

ORDINANCE NO. 2024 - 1

AN ORDINANCE AMENDING THE RULES OF ORDER GOVERNING THE COUNCIL OF THE CITY OF PARMA HEIGHTS, AND DECLARING AN EMERGENCY

WHEREAS, this Council is desirous of amending the Rules of Order governing the Council of the City of Parma Heights.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga and State of Ohio:

Section 1: That the Council, with at least two-thirds majority vote of all members elected to Council, amends the Rules of Order and, as amended, shall henceforth read as shown by edits set forth in Exhibit "A", which are attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3: This Ordinance is declared to be an emergency measure for the public peace, health, and safety of the Municipality, and for the further reason that it is necessary that the Rules are in place for the commencement of the new Council term; wherefore, this Ordinance shall be in full force and effective immediately after its passage by Council and approval by the Mayor.

PASSED: January 8, '24

Thomas Rounds
PRESIDENT OF COUNCIL

ATTEST: Barbara Allen
CLERK OF COUNCIL

January 8, '24
APPROVED

FILED WITH
THE MAYOR: January 8, '24

Marie Gallo
MAYOR MARIE GALLO

EXHIBIT A

Rules of Order Governing the Council of the City of Parma Heights, Ohio

Table of Contents

Section I Meetings: Place, Time of Convening, Quorum and Order of Business

Rule	Title	Page
1	Meeting (Place)	5
2	Meeting (Public)	5
3	Regular Meetings	5
4	Special Meetings	5
5	Caucuses	5
6	Quorum	5
7	Order of Business	5

Section II Officers and Employees of Council

Rule	Title	Page
8	Presiding Officer	6
9	The Vote necessary for Election of President, President Pro Tem, Clerk of Council and other Employees of Council.	6
10	Roll Call upon election of President, President Pro Tem, Clerk of Council, and other employees of Council and filling vacancies in the Membership of Council	6
11	Clerk of Council	6
12	Sergeant at Arms	7

Section III Committees of the Council

Rule	Title	Page
13	Standing Committees A. Finance B. Utilities, and Streets and Sidewalks C. Police, Fire and Safety D. Public Parks and Recreation E. <u>Ad Hoc</u>	7
14	Committee Meetings	8
15	Rules of Committees	8
16	Committee of the Whole	8

Section IV Duties, Privileges and Decorum of Members

Rule	Title	Page
17	Roll Call of Council	8
18	Duty to Vote	8
19	Yes and No	8
20	Change of Vote	8
21	Right of Floor	8
22	Time Limitation of Speaking	8
23	Members Called to Order	9
24	Right of Appeal	9
25	Division of Question	9
26	Personal Privilege	9

Section V Motions

Rule	Title	Page
27	Purpose and Form	9
28	Precedence of Motions	9
29	The Previous Question	9
30	Motion to Lay On the Table	9
31	Motion to Postpone to a Day Certain	10
32	Motion to Postpone Indefinitely	10
33	Reconsideration	10

Section VI Ordinances and Resolutions

Rule	Title	Page
34	Introduction	10
35	Preparation of Legislation	10
35 A	Legislation	10
35 B	Legislation	11
36	Form of Ordinances	11
37	Emergency Ordinances	11
38	Reference to more than one Committee	11
39	Relieving Committees	11
40	Amendments	11

Section VII Administrative Officers

Rule	Title	Page
41	Attendance Requested	11
42	Report or Status of Pending Measures	11

Section VIII Council Chambers

Rule	Title	Page
43	Use of Council Chambers and Caucus Room	12
44	Privileges of the Floor	12

Section IX Rules: Suspension, Amendment and Other

Rule	Title	Page
45	Suspension of Rules	12
46	Amending Rules	12
47	Other Rules	12

Attachment 1

Title	Page
Request for Proposed Legislation Form	13
<u>Legislative Action Form</u>	
Ordinances and Resolution directions	14

Rules of Order Governing the Council of the
City of Parma Heights, Ohio
Revised ~~November 15, 2010~~ January 8, 2024

The following Rules of Order shall govern the proceedings of the City Council and the conduct of its members. (The term councilperson or any reference thereto where used herein refers to both genders.)

