Council. They shall be required, at any such meeting, to answer such questions relating to the affairs of the City under their respective supervision and control as may be put to them by any member of the Council. The Mayor shall make such recommendations in writing to Council for the welfare of the City as seem wise. The Mayor, the Directors of all departments, Building Commissioner, City Engineer, Treasurer, Auditor, and Law Director shall be available to attend Committee Meetings as required by Council.

Rule 57. Reports of City Officers. All ordinances, resolutions and communications pertaining to matters that come under the supervision and control of the Mayor and the Directors of departments shall, in addition to being referred to the proper committees, be also referred to such respective administrative officers for recommendation and report. No later than ten (10) days after reference to the Administrative Officer or officers as the case may be, each ordinance, resolution, or communication so referred shall be returned to the Clerk of Council with the endorsement of each administrative officer's approval or disapproval of such matter so referred; if response is not received within ten (10) days, Council will assume that approval is granted. It shall be the duty of the Clerk of Council to enforce this rule rigidly. The Clerk shall use all diligence in seeing that departments, to which measures are referred, return them to the Clerk's office within the time fixed herein.

Rule 58. Report or Status on Pending Measures. The City Clerk shall keep the members of Council informed regarding the status of pending ordinances. All ordinances and resolutions to be acted upon by committees or the Council on Monday shall be in the hands of the Clerk as prescribed in Rule 39.

Rule 59. Approval of Council of Appointments by Mayor. Whenever the approval of Council is required for appointments by the Mayor, the President of Council, upon request of the Mayor for approval of any appointment, shall forthwith appoint a select committee of five (5) members, to which shall be referred the name of each person whose appointment is submitted for approval of Council. Not later than the second meeting of Council following such reference, the select committee shall report to Council its recommendation thereon. Thereupon Council, as part of the appropriate order of business, shall proceed to vote upon the approval of each appointment, the question being "Shall the Council approve the appointment by the Mayor?" If a majority of all the members elected to Council vote 'Yes', the Council shall approve such appointment.

VII. COUNCIL CHAMBER

Rule 60. Use of Council Chamber. The Council Chamber shall be used only for meeting of the Council or Committees thereof, except where the Council by vote authorizes its use by persons other than City Officials. The Clerk, with the written approval of the President of Council, may permit other public officials to use the Council Chamber on public business, when not in use by the Council or Committees.

Rule 61. Privileges of Floor. While Council is in session, no person except members or former members of the Council, officers named in the rules, and persons invited by the President of Council or by vote of the Council, shall be admitted within the bar of the Council Chamber, and the Sergeant-At-Arms shall cause this rule to be rigidly enforced.

IX. RULES - SUSPENSION - AMENDMENT AND OTHER

Rule 62. Suspension of the Rules. Any provision of these rules may be suspended at any meeting of the Council, by a majority vote of all the members elected, except when a greater number is required by law or by the rules. The vote on any such suspension shall be taken by 'Yes' and 'No' and entered upon the records.

Rule 63. Amending Rules. The Rules may be amended, or new rules adopted by a majority vote of all the members elected to the Council, on the report of the Committee for such purpose, provided the proposed amendments or new rules shall have been referred to such committee at a preceding meeting.

Rule 64. Other Rules. Except as herein otherwise provided, the proceedings of the Council shall be governed by the Ohio Revised Code. The Codified Ordinances of the City of Parma, and Robert's Rules of Order, and it shall be the duty of the Presiding Officer to adhere to and enforce such rules.

Rule 65. Parma Public Housing Agency. Ordinances or Resolutions pertaining to the Parma Public Housing Agency shall be specifically identified as "Housing Ordinance No. _____" or "Housing Resolution No. _____" and separately numbered so as to be distinguished from the other business of Council. The Clerk of Council shall maintain his records of the actions and proceedings of the Council which relate to the Parma Public Housing Agency separate and apart from the other business of Council. The Clerk of Council shall supply to the Commissioner-Secretary of the Parma Public Housing Agency certified copies of all enacted measures and of the transcript of Council's proceedings as they may be related to the Parma Public Housing Agency.

Rule 66. Removal of Names as Sponsor or Co-sponsor. During a vote of a motion of adoption of legislation, if a member of Council votes 'No', or 'Abstains', that member's name will be removed by the Clerk of Council as sponsor or co-sponsor of the legislation. If a Sponsor or Co-sponsor is absent from a Council Meeting where a general vote is to be taken on any Ordinance or Resolution, their name will be removed from said Ordinance or Resolution.

Rule 67. President of Council. The President of Council shall not impugn the motives of any member of Council or the Administration.