

## **ORDINANCE NO. 2020-03**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ELBERTA, ALABAMA, that the order of procedure in all instances for meetings of the council shall be as follows:

**SECTION 1:** That the rules or order of procedure herein contained shall govern deliberations and meetings of the Town Council of Elberta, Alabama.

**SECTION 2:** Regular meetings of the council shall be held on the following dates: the third (3rd) Tuesday of each month, unless prescheduled and announced otherwise. The Regular work session of the council shall be held on the third (3rd) Tuesday of each month immediately preceding the regular meeting, unless prescheduled and announced otherwise.

**SECTION 3:** Special meetings may be held at the call of the Presiding Officer by serving notice on each member of the Town Council not less than 24 hours before the time set for such special meetings; or special meetings may be held as provided by Section 11-43-50, Code of Alabama, 1975, whenever the Mayor or two Council members making the request shall have the right to call such meeting. Notice of all special meetings shall be posted on a bulletin board accessible to the public at least 24 hours prior to such meeting. Service of notice shall be by first class mail or by personal delivery, and a Council member may waive formal service of notice of a special meeting.

**SECTION 4:** A quorum shall be determined as provided by Section 11-43-48, Code of Alabama. *The quorum requirement for the Town of Elberta is a total of at least 4 council members, of which the Mayor may be one.*

**SECTION 5:** All regular meetings and shall convene at 6:45 p.m. at the Elberta Town Hall located at 13052 Main Street, Elberta. AL 36530 unless posted otherwise, and all meetings, regular and special, shall be open to the public. All work sessions shall convene at 6:00 p.m. at the Elberta Town Hall, and shall conclude not later than 6:30 p.m. in advance of the regular meeting to follow thereafter at 6:45 p.m.

**SECTION 6:** The order of business shall be as follows:

1. A call to order
2. Roll Call
3. Invocation and Pledge to the flag
4. Approval of the minutes
5. Financial Reports and ratify payment of bills
6. Police Chief - Fire Chief - Public Works Director- Administrative Clerk Reports
7. Reports of standing committees
8. Reports of special committees
9. Reports of officers

10. Reading of petitions, applications, complaints, appeals, communications, etc.
11. Resolutions, ordinances, orders, and other business.
12. Other business that might come before the meeting.
13. Hearing of persons not listed on formal agenda.
14. Adjourn

**SECTION 7:** No member shall speak more than twice on the same subject without permission of the Presiding Officer.

**SECTION 8:** No person, not a member of the council, shall be allowed to address the same while in session without permission of the Presiding Officer.

**SECTION 9:** Every officer, whose duty it is to report at the regular meetings of the Council. Who shall be in default thereof, may be fined at the discretion of the Council.

**SECTION 10:** Motions shall be reduced to writing when required by the Presiding Officer of the Council or any member of the Council. All resolutions and ordinances and any amendments thereto shall be in writing at the time of introduction.

**SECTION 11:** Motions to reconsider must be by a member who voted with a majority and at the same or next succeeding meeting of the Council.

**SECTION 12:** Whenever it shall be required by one or more members, the "yeas" and "nays" shall be recorded and any member may call for a roll call vote on any question.

**SECTION 13:** All questions of order shall be decided by the Presiding Officer of the Council with the right of appeal to the whole Council by any member

**SECTION 14:** The Presiding Officer of the Council may, at his or her discretion, call any member to take the chair, to allow him or her to address the Council, make a motion, or discuss any other matter at issue.

**SECTION 15:** Motions to lay matter on the table shall be first in order; and on all questions, the last amendment, the most distant day, and the largest sum shall be first put.

**SECTION 16:** All meetings of the council shall be open to the public, except when the Council meets in executive session as authorized by the Open Meeting Act.

**SECTION 17:** The council may meet in executive session only for those purposes authorized by the Open Meeting Act. When a Councilmember makes a motion to go into executive session for an enumerated purpose, the Presiding Officer shall put the motion to a vote. If the majority of the council shall vote in favor of the motion to go into executive session, the body shall then move into executive session to discuss the matter for which the executive

session was called. No action may be taken in an executive session. When the discussion has been completed, the council shall resume its deliberations in public.

**SECTION 18:** A motion to adjourn shall always be in order.

**SECTION 19:** The rules of the Council may be amended in the same manner as any other ordinance of general and permanent operation.

**SECTION 20:** The rules of the Council may be temporarily suspended by a vote of two-thirds of the members present.

**SECTION 21:** The chairman of each respective committee, or the Councilmember acting for him or her, shall submit or make all reports to the council when so requested by the presiding officer or any member of the Council.

**SECTION 22:** All ordinances, resolutions or propositions submitted to the Council which require the expenditure of money shall lie over until the next meeting; provided, that such ordinances, resolutions or propositions may be considered earlier by unanimous consent of the council; and provided further, that this rule shall not apply to the current expenses of, or contracts previously made with, or regular salaries of officers, or wages of employees of the town.

**SECTION 23:** The clerk, attorney and chief of police, and such other officers or employees of the Town of Elberta, shall, when requested, attend all meetings of the council and shall remain in the Council room for such length of time as the council may direct.

**SECTION 24:** No ordinance or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent is obtained for the immediate consideration of such ordinance or resolution, such consent shall be by roll call and the vote thereon spread on the minutes.

**SECTION 25:** *Robert's Rules of Order* is hereby adopted as the rules of procedure for the council in those situations which cannot be resolved by the rules set out in this ordinance.

**SECTION 26:** This ordinance shall go into effect upon the passage and publication as required by law.

  
Mayor

  
Council Member

  
Council Member

  
Council Member


  
Council Member

  
Council Member

APPROVED AND ADOPTED this 2nd day of November, 2020.

  
Jim Hamby, Mayor

ATTEST:

  
Caryn Woerner, Town Clerk

**CERTIFICATE OF PUBLICATION**

This is to Certify that Ordinance No. 2020-03 has been published by posting in at least three (3) public places, including Town Hall, for a period of 30 days.

  
Caryn Woerner, Town Clerk