RULES AND REGULATIONS OF THE INDEPENDENT BOARDS AND COMMISSIONS

Rules of Council
Rules of the Public Recreation Commission
Regulations of the Board of Parks Commissioners
City Planning Commission Rules
Civil Service Commission Rules
Income Tax Regulations
Board of Health Regulations

Effective 3/28/2008

Adopted by the Council Under
The Authority of the Charter of the
City of Cincinnati

1. Rules of Council
2. Public Access
3. Council Chamber
4. Meetings
5. Chair
6. Members
7. Conduct of Business
8. Motions
9. Ordinances and Resolutions
10. Committees
11. Legal Opinions for Councilmembers

RULES OF COUNCIL

1.1 Effective date.
1.2 Amendment and Suspension of Council Rules.
1.3 Procedure in Absence of Rule.
1.4 Rules of Courtesy and Decorum.

1.1 Effective Date.

The following rules shall be in effect upon adoption by the council and until such time as amended, rescinded or new rules adopted in the manner provided by these rules.

1.2 Amendment and Suspension of Council Rules.

Rules may be amended, rescinded or adopted by the favorable vote of two-thirds of the members elected to council. The amendment, rescission or new rule shall go into effect immediately unless a different effective date is specified. Except where the Charter otherwise provides, any rule may be suspended at a Council meeting by a favorable vote of two-thirds of the members of council without debate.

1.3 Procedure in Absence of Rule.

In the absence of a rule, the chair shall declare the procedure to be followed subject to appeal. Upon appeal, the chair shall be sustained unless a majority of council objects to the procedure declared by the chair, in which case the current edition of Robert's Rules of Order shall govern.

1.4 Rule of Courtesy and Decorum.

The council of the City of Cincinnati recognizes that our citizens are our most valuable asset. Our citizens deserve and should expect to receive and be given a courteous, respectful hearing of their views.

The council chamber is the peoples' chamber. Our citizens should be made to feel welcome with an appropriate greeting at the beginning of each council and committee meeting.

Council recognizes that frequently our citizens make significant personal sacrifices to attend council and committee meetings as well as public hearings. Council shall be respectful of the time being given by citizens and shall endeavor to hear from them in a prompt and timely manner.

Council recognizes that citizens coming before council may not always agree with the views of some or all of the members of council. Nonetheless those views should be heard respectfully without reproach or admonition. In any debate of public issues, differences of opinion are to be expected and the civil airing of those differences is encouraged as it helps to test ideas and develop consensus. Debate, however, should never become a personal attack which criticizes the character of the speaker rather than the wisdom of his or her ideas.

Letters to councilmembers deserve serious consideration and a timely, appropriate response. Letters to the clerk of council, even those that may be critical, should be made a part of the record of council.

Decorum and civility shall be observed at all times by members of council even though it may not be reciprocated. This includes prompt and regular attendance at all meetings of council, including those dedicated to public comment. In addition, while citizens are addressing council, the members of council shall not engage in lengthy side conversations. Such conversations shall occur outside council chambers.

Council is also entitled to expect those coming before its meetings and committees to be respectful of other citizens, staff and members of council.

Members of council shall hold themselves and each other accountable for complying with these standards, remembering that the council does the peoples' business.

Visitors

The council of the City of Cincinnati has a significant interest in conducting orderly, efficient, effective and dignified meetings. Therefore, all visitors to council and committee meetings must not disrupt the conduct of council or committee meetings by physical actions, excessive noise or other disruptive or distracting behaviors.

Such actions delay and interfere with the testimony of others and disrupt the legislative proceedings.

Following a request to cease and desist disruptive behavior, the chair has discretion to order the removal of persons who continue to disrupt meetings from council chambers for the duration of the meeting or such lesser period as the chair may determine.

In the interest of other speakers and fair enforcement of council rules, time limits on speakers at council and committee meetings shall be strictly and equally enforced. When a speaker's time has expired, he or she shall promptly conclude his or her sentence and cease speaking.

