

## **RULES AND PROCEDURES OF YORK CITY COUNCIL**

### **RULE NO. 1 - RULES, PURPOSE AND EFFECT**

1. The City Council is the Legislative body of the City. The City Council holds responsibility for setting City policy through ordinances, resolutions and adoption of the City's budget. The Council legislates by passing ordinances and resolutions.
2. The Council's meetings must be noticed and conducted in accordance with applicable open meetings statutes and other laws.
3. These rules and procedures are adopted by the Council of the City of York under the Council's authority provided by the City Charter, 3<sup>rd</sup> Class City Code, Optional Charter, and by the City's Codified Ordinances, to determine its own rules, order of business, and to regulate the conduct of its meetings. Where not inconsistent with these rules and procedures, applicable laws will be used as a supplementary guideline.
4. Unless otherwise stated, these rules or portions thereof may be suspended during a meeting or hearing by the affirmative vote of four members of the Council.
5. Where not stated applicable laws shall apply.
6. Any rules or parts hereof inconsistent shall be and are hereby repealed to the extent of such inconsistency.
7. **Definitions:** As used within these rules and procedures, the following words shall have these definitions:
  - a. Liaison: A Council member formally appointed as Council's representative to a specific department within the city as outlined by the Codified Ordinances of the City of York or to another governmental entity or agency as defined by a resolution of Council. The Council at its first meeting in January following a municipal election shall appoint by resolution liaisons to each department. A liaison has direct responsibility to know and understand the problems, responsibilities, goals, and services undertaken by the specific department and serves as the communications arm of the Council day-to-day with that department. Each liaison shall work through the director of the department or governmental entity or agency that the liaison is assigned. Any Council member seeking information about a specific department may work with the liaison assigned to the department and shall work with the department director.

Council members shall not interfere with the day-to-day operations of a department or the work of its employees. Each Council member shall be assigned as a liaison to at least one department.

- b. Non-legislative, workshop, general committee and study meetings: Meetings held for informational purposes of the Council and the public. These meetings shall be more informal in nature. No votes will be taken at these meetings. These meetings shall be held in public, unless their focus or agenda meets one of the exceptions as stated in the Pennsylvania Sunshine Act, which they then may be held as executive sessions closed to the public.
- c. Public Comment Session: A meeting of Council as a General Committee prior to (and possibly after) a regular City Council meeting at which a member of the public may address the Council about any concern they may have regarding city business not on the regular Council agenda. (Res. 1-08)
- d. A Bill: A draft of a law presented to a legislature, in this case Council, for enactment.
- e. An Ordinance: A law set forth by governmental authority, such as Council; *specif*: a municipal regulation.
- f. A Resolution: A formal expression of opinion, will, or intent voted by an official body, such as Council, or assembled group.
- g. Personal Attack: A comment, criticism or complaint aimed pointedly at the most intimate aspects of a person, especially in a hostile manner.

## **RULE NO. 2 – ADOPTION**

- 1. Adoption of all rules and procedures governing the Council shall be approved by Resolution by the affirmative vote of at least three members of Council and shall become effective upon passage. The rules shall stay in effect for the two years of the Council session until Council reorganizes following the next municipal election when these rules may be amended or new rules adopted by a majority vote. The rules amended or adopted at the reorganization meeting can only be amended by a vote of approval by at least four members of the Council until the next reorganization meeting.

## **RULE NO. 3 – DISCLOSURE OF INTEREST**

- 1. A Council member who has a personal or pecuniary interest in any question, measure or bill proposed or pending before the Council, shall disclose the fact to Council, and shall not vote thereon.

2. If such interested person shall vote without disclosing his/her interest in such question, measure or bill, Council shall refer the matter to legal Counsel for opinions and recommendations.

#### **RULE NO. 4 – COUNCIL MEETING DATES & TIMES**

1. All regular meetings of Council are held the first and third Tuesday evenings of each month, except when such Tuesday is a legal holiday observed by the City Government, summer recess, when the general and/or primary elections fall on such Tuesday, or during special circumstances as approved by Council, then the regular meeting will be held on the following day or at such other day as the Council shall designate.
2. All regular Council meetings shall begin at 7:00 p.m. and are held in Council Chambers located at 1 Marketway West, 3rd Floor, York, PA, except when an emergency or other matters requires said meetings to be held in another location, which shall be advertised. General Committee meetings for public comment items not on the agenda shall begin at 6:30 p.m. prior to the start of Council meetings and shall extend no longer than the 7 p.m. start of Council. The President of Council may, at his or her discretion, continue the General Committee meeting for public comment at the end of the Council meeting for members of the public who did not have an opportunity to speak during the comment period prior to the Council meeting. (Res. 1-08)
3. Any committee meetings of the Council may take place between 6:00 p.m. and 6:30 p.m. on the first and third Tuesdays or at 7 p.m. on the second, fourth and/or Tuesdays, in the Council Chambers unless otherwise scheduled by the Committee chair and/or Council and advertised. (Res. 1-08)

