

2019-0213

**INTRODUCED BY: JULIA FISHER-PERRIER, COUNCILWOMAN, DISTRICT VII
WENDY BENEDETTO, COUNCILWOMAN-AT-LARGE, DIVISION A
DICK GIBBS, COUNCILMAN, DISTRICT III
TERRELL D. WILSON, COUNCILMAN, DISTRICT I
TRACI A. FLETCHER, COUNCILWOMAN, DISTRICT VI**

RESOLUTION NO. 6421

A resolution to amend the Parish Council Rules to provide further clarification therein.

WHEREAS, the current Parish Council Rules were adopted on January 11, 2016; and,
WHEREAS, it is the desire of the Parish Council to amend and clarify said Council Rules.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby amend the Parish Council Rules to provide further clarification therein.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: BENEDETTO, HOGAN, WILSON, CLULEE, WOODRUFF, FLETCHER, FISHER-PERRIER

NAYS: NONE

ABSENT: GIBBS, BELLOCK

And the resolution was declared adopted this 22nd day of July, 2019, to become effective five (5) days after publication in the Official Journal.

2019-0213 Amend PC Rules 1-11-16-provide clarification revised.docx

CHAIRMAN: *Julia Fisher-Perrier*

SECRETARY: *Michele Lapostola*

DLVD/PARISH PRESIDENT: *July 23, 2019*

APPROVED: *[Signature]* DISAPPROVED: _____

PARISH PRESIDENT: *[Signature]*

RETD/SECRETARY: *July 24, 2019*

AT: *8:30 am* RECD BY: *[Signature]*

ST. CHARLES PARISH COUNCIL

COUNCIL RULES

Council Rules

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COUNCIL RULES

RULE 1. The St. Charles Parish Council shall hold Regular Meetings in the Council Chambers of the Parish Courthouse, 15045 River Road, Hahnville, LA which shall commence at 6:00 o'clock P.M., on the first and third Mondays of each month. The Parish Council shall establish an annual meeting schedule in December of each year for the following year. Any such meeting may be held, rescheduled, not scheduled or cancelled as desired by the Parish Council.

Regular meetings shall adjourn at 10:00 P.M. and any pending business shall be immediately resumed at the next regular meeting of the Parish Council.

EXCEPTION: Two-thirds of the members may vote to extend a regular meeting one (1) hour.

RULE 2. Special meetings of the Council may be held on twenty-four (24) hours' effective notice by the Secretary to each member upon the call of the Chairman or of a majority of the members. The notice of special meetings shall contain a statement of the specific item or items of business to be transacted and no other business shall be transacted at the meeting. Special meetings of the Council may be convened without the required notice where such is waived in writing by all of the members of the Council. All meetings shall be open to the public; however, the Parish Council may go into Executive Session as provided by law.

RULE 3. The Chairman of the Council shall be the presiding officer of the Council. The Vice Chairman of the Council shall preside in the absence of the Chairman. In the absence of both the Chairman and Vice Chairman, the highest ranking Council member shall preside while the Council elects a Chairman pro-tem who will preside until the Chairman or Vice Chairman arrives.

RULE 4. The Chairman of the Council shall vote on all questions except when filling vacancies on the Council or in the Office of Parish President. If, however, there is a tie vote when filling these vacancies, the Chairman shall vote to break the tie, as per the St. Charles Parish Home Rule Charter.

RULE 5. Votes on all matters shall be taken electronically or by roll call, and the names of the Council member and how each voted shall be entered into the Official Minutes.

RULE 6. At each Organizational Meeting of a new term and at the first regular meeting in December annually thereafter, the Parish Council shall elect from among its members a Chairman and a Vice Chairman, effective at the Organizational Meeting or the first meeting of January, as appropriate, who shall serve at its pleasure. Terms of the Chairman and Vice Chairman shall not be limited by these Council Rules.

RULE 7. The Official Minutes shall record all the transactions of the Council, however, it is not to be considered a verbatim transcript of Council Meetings. In all cases where a resolution or motion is entered in the Official Minutes, the name of the member moving the same shall be entered also.

RULE 8. A quorum of the Parish Council for the transaction of business shall consist of five members. When a quorum is present, the Council shall proceed to the business before it, which shall be conducted in the following order:

1. Chairman's Call, Roll Call, Prayer, Pledge of Allegiance
2. The approval or correction and approval of the Official Minutes
3. Special Business (Proclamations, Canvass Returns, Etc.)
4. Reports
At each Council meeting one Department Head/Agency from each sector of the Government of St. Charles Parish shall provide a not-to-exceed ten minute report on the current activities of his department/agency.
5. Ordinances & Resolutions Introduced for Publication And Public Hearing
6. Planning and Zoning Petitions
7. Ordinances Scheduled for Public Hearing
8. Ordinances/Resolutions Which Have Been Tabled
[Shall only appear on two (2) subsequent regular meeting Agendas]
9. Persons to Address the Council
10. Ordinances for Reconsideration by Reason of the Parish President's Veto
11. Resolutions
12. Appointments
13. Meetings, Announcements, Notices, Etc.
14. Special Matters to be Considered by Council and Parish President
15. Adjournment

RULE 9. The Chairman shall preserve decorum and order, may speak to points of order in preference to other members, and shall decide all questions of order. To preserve decorum and order, the Chairman shall prohibit the discussion of matters which are repetitious, redundant, not germane or completed.