Signs, placards, posters and other items brought into council chambers must not exceed 2 ft. x 3 ft. in size. In addition, visitors in attendance at council or committee meetings may not carry or hold signs, placards, posters or other items in a manner that obstructs the view of others.

The use of sticks, poles or supports made of wood, metal, plastic or any rigid material is strictly prohibited in council chambers.

Any sign, placard, poster or other item brought into council chambers containing obscene or profane language, personal attacks, slander, defamation or threats of physical violence, which the chair determines is intended as a disruption of the meeting, shall be subject to removal at the discretion of the chair.

At the request of the chair, violators must remove from council chambers any sign found to be in violation of this rule. The chair has the discretion to order the removal of persons who continue to violate this rule following a warning.

PUBLIC ACCESS

2.1 Meetings Open to the Public.
2.2 Notice of Meeting.
2.3 Journal of Proceedings.
2.4 Copies of Documents.
2.5 City Bulletin.
2.6 Citizens' Forum.
2.7 Public Comment at Committee Meetings.
2.8 Regular Meetings.
2.85 Removal of Disruptive Individuals from Council Chambers.
2.9 Service Costs for Applicants.

2.1 Meetings Open to the Public.

All meetings of the council and standing committees shall be open to the public. All meetings of the city council and its standing committees shall be open to the news media and shall be subject to recording by radio, television and photographic services at any time provided that such arrangements do not interfere with the orderly conduct of the meeting.

2.2 Notice of Meeting.

Notice of the time and place of regularly scheduled meetings of council and council committees shall be posted in the office of the clerk of council, room 308, City Hall. If council or a committee by motion adopts a different day or hour for its regularly scheduled meetings than that provided in these rules, notice shall be posted in the office of the clerk of council and shall be published in the city bulletin.

Notice of special meetings of council, which may be called at the request of the mayor or two members upon 24 hours notice to each member, shall be published once in a newspaper of general circulation in the city. Notice to the council members shall be communicated to them by a written notice delivered to their place of residence or to any location designated by a council member in writing and filed with the clerk of council; provided, however, that no additional notice need be served on any member present at a meeting of council at which the presiding officer gives at least 24 hours oral notice of the time and purpose of the meeting. The news agencies that have requested notification shall be given at least 24 hours advance notice of the time, place and purpose of the meeting by the clerk of council.

To obtain notification, a news agency shall submit a written request to the council at the office of the clerk of council at room 308, City Hall. Such request shall include the name and address of the news agency making the request and a telephone number for use by the council. The notification required by this rule shall be made by telephone call or facsimile to the number included in the news agency request. The responsibility for keeping the required information current shall be that of the news agency making the request.

Any person who wishes to obtain advance notification of all council or committee meetings at which any specific type of public business is to be discussed shall submit a written request for such notification to the council at the office of the clerk of council at room 308, City Hall. Such request shall include the name and address and telephone number of the person making the request and shall be accompanied by a sufficient self-addressed stamped envelope. Notification shall be made by mailing a copy of the agenda or a notice of the time, place and purpose of the meeting to the person requesting notification, except that in the event of a special meeting such notification may be made by telephone call. The responsibility for keeping the required information current shall be that of the person making the request.

2.3 Journal of Proceedings.

The journal of proceedings of the council shall be kept by the clerk of council and shall be open to public inspection at all reasonable times. At the desire of any member, the yeas and nays shall be entered upon the journal.

2.4 Copies of Documents.

The clerk of council shall make available to the public all records under the clerk's control required to be made available under the Ohio Public Records Law. The clerk may charge a reasonable fee to cover the administrative costs, including personnel costs, of providing such records. Fees for copies shall be posted in the Office of the Clerk of Council.

2.5 City Bulletin.

The city bulletin is the official newspaper of the city council and shall contain official reports of the proceedings of the council as well as items of general interest. In addition to official reports, a report or statement presented to council in writing with a request that it be spread upon the minutes of council may be published in the city bulletin if a majority of council consents. The city bulletin shall be considered a newspaper of general circulation for purposes of legal matters.