#### **Rule No. 5 – Committees**

1. The following committees shall be established: Police Committee, Fire Committee, Public Works Committee, Community Development Committee, Economic Development Committee, Business Administration Committee, Rules and Administrative Code Committee. Each committee shall have responsibility for the resolutions and other actions that will come before the Council during a regular meeting regarding the specific department and its duties and responsibilities as outlined by the Codified Ordinances of the City of York.  
**Exception:** the civil service board affecting the Police Department shall be the responsibility of the Police Committee, while the civil service board regarding the Fire Department shall be the responsibility of the Fire Committee.

2. The Council liaison to each department shall chair the specific committee, except for the Rules and Administrative Code Committee, which shall be specifically appointed by a majority of the Council.
3. Each committee shall have a total of three Council members with the Council nominating and appointing the other Council members of each committee.
4. The meetings of the committees shall function as a committee of the whole with all Council members having the opportunity of attending and participating in each committee meeting. At least two Committee members shall make a quorum for a committee meeting. The meetings shall be open to the public and shall allow for public comment of committee business. (Res. 1-08)
5. Before coming to a vote of the Council, all resolutions and bills affecting specific departments shall be referred to the committee in charge of that department, unless otherwise approved by Council according to these rules. All bills having to do with the Administrative Code within the Codified Ordinances of the City and those resolutions and bills not affecting a specific department shall be referred to the Rules and Administrative Code Committee.
6. The committees shall consider each item of business referred to it at either the Tuesday committee session following the meeting in which the matter was referred to committee or at the committee session prior to the Council meeting.
7. All items of business referred to a committee shall be reported back to the Council for action at its next regular meeting unless a special meeting is called by the Council President. The committee can recommend for approval or rejection of the item or take no position on it. If a committee is unable to meet, the item will still come back to the Council at the next meeting or special meeting for action. A committee may request additional time to consider a topic, which the Council may grant by a majority vote of members in attendance at a regular or special meeting.
8. The Council, by approval of four of its members, may waive the requirement of referring an item to a committee and immediately consider an item placed on the agenda.
9. A Committee Chair has the authority to schedule a special meeting outside of those to consider bills and resolutions.

## **RULE NO. 6 – AGENDAS**

1. Submission of Bills and Resolutions for the Agenda must be submitted to the City Solicitor's Office, in accordance with Article 115.01(a) of the Codified Ordinances, prior to its inclusion on the agenda.
2. Agenda items shall be submitted to the City Clerk no later than noon on the Wednesday business day prior to the next scheduled Council meeting. (Res. 1-08)
3. If an Agenda item is not submitted by noon on the Wednesday business day prior to the next scheduled Council meeting, a request must be submitted to either the chairperson of the committee in which the item would be referred or by the Council President for the item to be included in a supplemental agenda. (Res. 1-08)
4. No item(s) shall be placed on a Supplemental Agenda without the approval of either the chairperson of the committee in which the item would be referred or by the Council President. If a Supplemental Agenda item(s) is approved, upon notification, the City Clerk shall prepare a Supplemental Agenda. A motion to waive Rule 215 shall apply during the scheduled meeting to consider action on said item.

**Rule 215:** Resolution 215 of Session 1969 passed by City Council on December 29, 1969 reads as follows:

"Resolved, by the Council of the City of York, PA, that no Resolution or Legislative Bill shall be considered by the Council unless typewritten copies of the Resolution or Bill are delivered to the Mayor and all members of the Council not later than the Saturday preceding the stated Council meeting.

"An affirmative vote of all the members present at a meeting shall be necessary in order to pass a waiver of the provisions hereof. The provisions of this Resolution shall not apply to the special meetings called by the Mayor or President of the Council."

5. Agendas are made available on the Friday afternoon preceding the regularly scheduled meeting of Council. In the event Friday is a holiday observed by the City, agendas shall be made available on the preceding business day. In the event a special meeting is being held, please contact the City Clerk's office for agenda availability.
6. A public review copy of the Agenda shall be located at City Hall, 50 W. King St., York, and at 1 Marketway West, 3<sup>rd</sup> Floor, York, and is available for review during normal business hours. The agenda may

also appear on the City's website as may all proposed bills and resolutions.

