MAYOR
Joe L. Johnson
CITY COUNCIL
Beth Holbrook
John M. Knight
R. Fred Moss
Scott C. Myers
Thomas B. Tolman
CITY MANAGER
Tom Hardy

BOUNTIFUL

City of Beautiful Homes and Gardens

Bountiful City Council
Rules of Order and Procedure

Pursuant to the requirement of Section 10-3-606 of the Utah Code that "a municipal legislative body shall adopt rules of order and procedure to govern a public meeting", the Bountiful City Council hereby adopts the following rules to govern the meetings of the Council.

Rule No. 1. Utah State Code. The City shall comply with all of the required procedures contained in the Utah Code, including the following:

10-3-502. Regular and special council meetings.
(1) The council of each municipality shall:
(a) by ordinance prescribe the time and place for holding its regular meeting, subject to Subsection (1)(b); and
(b) hold a regular meeting at least once each month.
(2) (a) The mayor of a municipality or two council members may order the convening of a special meeting of the council.
(b) Each order convening a special meeting of the council shall:
(i) be entered in the minutes of the council; and
(ii) provide at least three hours' notice of the special meeting.
(c) The municipal recorder or clerk shall serve notice of the special meeting on each council member who did not sign the order by delivering the notice personally or by leaving it at the member's usual place of abode.
(d) The personal appearance by a council member at a special meeting of the council constitutes a waiver of the notice required under Subsection (2)(c).

10-3-504. Quorum defined.

The number of council members necessary to constitute a quorum is: ...(3) in a municipality operating under a six-member council form of government, three, excluding the mayor.

10-3-505. Compelling attendance at meetings of legislative body.

The legislative body of a municipality may compel the attendance of its own members at its meetings and provide penalties it considers necessary for the failure to comply with an exercise of the authority to compel attendance.

10-3b-302. Mayor in six-member council form of government.

(1) The mayor...:
(a) is, except as provided in Subsection (1)(b), a nonvoting member of the council;
(b) votes as a voting member of the council:
(i) on each matter for which there is a tie vote of the other council members present at a council meeting; or
(ii) when the council is voting on:
(A) whether to appoint or dismiss a municipal manager; or
(B) an ordinance that enlarges or restricts the mayor's powers, duties, or functions;
(c) is the chair of the council and presides at all council meetings;...
(e) may not veto an ordinance, tax levy, or appropriation passed by the council;

10-3-506. How the vote is taken.

A roll call vote shall be taken and recorded for all ordinances, resolutions, and any action which would create a liability against the municipality and in any other case at the request of any member of the governing body by a "yes" or a "no" vote and shall be recorded. Every resolution or ordinance shall be in writing before the vote is taken.

10-3-507. Minimum vote required.

(1) The minimum number of yes votes required to pass any ordinance or resolution, or to take any action by the council, unless otherwise prescribed by law, is a majority of the voting members of the council, without considering any vacancy in the council.
(2) (a) Any ordinance, resolution, or motion of the council having fewer favorable votes than required in this section is defeated and invalid.
(b) Notwithstanding Subsection (2)(a), a council meeting may be adjourned to a specific time by a majority vote of the council even though the majority vote is less than that required in this section.
(3) A majority of the council members, regardless of number, may fill any vacancy in the council as provided under Section 20A-1-510.

10-3-508. Reconsideration.

Any action taken by the governing body may not be reconsidered or rescinded at any special meeting unless the number of members of the governing body present at the special meeting is equal to or greater than the number of members present at the meeting when the action was approved.

10-3-601. Business of governing body conducted only in open meeting.

All meetings of the governing body of each municipality shall be held in compliance with the provisions of Title 52, Chapter 4, Open and Public Meetings Act.

10-3-603. Public records.

The governing body of each municipality shall keep a journal of its proceedings. The books, records, accounts and documents of each municipality shall be kept at the office of the recorder and approved copies shall be open and available to the public during regular business hours for examination and copying...

10-3-606. Rules of order and procedure.