2.6 Citizens' Forum.

For a period of not more than 30 minutes immediately prior to the start of each regular meeting of council, there will be a citizens' forum where persons will be granted the privilege of the floor as follows:

(a) Each citizens' forum will begin with a greeting by the chair and a brief summary of the rules of council related to courtesy and decorum and speaking before council after which persons may be granted the privilege of the floor for up to two minutes to discuss any topic(s).

(b) All persons speaking during the citizens' forum are limited to one appearance per citizens' forum.

(c) All persons who wish to speak during the citizens' forum must complete a speaker card and file it with the clerk by the scheduled start of the citizens' forum on the day the speaker wishes to speak. Speakers may file a speaker card with the clerk's office anytime beginning on Monday of the week they wish to speak until the scheduled start of the citizens' forum. Speaker cards will not be accepted by the clerk after that time. Speaker cards must be completed with the speaker's name, address, organization (if applicable) and subject, and submitted along with any material or information to be distributed. On the face of each completed speaker card, the clerk shall indicate the time of receipt and the order in which the speaker cards are received.

(d) The chair will recognize and introduce speakers in the order in which their speaker cards were received by the clerk. Those speakers who promptly submitted speaker cards but are unable to speak within the half-hour period will have first priority to speak at the next citizens' forum. The chair will inform those speakers who will have priority to speak at the next citizens' forum prior to the start of the citizens' forum.

(e) Only the speaker is permitted at the lectern during the citizens' forum, unless the chair or any member of council has invited two or more persons to the lectern for informational or ceremonial purposes.

(f) The use of obscene or profane language, personal attacks, slander, defamation, physical violence or the threat thereof, which the chair determines is intended as a disruption, shall constitute a disturbance of the citizens' forum.

(g) The chair may order the removal of any person causing a disturbance of a citizens' forum or failing to comply with any lawful decision or order by the chair for the duration of the citizens' forum or such lesser period as the chair may determine. Upon the issuance of a warning by the chair, any subsequent violation of this rule or any other form of disruptive behavior will result in the individual's immediate suspension of being recognized by any chair at any council or committee meeting for a period of 60 days. The clerk of council shall be responsible for notifying suspended individuals of the duration of their suspension.

(h) The citizens' forum shall not be considered part of the business portion of a council meeting.

(i) If the mayor is not present to call the citizens' forum to order five minutes after the scheduled starting time, the vice-mayor shall call the meeting to order. If neither the mayor nor the vice-mayor is present, the president pro-tem shall call the meeting to order. If the mayor, vice-mayor or the president pro-tem are not present, a council member may call the meeting to order.

(j) It is the duty of the chair to enforce these rules.

2.7 Public Comments at Committee Meetings.

Members of the public are encouraged to discuss and debate relevant issues during meetings of the various committees of council. Each committee meeting will begin with a greeting by the chair and a brief summary of the rules of council related to courtesy and decorum and speaking before council. During committee meetings, persons may be granted the privilege of the floor as follows:

(a) Persons who wish to speak on any item on a committee agenda may be granted the privilege of the floor for three minutes, unless in the discretion of the chair, circumstances dictate a longer or shorter period for all speakers on a particular item. The length of speaking periods for public comment must be uniform for a particular item.

Further, it is the discretion of the committee chair whether persons speaking on agenda items speak before or after committee members have had the opportunity to discuss the item. After the business portion of committee meetings has concluded, persons who wish to speak on any issue may be granted the privilege of the floor for three minutes.

(b) At the discretion of the committee chair, public comments may be limited to three persons in support and three persons in opposition of any issue. All speakers are limited to one appearance per committee meeting.

(c) All persons who wish to speak before a committee of council must complete a speaker card and file it with the clerk. Speaker cards must be completed with the speaker's name, organization (if applicable) and subject, and submitted along with any material or information to be distributed. On the face of each completed speaker card, the clerk shall indicate the time of receipt and the order in which speaker cards are received.

(d) Each committee's chair will recognize and introduce speakers in the order in which their speaker cards were received by the clerk.

(e) Only the speaker is permitted at the lectern when addressing council or one of its committees, unless the chair or any member of council has invited two or more persons to the lectern for information or ceremonial purposes.