7. Agendas are subject to change before and during the meeting for consideration of such other business Council may desire to act upon, including items of business deferred from previous Council meetings.

## **RULE NO. 7 – ORGANIZATON OF THE COUNCIL**

1. On the first Monday of January following a regular municipal election, the members of Council shall meet in Council Chambers or such location as approved by the affirmative vote of three members of Council, to swear in new members, elect its officer(s) and to appoint committees and to take any other action the Council decides. If the first Monday is a legal holiday, the meeting shall be held on the first day following. The city clerk shall serve as the temporary presiding officer of the meeting and shall call it to order or shall appoint a President Pro-Tempore. (Res. 1-08)

The first order of business for the meeting shall be the swearing in of the new Council members. The second order of business shall be approval or amendment of the rules of procedure for Council. The clerk shall then ask for nominations to the office of president. Once all nominations are made, the clerk shall close the nominations and request a public vote of the Council.

That person receiving three votes shall be elected president. If more than one vote is necessary, then the person with the least number of votes will drop out of consideration and the Council will vote for those remaining until one person receives at least three votes. The person winning nomination, as Council president will then have his or her name submitted into a resolution that will then be voted upon by all Council members in attendance and the person shall take his or her seat as President. The Council shall follow the same procedure for the election of a Vice President.

2. As provided by the Codified Ordinances, the Council President, or in the Council President's absence, the Vice-President or President Pro-Tempore, as approved by the Council, shall be the presiding officer of the Council and shall preside at Council meetings and hearings of Council.
3. It shall be the duty of the presiding officer to promptly sign all resolutions and bills that have been passed by Council and shall perform such other duties as Council may prescribe.

4. In the event that the President and Vice President are absent from a meeting, the other remaining members of Council shall vote by majority vote one of its own to serve as president pro-tempore or temporary presiding officer during the meeting.
5. The presiding officer will preserve order and decorum at all meetings of the Council to allow the orderly conduct of the business of the meeting. All meetings shall generally and broadly follow Roberts Rules of Order.
6. The presiding officer shall make decisions on administrative and procedural matters, which is final subject only to appeal of the majority vote of Council.
7. The presiding officer shall have power, authority and discretion, without a vote of the Council, according to Roberts Rules of Order, to:
  - a. Declare the opening of a meeting.
  - b. Rule any disruptions as being out of order and keep all discussions according to item on the agenda that is under consideration.
  - c. Terminate any communication with the Council from anyone who is declared out of order.
  - d. Declare a recess in order to discuss matters in accordance with the Sunshine Act or to establish order to any meeting.
  - e. Enforce all rules adopted by the Council.
8. Each Council member shall have equal right to request information or to hold meetings with the Mayor or department directors. The Mayor may wish to meet with the President and Vice President of Council to communicate goals or share other information. The President and Vice President of Council shall have responsibility to attend and participate in such meetings and to inform other Council members during committee meetings, regular meetings or other times of the information presented. Council liaisons also should regularly meet with the director of the department that they are assigned and shall report to the rest of the Council at the regular meetings, committee meetings or other times of the information or recommendations they compile. The Council shall work through its liaison system and other means to help establish and/or amend a five-year strategic plan for the City and each of its departments. Such a plan shall be consistent with the City's comprehensive plan.

9. Department heads and/or their designees shall attend all Council meetings and committee meetings on items affecting their departments in order to answer any questions posed by the Council or the public and to present any other requested information regarding the item under consideration. The Council may table consideration of any item until such time that a department head and/or his or her designee attends a committee and/or regular meeting and presents the information that members of Council determine they need to make a decision on an item on the agenda.

### **RULE NO. 8 - ORDER OF BUSINESS/Resolutions, Bills & Ordinances**

1. The order of business at regular meetings of the Council ordinarily will be as follows: (Res. 1-08)
  - a) 6:30 to 7:00 p.m. Meeting of General Committee of Council to hear Public Comment on items not on the agenda
  - b) 7:00 p.m. Call to Order of Council Meeting
  - c) Pledge of Allegiance
  - d) Approval of Minutes
  - e) Presentations, Proclamations and Awards
  - f) Committee & Special Meeting(s) Scheduled
  - g) Reports of Committees and Council action on those items
  - h) Agenda items:
    1. Action on Subdivision, Land Development & HARB Resolutions
    2. Introduction of Bills by Consent Agenda or otherwise
    3. Final Passage of Bills
    4. Other Resolution
  - i) Requests for Future Workshops and Executive Sessions
  - j) Council Comments and Suggestions
  - k) Administration Comments and Suggestions
  - l) Adjournment
  - m) Resumption of General Committee meeting to hear Public Comment at the discretion of the President

In considering action on any bill or resolution, the President may call first upon the department head or committee chair for a report. The President shall then ask Council members if they have any comments or questions on the item under consideration. The Council president shall then ask if any members of the public have any comments or questions. The vote on that item shall then be taken.