RULE 10. The Chairman may, at any time during debate or otherwise, declare a recess for not more than ten minutes, provided there is no objection. Should a member of the Council object, the recess shall be voted on the by the Council.

RULE 11. Other than for the purpose of asking a question or when required to answer questions, no members shall speak more than twice on the same question and for no longer than three minutes, except by two-thirds consent of the Council, and then not until every other member desiring to speak shall have had an opportunity to do so.

RULE 12. No motion or proposition of a subject different from that under consideration shall be admitted under guise of amendment.

RULE 13. While the Chairman is putting the question, no member shall leave his seat until the vote is completed. If the electronic voting system is inoperable or unavailable, then the Chairman shall order the vote by roll call, at his option.

RULE 14. No member may speak until recognized by the Chairman. The Chairman shall recognize members by order on the electronic voting system. If the electronic voting system is inoperable in whole or in part, or unavailable, then the Chairman shall name the member to speak in the order in which the requests are received. Each member shall confine himself to the question under debate, avoid personalities, and refrain from impugning the motives of any other member's argument or vote. While a member is speaking, no member shall hold any private discourse. The Chairman should be addressed during all meetings as "Mr. Chairman" or "Madame Chairman", as is gender appropriate.

RULE 15. No motion shall be put or debated in the Council or in a committee unless it is seconded. When a motion is seconded, it shall be stated by the Chairman.

RULE 16. If the electronic voting system is inoperable or unavailable and two or more members request the floor at the same time, the Chairman shall name the member who is to speak first.

RULE 17. All nominations for appointments shall lie over until the next meeting of the Council, except when emergency action mandates. Items that do not require Council action are placed on the agenda for information only and shall not be read at Council meetings.

Confirmation Questionnaires must be completed and returned to the Office of the Council Secretary by 4:00 o'clock p.m. on the fourth business day preceding a Parish Council Meeting. Failure to complete or return the questionnaire prior to the deadline shall automatically disqualify the nomination.

RULE 18. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Council in all cases to which they are applicable and in which they are not inconsistent with the special rules for this Council or law.

RULE 19. These rules and regulations which have been adopted by this Council may be temporarily suspended except as herein provided by a vote of two-thirds of all Council members present. The rules may be repealed, altered, or amended by concurrence of a majority of all Council members, but motion for this purpose must be in writing, and lie over for at least one week after introduction before final passage.

RULE 20. The right of a member to address the Council on a question of personal privilege shall be limited to cases in which his integrity, character, or motives are assailed, questioned or impugned. The right of a member to address the Council on a question of personal privilege as herein defined shall not be limited by Rule 11.

RULE 21. An ordinance may be introduced by any Council member or by the Parish President at any regular or special meeting of the Council. Upon introduction of any ordinance, the Council Secretary shall distribute at least one (1) copy to each of the Council members and to the Parish President. After the ordinance has been introduced and unless it is rejected at the same meeting by the affirmative vote of not less than two-thirds of the Council members, the Council shall cause the ordinance, or a summary thereof, to be published in the official parish journal at least once together with a notice of the date, time and place, when and where it will be given a public hearing and be considered for final passage.

RULE 22. Every member who shall be present when a question is stated from the Chairman shall vote thereon, unless excused by the Council, or unless he asks to be recused because of a personal interest in the question, in which case he shall not vote. Any Council member may suggest that another Council member should recuse himself and the Council shall be the judge as to whether a Council member shall recuse himself.

RULE 23. Votes on all matters shall be taken electronically or by roll call and entered in the Official Minutes. When the Chairman has called for the taking of a vote, all debate on the question shall be deemed concluded and during the voting, no member shall be permitted to explain his vote.

RULE 24. The result of all votes shall be announced by the Chairman and no vote shall be changed after the Chairman has announced the vote.

RULE 25. Any matter before the Council may be considered at any time, the Order of Business notwithstanding, provided at least five (5) of the Council members vote in the affirmative.

RULE 26. When a question is under debate, the following motions shall be in order and shall have precedence over each other in order, as listed:

Privileged Motions:

- | | | |
|---------------------------------------|---|---|
| 1. Fix the time to which to adjourn | A | R |
| 2. Adjourn (without qualification) | | |
| 3. Recess (immediate, short) | A | |
| 4. Question of Privilege (noisy, hot) | | |
| 5. Call for the Orders of the Day | | |

Subsidiary Motions:

- | | | | |
|--------------------------------------------------------------|---|---|---|
| 6. Lay on the Table (temporary in an emergency) | | | |
| 7. Previous question (close debate) | | | R |
| 8. Limit or extend limits of debate | A | | R |
| 9. Postpone or Postpone to a Certain Time | D | A | R |
| 10. Commit or Refer | D | A | R |
| 11. Amend | D | A | R |
| 12. Postpone Indefinitely (to kill) | D | | R |
| 13. MAIN MOTION (May only be made when NO motion is pending) | D | A | R |

**D/Debatable; A/Amendable;
R/May be reconsidered**

RULE 27. The privileged motion to adjourn shall be in order when not qualified in any way, except when members are voting or when the previous question has been adopted.