(1) As used in this section, "rules of order and procedure" means a set of rules that govern and prescribe in a public meeting:
(a) parliamentary order and procedure;
(b) ethical behavior; and
(c) civil discourse.
(2) (a) Subject to Subsection (2)(b), a municipal legislative body shall:
(i) adopt rules of order and procedure to govern a public meeting of the legislative body;
(ii) conduct a public meeting in accordance with the rules of order and procedure described in Subsection (2)(a)(i); and
(iii) make the rules of order and procedure described in Subsection (2)(a)(i) available to the public:
(A) at each meeting of the municipal legislative body; and
(B) on the municipality's public website, if available.

10-3-607. Rules of conduct for members of the governing body.

The governing body of each municipality may fine or expel any member for disorderly conduct on a two-thirds vote of the members of the governing body.

10-3-608. Rules of conduct for the public.

The governing body on a two-thirds vote may expel any person who is disorderly during the meeting of the governing body. This section or any action taken by the governing body pursuant hereto does not preclude prosecution under any other provision of law.

10-3-1302. The Municipal Officers' and Employees' Ethics Act.

[City officers and employees shall comply with the] standards of conduct for municipal officers and employees and...disclose actual or potential conflicts of interest between their public duties and their personal interests.

Rule No. 2. Bountiful City Code. The City shall comply with all of the required procedures contained in the Bountiful City Code, including the following:

2-1-103. Meetings.

Meetings of the Council shall be held and conducted in accordance with the provisions of State law. Regular meetings of the City Council shall take place at 7:00 p.m. on the second and fourth Tuesdays of each month at Bountiful City Hall, 790 South 100 East. Bountiful, Utah. [Special meetings may be held as necessary.]

2-3-108. Duties When Mayor and City Manager Absent.

If any of the following City officers are unavailable to exercise the powers and duties of the office they hold, then the officers stated below shall, in the order named, exercise the powers and duties of that office until the incumbent officer shall become available:

(a) Mayor: (1st) the Mayor Pro-Tem; (2nd) the senior-most City Council member (in years on the Council) available.

Rule No. 3. Agenda. A City Council meeting agenda shall be prepared by the City Manager. The Mayor or any Council member may place an item on the agenda. The agenda for the City Council meeting will be the guide to the meeting. While matters not on the agenda may at times come up for discussion, no final action can be taken on any matter not on the agenda.

Rule No. 4. Discussion. The Mayor shall open discussion and introduce an item on the agenda in the order listed, unless the Mayor believes there is a good reason to do otherwise. The Mayor and Council members shall consider the item in a polite, civil, and open exchange of comments and ideas for as long a time as deemed appropriate. The Mayor may in his/her discretion allow members of the public or City staff to participate in the discussion.

When the Mayor deems the discussion has been sufficient, the Mayor can ask for a motion and vote on the matter (if an action is required) or close discussion and move on to the next agenda item (if no action is required). Any Council member may at any time request that discussion be continued, or that a motion and vote on the matter be made, or that discussion be closed to move on

to the next agenda item, which the Mayor shall do if a majority of the Council members agree. No formal motion or second is required.

Rule No. 5. Courtesy. The Mayor and Council members shall treat each other and the public with respect, civility and courtesy.

Rule No. 6. Applicant Comment. Individuals or entities who have business before the City Council, such as applicants for licenses, approvals, etc., may appear and speak to the Council, either directly or by a representative. They shall limit their comments to the agenda item which is being considered, and speak with respect, civility and courtesy.

Rule No. 7. Public Comment. In matters which are on the agenda for a public hearing, citizens may appear and speak to the Council. They shall each state their name and address. They shall limit their comments to the agenda item which is being considered, and speak with respect, civility and courtesy. Personal attacks toward any person are not permitted. Their comments shall be limited to three minutes unless the Mayor grants them additional time.

In matters which are on the agenda but not for public hearings, the Mayor in his/her discretion may allow citizens to speak to the Council, subject to the same rules as in the preceding paragraph. This provision does not give a member of the public a right to speak in this situation.

Adopted by the Bountiful City Council this 15th day of November, 2011.

Joe L. Johnson, Mayor

Attest:

Kim J. Coleman, City Recorder

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