2. The presiding officer, or a member of the Council, may request to consider items out of sequence from the printed agenda, however, if there is disagreement regarding the sequence, the presiding officer shall decide the sequence.
3. **Bills/Resolutions:** Bills: Upon introduction, all Bills shall be read by title only at one meeting and voted upon at a separate meeting. A copy of every bill introduced shall be advertised and made available for public inspection in the City Clerk's office according to law. Upon introduction, Council may discuss and/or ask questions on the Bill or may defer comment and questions to the committee meeting or the regular Council meeting in which the bill will be considered for final action. Resolutions: Resolutions shall be read in their entirety unless, if a short title is available, may be read by short title only upon the approval of the majority of Council members. All Resolutions and Bills shall be in typewritten form as regulated under Article 115.01(a) of the Codified Ordinances. Amendments to Bills or Resolutions do not have to be in typewritten form, and may be made from the floor during Council meetings, although written text would be preferable.
4. Other than Bills, all official acts by the Council are done by resolution, which become effective upon passage by the Council, unless otherwise stated in the resolution.
5. The Council shall pass Bills and Resolutions by majority vote of Council unless otherwise stated, or when by law a vote of four members is required.
6. All Bills adopted by Council shall be submitted forthwith to the Mayor who shall, within ten days after such submission, either approve an ordinance by affixing his/her signature thereto or disapprove it by returning it to Council through the City Clerk together with a statement of his/her objections thereto.

No Bills shall take effect as ordinances without the Mayor's approval unless the Mayor fails to return the Bill to Council within ten days after receiving it or unless Council, upon reconsideration of the Bill on or after the third day following its return, by resolution agreed to by four of its members, decides to override the Mayor's veto.

#### **RULE NO. 9 – NON-LEGISLATIVE, WORKSHOP AND STUDY MEETINGS**

1. The Council may conduct open non-legislative, workshop, general committee or study meetings for information purposes or on matters that are expected to come before the Council for formal action.
2. At open non-legislative, workshop, general committee or study meetings the Council will receive information and presentation of

issues. Council may ask questions and may request that certain information be provided or issues be addressed when items are considered further at another workshop meeting or a regular or special meeting of Council.

3. Council may direct by consensus that matters under consideration be brought forward for formal action at a regular or special meeting, that further study be conducted if appropriate, that matters under consideration not be pursued further or that modifications be made before a matter is considered further.
4. Final action on items is not taken at non-legislative, workshop, general committee or study sessions. No formal vote of the Council in favor of or against any agenda item may be taken.
5. Questions may be directed by the Council to a member of the public or another interested party during workshops or study committees. The public may ask questions and is permitted to conduct brief presentations as directed by the Council President or presiding officer. The Council may limit or end the time for such questioning or presentation. Council may refer to Rule No. 10 for procedures on addressing the Council when conducting non-legislative, workshop or study sessions.
6. The Council President shall call all workshop, general committee or study meetings with input from the rest of Council.

## **RULE NO. 10 - ADDRESSING THE COUNCIL**

1. **General Committee Meeting for Public Comment:** Persons wishing to speak during the "General Committee meeting" (non-agenda item) session(s) shall sign up with the City Clerk before the 6:30 p.m. General Committee meeting for Public Comment is called to order by the Presiding Officer. Upon calling the meeting to order, the Council President or presiding officer may explain the need to sign up for the comment period and ask if all those wishing to address the Council had an opportunity to sign up for it. (Res. 1-08)
  - a) Each speaker shall have five- (5) minutes to speak on an item depending on the number of speakers that have signed up for the public comment period. The Council President may, at his or her discretion, reduce the time limit down to three- (3) minutes if the number of speakers who have signed up would extend the time period beyond the thirty- (30) minutes scheduled for public comment. Additionally, the Council President, at any time beyond the five minutes, may ask a speaker to finish up his or her

remarks or rule them out of order, particularly if the person begins to become, among other things, redundant, repetitive or disorderly. Council, by a majority vote, may approve a temporary rule during such a meeting for a lesser time limit for public comment. (Res. 1-08)