SECTION 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 Town Hall unless otherwise ordered by the Council.

Rule 2. Meetings (Public). All meetings of the Council or committees thereof shall be public, except for Executive Sessions, which are specifically exempt by law.

Any citizen may appear and be heard by Council during the public session. Any person desiring to address the Council shall first secure the permission of the presiding officer to do so.

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 (3) 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 or member of the Administration or by a Councilperson except through the presiding officer. 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~~ second Monday of January, following a regular municipal election, regular meetings of the Council shall be held in the Council Chamber on the second and fourth Monday evenings at 7:00 P.M., except that during the month of December only one (1) regular meeting need be held and also that it may recess during the months of July and August 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, primary or other election day the meeting shall be held on a day to be fixed by the council (Parma Heights Charter, Article III, Section 8a). It shall take a majority vote of the elected members of council to change the regular scheduled meeting date.

Rule 4. 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) hour written notice to each member of the Council served personally on each member or left at ~~his~~ 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.

Rule 5. Caucuses. ~~Council may hold a caucus thirty (30) minutes prior to all regular meetings. Mayor's Caucuses are generally held on the first and/or third and or fifth second and fourth Monday evenings each month at 7:30 PM at a time set by the Mayor. Council may choose to caucus following a regular or special meeting or following a Mayor's Caucus at the direction of the Council President or any three (3) members of Council. Council may also hold caucuses at other times when designated by the President of Council or any three (3) of its members.~~

Rule 6. Quorum. A majority of all 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 (Parma Heights Charter, Article III, Section 9).

Rule 7. Order of Business. The business of all regular meetings of the Council shall be transacted in the following order, unless the Council of five (5) members shall suspend the rules and change the order.

1. Roll Call of Members
2. Pledge of Allegiance
3. Disposal of the Journal of the Preceding Meeting
4. ~~Reports from Departments, Commissions, Committees, Boards and other public officials~~
Appointments and Confirmations

5. ~~Appointments and Confirmations~~ Reports from Departments, Commissions, Committees, Boards, and other public officials
6. Public Session
7. Introduction of Ordinances, 2nd and 3rd Readings, if any, and Resolutions
8. Miscellaneous Business
9. Adjournment

SECTION II. OFFICER AND EMPLOYEES OF COUNCIL

Rule 8. Presiding Officer. The President of Council and in ~~his~~ their absence the President of Council Pro Tem shall preside over the meetings of the Council. In the absence of the President of Council and President of Council Pro Tem, the Clerk of Council shall call the Council to order and if after the roll a quorum shall be present the Council shall choose one of its members to act as temporary chairperson who shall preside until the President of Council or the President Pro Tem appears but in no event beyond such meeting and shall discharge all the duties and be clothed with all the powers of the President of Council as such presiding officer during their 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, they shall give themselves an opportunity of 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 President of Council shall preserve order and decorum and prevent personalities or the impugning of members' motives, confine members in debate to the question under discussion and shall decide all points of order subject to an appeal to the Council. The President of Council shall appoint all standing committees and shall select committees as may be authorized by Council from time to time unless otherwise ordered by Council (Parma Heights Charter, Article III, section 2). The presiding officer shall be an ex-officio member of all Committees of the Council.

Rule 9. The vote necessary for Election of President, President Pro Tem, Clerk of Council and Other Employees of Council. No candidate for President, President Pro Tem, Clerk of Council and other employees of Council shall be declared elected unless they have received a majority vote of all members elected to Council and no person shall be employed by this Council except pursuant to a majority vote of all 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 (Parma Heights Charter, Article III, section 5).

Rule 10. Roll call upon Election of President, President Pro Tem, Clerk of Council and other Employees of Council and Filling Vacancies in the Membership of Council. Upon the roll call or for filling any vacancy in the membership of Council, each member shall respond by stating the name of their choice eligible for such office or appointment, which candidate shall not be required to be a person duly nominated and seconded, however, no member present shall be excused from voting thereon except by unanimous consent.