RULE 28. A motion to lay on the table is not debatable and it takes to the table all its adhering motions. A motion to take from the table shall require an affirmative vote of at least five members of the Council, except that when it is moved at the same meeting at which it was laid on the table, it shall require an affirmative vote of two-thirds (6 members) of the Council.

RULE 29. When consideration of a motion or other proposition is postponed indefinitely, it shall not be again taken up at the same meeting. A motion to postpone indefinitely shall not open the main question to debate.

RULE 30. There are only two degrees of amendment. The primary amendment shall be germane to the main motion, and the secondary shall be germane to the primary amendment. On an amendment to "Strike out and insert", the paragraph to be amended shall first be read as it stands, then the words proposed to be stricken out, then those to be inserted, and finally the paragraph as it will stand if so amended shall be read.

RULE 31. Any council member may raise the motion to reconsider a vote at any time during the same meeting. A vote can be reconsidered by any council member at any future meeting provided the ordinance has not become law.

RULE 32. The Council may authorize the appointment of special committees by an affirmative vote of at least five (5) of its members. At each Organizational Meeting of a new term and at the first regular meeting in January annually thereafter, the Chairman of the Council shall name a Council member to act as Chairman of each committee and give instructions as to the committee's responsibilities and when it is to report. The Council may discharge the committee by an affirmative vote of at least five (5) of its members.

RULE 33. Any communication which is pertinent to a pending Ordinance may be attached by the Secretary to that Ordinance and may be read before voting thereon.

RULE 34. The necessary copies of every proposed Ordinance or Resolution shall be furnished to the Secretary of the Council by 4:00 o'clock p.m. on the sixth business day before the date of a Council Meeting except that Committee Reports and/or Committee recommendations shall have a deadline of 12:00 o'clock noon on the fourth business day before the date of a Council Meeting.

RULE 35. Ordinances and Resolutions returned with the veto of the Parish President shall be considered to be on the floor. The Secretary shall enter the objections of the Parish President thereto at large upon the Official Minutes and the Council shall proceed to consider the question: "Shall the Ordinance pass, the objection of the Parish President notwithstanding?" The vote shall be taken electronically or by roll call vote and entered upon the Official Minutes. If two-thirds of the Council members vote to pass the Ordinance, the Chairman shall certify the fact thereon over his signature.

RULE 36. No Council member shall make personal, impertinent, slanderous or profane remarks to any member of the Council, staff or general public during any regular, special or committee meeting of the Council. Any Council member who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of any Council meeting shall be immediately ruled out of order by the Chairman. If the offending Council member continues, the Chairman or a majority of the Council, may adjourn the meeting and name the time and place where a new meeting shall be called, or have security remove the offending Council member for the remainder of the meeting.

RULE 37. All persons in attendance at any Council, Board, or Agency meetings shall be restricted to the Courthouse lobbies or the audience section of the Council Chambers, except for authorized Parish Council/Administrative personnel and authorized members of the press. Legislative and Executive personnel shall be responsible for enforcement.

RULE 38. Each person who attends a Council meeting or addresses the Council shall not make personal, impertinent, slanderous or profane remarks to any member of the Council, staff or the general public. Any person who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of any Council meeting shall be immediately ruled out of order by the Chairman. If the offending person or persons continue, the Chairman or a majority of the council may have the person or persons removed by security for the remainder of the meeting.

RULE 39. The Council authorizes the Council Secretary and Council Staff to handle all incoming mail and e-mails to the Council Office as follows: All incoming mail and emails are opened and copied for public record. If the envelope is marked Personal or Confidential this mail will be forwarded to the Councilmember unopened. It will then become the responsibility of the Councilmember to make those documents readily available as public record upon request.

RIGHT TO DIRECT PARTICIPATION

COUNCIL GUIDELINES

No person shall be denied the right to observe and, within Council guidelines, to address the Council provided that the person has submitted a written request containing the nature of the subject to be discussed. All requests and pertinent information must be received by the Council Secretary at least one (1) week prior to the scheduled meeting.

(Home Rule Charter, Article VII., Section I.)

Each person may speak once no longer than five (5) minutes except with two-thirds consent of the Council, an additional three (3) minutes may be granted to either individuals or groups. Any representative of a group addressing the Council shall state the complete name of the group in the letter request, and shall furnish the Council with a letter signed by a simple majority of the members of the Board of Directors of the group, organization or association stating permission to address the Council; the date and time that meeting was held giving said permission; and the subject to be addressed. A bonafide charter of the organization certified (ratified) by the State of Louisiana shall be filed with the Council Secretary. A current list of Executive Officers and/or Board Members shall be submitted to the Council Secretary annually or when changes occur.

PUBLIC HEARING PARTICIPATION

Persons wishing to speak in *favor of* or in *opposition* to ordinances and/or resolutions (including Planning and Zoning petitions) scheduled for public hearing shall be allowed three (3) minutes.

7-22-19