2. **Agenda Item Comments:** Any person wishing to address the Council on an agenda item currently under consideration need not sign up but shall first be recognized by the presiding officer when he or she asks for public comment on an agenda item. The person recognized shall then indicate his or her name and address, and identify whether he or she is for or against the legislation or just commenting on said item. The Council president may, at any time, ask a speaker to finish his or her remarks if the person begins to become, among other things, redundant, disorderly or long-winded. The Council President may limit each speaker on an agenda item to a time limit of five- (5) minutes. All other requirements for public comment on non-agenda items as set out by these rules shall also remain in effect for public comment on agenda items. (Res. 1-08)
3. **Agenda Item Comments:** Speakers on any agenda item shall make every attempt to keep their comments concise and focused upon the item under consideration and shall avoid repetition of the comments of previous speakers on the item. Simply stating agreement with the points raised by the prior speaker(s) will help move the meeting along so that all who wish to speak have the opportunity to do so within a reasonable time. Large groups whose members wish to speak on a matter may designate a spokesperson.
4. **Public Comment Session & Agenda Item Comments:** The purpose of public comment is to provide information and the speaker's views for Council consideration. Any questions raised by a speaker do not necessarily have to be answered by Council, the Administration or staff during the meeting and may be referred for follow-up. The speaker shall raise all points to the Council president, who then may address those points or refer them to the appropriate person. Members of Council may wish to answer any questions or comments made upon being recognized by the presiding officer.
5. **Public Comment Session & Agenda Item Comments:** Proper decorum must be observed during the public comment period by members of the Council, the Administration, staff, speakers and the audience.
  - a. The presiding officer shall keep control of the meeting and maintain proper decorum by requiring the speaker(s) and audience to refrain from abusive or profane remarks, disruptive outbursts, protests, or

other conduct that disrupts or interferes with the orderly conduct of the business of the meeting.

- b. Personal attacks on Councilmembers, the Administration, staff, other speakers, or members of the public will not be tolerated.
7. **Public Comment Session & Agenda Item Comments:** Exhibits, letters, petitions and other documentary items presented or shown to the Council on an agenda item or public comment session, become part of the record. Whenever possible, a copy of said document(s) shall be provided to the City Clerk to include in the public record. No exhibits may be concealed, and as much as possible, must be presented to the Clerk prior to the start of the meeting.
  8. Presentations, Proclamations and Awards: Anyone wanting to make a presentation to the Council or any Councilmember, the Mayor or other official wishing to present proclamation or awards at a meeting should contact the City Clerk or the Council President by deadline set for items to be included on the agenda. The President, or Council by majority vote, may set a specific time frame for a presentation.

#### **RULE NO. 11 - PUBLIC HEARINGS**

1. The Council holds public hearings on Bills, public improvements, zoning issues, the City budget, and on other issues as the need arises.
2. A public hearing is different from a meeting in that a public hearing is a formal proceeding for the purpose of a fact finding and to gather information to aid in decision-making.
3. A public hearing is not a debate and discussion forum. However, the public shall be given opportunities to ask questions during the sessions. The public also shall be given opportunity to present testimony about the item at hand.
4. Testimony may be orally given or may be submitted in written or typewritten form and become part of the record.
5. Each person providing testimony shall state his or her name and address for the record.
6. Public Hearings are open to the public. Therefore, time, location, and the subject of the hearing will be advertised in accordance with the law.
7. The Council President shall schedule all hearings with input from the rest of Council.

## **RULE NO. 12 – CITY CLERK**

As stated in Article 125 of the Codified Ordinances of the City of York, the City Clerk serves at the pleasure of the Council. The City Clerk answers equally to all members of the Council and shall assist each one in conducting their duties of the City. The City Clerk shall inform all Council members of the days he or she will take off and shall have the Council President, or in the absence thereof, the Vice President or President Pro Tempore, sign off on the leave.

### **Questions or Comments**

If you have any questions or comments about these rules and procedures, please call the City Clerk's Office at (717) 849-2246, Monday - Friday, 8:00 a.m. - 4:30 p.m.

If you have a concern you would like to discuss with Council please call (717) 849-2246, Monday - Friday, 8:00 a.m. - 4:30 p.m.

### **Special Accommodations**

If you are a person with a disability, please call 849-2211 if any accommodations are needed to participate in the proceedings. Persons with hearing impairments may contact the Deaf Center at TDD 848-6765.