Rule 11. Clerk of Council. The Council shall choose a Clerk and 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 a part of the transactions of the council, their meetings, its committees and all orders of the Council and shall make such records available to the public. The Clerk may be secretary to all committees or Council may assign an assistant as secretary to any committee. When directed by any committee they 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 shall perform such other and further duties as may from time to time by statute or ordinance be required of them. 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. Ordinances of a general or permanent nature shall in their preparation be divided into short sections in order to permit amendments being made without printing so much of the original ordinance.

- C. The practice of introducing resolutions of condolence and congratulatory resolutions shall be discontinued except in the case of the death of outstanding citizens or occasions of great civic importance. In lieu of such resolution of condolence or congratulation, the Clerk shall have prepared a suitable memorial or congratulations which shall be sent to the relatives of the deceased or to the individuals to be congratulated and the Clerk shall keep a record which shall contain the name or names of the memorial or such congratulatory resolution and the fact that such memorial or congratulatory resolution has been sent.
- D. 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 Council and such records shall be available to the public at all reasonable times (Parma Heights Charter, Article III, section 7).

Rule 12. Sergeant at Arms. The Council may appoint a Sergeant at Arms who shall preserve order under the direction of the Presiding Officer. The Sergeant at Arms shall be a police officer assigned by the Chief of Police; ~~with the approval of Council~~, to be in attendance upon request of the Council.

SECTION III. COMMITTEES OF THE COUNCIL

Rule 13. Standing Committees. All regular standing Committee meetings shall be held at City Hall. Not later than the second meeting of the Council after its organization the President of Council shall appoint standing committees each consisting of three (3) members. The first named member shall be the chairperson and the second named shall be vice chairperson. In the absence of the chairperson the vice chairperson shall preside until the chairperson appears and shall discharge all the duties and be clothed with all the powers of the chairperson during such absence.

The Order of Business shall be as follows;

- A. Roll Call
- B. Approval of Minutes of Preceding meeting
- C. Old Business
- D. New Business
- E. Adjournment

The Subject matter which shall be referred to the committees shall be as follows:

- A. **FINANCE COMMITTEE**
Three members of Council shall be appointed thereto which shall be referred all ordinances, resolutions and other matters related to finances, indebtedness, appropriations, the payment of monies not provided for by previous legislation, taxation, licenses, permits and fees and all matters pertaining to finance, the standardization of salaries and wages, pension of employees and the sale or purchase of real estate except those matters which are referred to the Committee of the Whole.
- B. **UTILITIES; AND STREETS AND SIDEWALKS COMMITTEE**
Three members of Council shall be appointed thereto which shall be referred all matters pertaining to the City's water supply, sewer improvements and sewerage disposal, surface and storm water drainage, matters pertaining to street lighting and all ordinances, resolutions and other matters pertaining to rates to be paid by the City to any public utility for street lighting or other utility services and all matters relating to existing or proposed franchises and transportation matters, except those matters which are referred to the Committee of the Whole.
- C. ~~POLICE, FIRE AND SAFETY COMMITTEE~~
Three members of Council shall be appointed thereto which shall be referred all ordinances, resolutions and other matters pertaining to police, fire, and matters pertaining to inspection of buildings and enforcement of the Building Code and safety except those matters which are referred to the Committee of the Whole.
- D. ~~PUBLIC PARKS AND RECREATION COMMITTEE~~
Three members of Council shall be appointed thereto which shall be referred all ordinances, resolutions and other matters pertaining to public parks, public recreation and playgrounds, public

recreational buildings, public swimming pools and all other public recreational facilities except those matters which are referred to the Committee of the Whole. The member of Council appointed to the Recreation Commission by Charter, along with two (2) other appointed members of Council shall constitute this committee.

E. AD HOC COMMITTEE

Three members of Council shall be appointed thereto which shall be referred, at the discretion of the Council President, timely issues that come before this body that need Council input, additional research and study, except those matters which are referred to the Committee of the Whole. This committee will provide updates of their work to the entirety of Council.

The Council may create such subcommittees with functions within the scope and duties of the Council as it shall determine. The members of subcommittees shall be appointed by the President of Council. Persons desiring to be heard by any committee of Council may by consent of such Committee be heard therein.

Rule 14. 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 by its Chairperson. Should the Chairperson of a committee find it necessary to hold the meeting at another time and place, they shall cause notice thereof to be given at least twenty-four (24) hours before the new time fixed for the meeting.

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 suggested 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 suggested amendment of any legislation pending before a committee.

Rule 15. Rules of Committees. Except in case of obvious inconsistency or applicability committee hearings shall be governed by the rules applicable to Council proceedings.

Rule 16. Committee of the Whole. When the Council acts as a Committee of the Whole without objection the regular officers shall continue to serve otherwise the council shall appoint a Chairperson 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.

SECTION IV. DUTIES, PRIVILEGES AND DECORUM OF MEMBERS

Rule 17. Roll Call of Council. Every member shall be in their seat at the time of roll call otherwise they shall not be recorded as present except upon special order of the presiding officer. The Clerk shall record names of the members present and absent.

Rule 18. 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 they are financially interested or which in any way involves their personal, private, business or professional 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 held accountable as provided in Parma Heights Charter, Article III, Section 4.

Rule 19. 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 vote shall be entered upon the record on the request of any member. Upon the call for the yes and no vote, the clerk shall call the names of the members and record the vote. When once begun, voting shall not be interrupted except that any member upon first declaring his vote may explain his vote in a statement consuming not more than two (2) minutes.

Rule 20. 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 21. Right of Floor. When any member is about to address the Council, they 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.

Rule 22. Time Limitation of Speaking. No member shall be allowed to speak for a longer time than ~~five (5)~~ three (3) minutes at any one time without permission of the Council President. 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 23. Members Called to Order. If any member in speaking or otherwise transgresses the Rules of the 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 (2) members.

Rule 24. 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 reasons for the appeal and the presiding officer may briefly explain his ruling but there shall be no debate on the appeal and no other member shall participate in the decision. 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 25. 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 26. Personal Privilege. Any member may rise to explain a matter personal to them 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)~~ three (3) minutes of time unless extended by consent of the Council. Matters of personal privilege shall yield only a motion to recess or adjourn.

SECTION V. MOTIONS

Rule 27. 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. A second shall be required for any motion. Upon 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 28. Precedence of Motions. When a question is before the Council no motion shall be entertained except the following:

1. To fix the time at which to adjourn
2. To adjourn
3. To recess
4. To lay on the table
5. For a previous question
6. To postpone to a day certain
7. To refer to committee
8. To amend
9. 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 at which to adjourn shall be debatable only as to the time of such adjournment. All other motions shall be debatable.

Rule 29. 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 of the members 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 30. 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 31. 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 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 32. 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 33. Reconsideration. After the decision of any question, any member who voted with the majority may move a reconsideration of any action at the same or the next succeeding meeting provided, however that a resolution authorizing or relating to any contract may be reconsidered at any time before the final execution thereof. A motion to reconsider shall require a majority vote of all the members elected to Council. After a motion for reconsideration has once been acted upon, no other motion for reconsideration thereof shall be made without unanimous consent of the members present.

SECTION 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 enactment of a regulation of a general or permanent nature” (19 R.C.L. 895;46 C.M. 519;29 O.A. 386).

Rule 34. Introduction. Ordinances and Resolutions except those requested by Council, acting as a Committee of the Whole shall be introduced in the Council only on the printed form prescribed and furnished by Council. Ordinances submitted by initiative shall have endorsed thereon “*Submitted by Initiative Petition*”.

Rule 35. 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 Clerk of Council. The Clerk will forward the request to the Office of the Law Director on the form prescribed and furnished by ~~Council~~ the Law Department.

Rule 35A. Legislation. All requests for legislation shall comply with the following rules:

1. The form, ~~Request for Proposed Legislation~~ Legislative Action Form (Attachment 1), furnished by the ~~Clerk of Council~~ Law Department shall be used.
2. That part of the prescribed form setting forth the reason for the legislation shall be completed by the person requesting the legislation.
3. Any request for legislation originating with a Councilperson, Mayor, or department head/administrative head shall be signed by them in the space following “Requested By”.
4. Any request for legislation originating with a department head or division head shall be approved and signed by the Mayor in the space following “Approved” except in the event that the Mayor is the requestor.

5. No legislation requested under subsection four (4) hereof shall be prepared by the Legal Department or introduced in Council unless a Councilperson, Mayor or department head/administrative head has signed the prescribed form in the space following "Requested By" and the form has been approved by the Mayor if originating from the administration.
6. Any Councilperson that wishes to sponsor legislation with the Mayor or another Councilperson shall sign their name in the space following "Sponsored By".
7. A brief description known as the title of legislation shall be inserted in the space provided on the prescribed form.
8. The requestor must indicate whether or not there is a need for an emergency clause and suspension of the rule requiring three readings of the legislation. The requestor must provide a brief explanation if requesting an emergency clause and/or suspension of the rules.
9. The President of Council shall schedule the legislation at the requested Council meeting date if possible.
10. The Clerk of Council shall complete the balance of the prescribed form when the appropriate action has been taken.

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

Rule 35B. Legislation. All legislation originating from the Council acting as a Committee of the Whole shall be prepared by the Legal Department.

Rule 36. Form of Ordinances. The enacting clause of all ordinances shall be "Be it Ordained by the Council of the City of Parma Heights, County of Cuyahoga and State of Ohio". All ordinances before introduction shall be in typewritten form on the forms to be provided by the Clerk of Council. 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 ordinances shall contain more than one subject which shall be clearly stated in its title.

Rule 37. Emergency Ordinances. If any emergency ordinance or resolution fails to receive five affirmative votes, such measure shall cease to be before 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 (Parma Heights Charter, Article III, Section 12).

Rule 38. Reference to More than One Committee. A majority vote shall be required for action by such joint committee.

Rule 39. Relieving Committees. Any committee to which an ordinance or resolution has been referred by the presiding officer without specific motion to commit may be relieved of further consideration of such legislation by a motion duly made and adopted by five (5) affirmative votes. Such votes shall be sufficient to relieve a committee if notice of the intention to relieve such committee or committees of such legislation has been made at the meeting preceding the meeting at which such motion is made.

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. The 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 above.

Rule 40. Amendments. It shall be in order to amend an ordinance at any time when not in the hands of a committee. 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 members elected to Council shall be necessary for the adoption of an amendment to any legislation pending.

SECTION VII. ADMINISTRATIVE OFFICERS

Rule 41. Attendance Requested. The Mayor, Directors of all Departments and the Law Director or their designee shall be requested to attend the regular and special meetings of Council and shall be provided with seats at the meeting. They shall be requested 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 Council. The Mayor shall make such recommendations to Council for the welfare of the City as the Mayor deems suitable.

Rule 42. Report of Status of Pending Measures. The Clerk of Council shall keep the members of Council informed regarding the status of pending ordinances. All ordinances and resolution to be acted upon by committees or the Council on Monday shall be in the hands of the Clerk not later than forty eight (48) hours preceding the meeting.

SECTION VIII. COUNCIL CHAMBERS

Rule 43. Use of Council Chambers and Caucus Room. The Council Chamber and Caucus Room shall be used only for meetings of the Council or its committees. The Mayor may permit use of these rooms by other persons and organizations. Use by the Council or its committees thereof shall take precedence over any other use of the Council Chambers or the Caucus Room.

Rule 44. Privileges of the Floor. While Council is in session no person except members of the Council, officers named in the rules, reporters for the newspaper 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.

SECTION IX. SUSPENSION, AMENDMENT AND OTHER

Rule 45. Suspension of Rules. Any provision of these rules may be suspended at any meeting of the Council by a majority vote of all members elected to Council except when a greater number is required by the Parma Heights Charter or by the rules. The vote on any such suspension shall be taken by yes and no and entered upon the records.

Rule 46. Amending Rules. These rules may be amended or new rules adopted by five (5) affirmative votes of the members elected to Council. All such rules shall be in writing.

Rule 47. Other Rules. Except as herein otherwise provided, the proceedings of the Council shall be governed by the Charter of the Municipality of Parma Heights, the Codified Ordinances of the City of Parma Heights, Roberts Rules of Order and it shall be the duty of the presiding officer to adhere to and enforce such rules.

~~REQUEST FOR PROPOSED LEGISLATION~~

~~Members of Council and or Requestor shall present requests for legislation bearing their names to the Clerk of Council. The Clerk will forward the request to the Office of the Law Director on the form prescribed and furnished by Council.~~

~~Requested By: _____~~

~~Sponsored By: _____~~

~~Approved: _____~~

~~Date Requested: _____ Meeting Date: _____~~

~~Title of legislation, reason for legislation, research and supporting materials for legislation.~~

~~Emergency Clause (Circle one): YES NO~~

~~Explain:~~

~~Suspension of Rules: YES NO~~

~~Explain:~~

~~President of Council shall schedule the legislation at the next regular Council meeting~~

~~The Clerk of Council shall complete the balance of the prescribed form when the appropriate action has been taken~~

~~Date of preparation: _____~~

~~Name of draftsman: _____~~

~~Name of typist: _____~~

~~Passage Date: _____~~

~~(Attachment 1)~~

SECTION 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 enactment of a regulation of a general or permanent nature" (19 R.C.L. 895; 46 C.M. 519; 29 O.A. 386).~~

~~**Rule 34. Introduction.** Ordinances and Resolutions except those requested by Council, acting as a Committee of the Whole shall be introduced in the Council only on the printed form prescribed and furnished by Council. Ordinances submitted by initiative shall have endorsed thereon "*Submitted by Initiative Petition*".~~

~~**Rule 35. 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 Clerk of Council. The Clerk will forward the request to the Office of the Law Director on the form prescribed and furnished by Council.~~

~~**Rule 35A. Legislation.** All requests for legislation shall comply with the following rules:~~

- ~~1. The form, Request for Proposed Legislation (Attachment 1), furnished by the Clerk of Council shall be used.~~
- ~~2. 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.~~
- ~~3. Any request for legislation originating with a Councilperson shall be signed by them in the space following "requested by."~~
- ~~4. 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 space following "Approved (Department Head)."~~
- ~~5. No legislation requested under subsection four (4) hereof shall be prepared by the legal Department or introduced in Council unless a Councilperson or the Mayor has consented to introduce the legislation and has signed the prescribed form in the space following "By Request (Councilperson)" or "By Request (Mayor)".~~
- ~~6. No legislation shall be introduced to Council unless signed by the Law Director in the space following "Form Approved (Law Director)."~~
- ~~7. No legislation involving an expenditure of funds shall be prepared or introduced to Council until such time as the Finance Director's Certificate appearing on the prescribed form is completed and signed by the Director of Finance in the space provided therefore.~~
- ~~8. A brief description known as the title of legislation shall be inserted in the space provided on the prescribed form.~~
- ~~9. The President of Council shall schedule the legislation at the next regular Council meeting.~~
- ~~10. The Clerk of Council shall complete the balance of the prescribed form when the appropriate action has been taken.~~

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

Side 2(Attachment 1)

LEGISLATIVE ACTION FORM

1. DEPARTMENT OR SPONSOR: _____

2. EXPLAIN THE ISSUE REQUIRING COUNCIL APPROVAL:

3. DATE THIS NEEDS TO BE IN EFFECT (ASAP IS NOT SUFFICIENT):

4. DATE TO APPEAR ON MAYOR'S CAUCUS AGENDA:

5. DATE TO APPEAR ON COUNCIL AGENDA:

6. READINGS – COUNCIL ACTION ON: FIRST SECOND THIRD

7. DOES LEGISLATION NEED TO INCLUDE AN EMERGENCY CLAUSE? Yes No

IF YES, WHY? (TO BE EFFECTIVE UPON PASSAGE BY COUNCIL AND SIGNING BY THE MAYOR)

8. ARE FUNDS NEEDED? Yes No

9. IF FUNDS ARE NEEDED, ARE THEY BUDGETED? Yes No

10. INDICATE THE BUDGET LINE ITEM/FUND (NAME & NUMBER) FROM WHICH THEY WILL BE TAKEN:

11. IF THERE ARE ATTACHMENTS RELATIVE TO THIS ISSUE, PLEASE ATTACH

WORKSHEET PREPARED BY: _____

APPROVED BY: _____

MAYOR APPROVAL: _____

**THIS FORM ALONG WITH SUPPORTING DOCUMENTS MUST BE SUBMITTED TO
THE LAW DEPARTMENT NO LATER THAN THE
TUESDAY BEFORE THE MAYOR'S CAUCUS**