(f) The chair shall provide a warning to a speaker whose comments are not directly relevant to a committee agenda item. Following a warning, the chair may require a speaker who continues to make irrelevant comments to relinquish the remainder of his or her three minutes. Failure to comply will constitute a disturbance.

(g) The use of obscene or profane language, personal attacks, slander, defamation, physical violence or the threat thereof, which the committee chair determines is intended as a disruption of the meeting, shall constitute a disturbance.

(h) Any person causing a disturbance of a committee meeting or failing to comply with any lawful decision or order by the committee chair may be removed from council chambers for the duration of the meeting or such lesser period as the chair may determine. Upon the issuance of a warning by the chair, any subsequent violation of this rule or any other form of disruptive behavior will result in the individual's immediate suspension of being recognized by any chair at any council or committee meeting for a period of 60 days. The clerk of council shall be responsible for notifying suspended individuals of the duration of their suspension.

(i) One or more persons may be granted the privilege of the floor at the chair's discretion for ceremonial purposes or to provide information that is directly related to an item under consideration by the committee.

2.8 Regular Meetings.

The purpose of regular city council meetings is to allow members of council and city officials to conduct the city's business. Council has a significant interest in conducting orderly, efficient and dignified meetings. Persons other than members of council, city officials and representatives from news media shall not be permitted upon the floor of council during regular meetings. Persons other than members of council and city officials may not address council during regular meeting, except when called, at the chair's discretion, to provide factual information strictly related to the item under consideration by the council. When called to provide such information, the person(s) called shall limit his or her remarks to the provision of the information requested and shall not attempt to offer remarks that are irrelevant to the item under consideration by council. The chair shall call person(s) to provide factual information that will assist council in the course of its business, and not solely for the purpose of asserting an opinion or position regarding any matter. The chair shall strictly enforce the provisions of this rule.

The chair may grant the privilege of the floor to one or more persons for ceremonial purposes.

2.85 Removal of Disruptive Individuals from Council Chambers.

If an individual is removed for disrupting a council or committee meeting two times in a 60-day period, that individual as a matter of course will be prosecuted for violating O.R.C. Section 2917.12, Disrupting a Lawful Meeting, a fourth degree misdemeanor. The Clerk of Council shall document the name, date, time and circumstances of any individual's removal from council chambers during a Council or committee meeting.

2.9 Service Costs for Applicants.

Whenever application is made for the grant of a franchise right, change of street name, amendment of building zone map, street vacation, or for any other grant, right franchise or privilege, resulting in special benefits to the applicant, the clerk shall require the agent of such applicant to deposit with the city treasurer an amount estimated to be sufficient to pay the costs of any advertising, recording, reproduction or other special services arising by reason of such application. Any unused balance of such deposit shall be refunded to the agent of the petitioners on voucher of the clerk of council.

COUNCIL CHAMBER

3.1 Council Chamber.
3.2 Seating of Members.
3.3 Officers of the Council.
3.4 Clerk of Council and Staff.
3.5 Appointment by the Mayor.
3.6 Allocations of Office Space.
3.7 Ban on Weapons and Items Resembling Weapons.

3.1 Council Chamber.

The council chamber and community room shall be under the supervision and control of the clerk of council when the council is not in session. Except as herein provided they shall be used solely by the council and its committees for the transaction of public business of the city. If not required for such use, the clerk may permit their use for the transaction of other public business. Application for such use must be made to the clerk of council. Any permission granted may be canceled or revoked by the clerk forthwith where necessary for the protection of city property, the preservation of order, the transaction of public business of the city, or other sufficient reason.

3.2 Seating of Members.

Except as otherwise directed by a majority of council, members shall occupy the seats in the council chamber assigned to them by the mayor, but any two or more members may exchange seats by giving joint written notice to the mayor.

3.3 Officers of the Council.

A vote of a majority of the members elected to council shall be required to select a president pro-tem at the first meeting in December following the regular municipal election.

3.4 Clerk of Council and Staff.

The clerk of council shall be appointed as an unclassified legislative employee of the city by vote of a majority of the members elected to council and shall serve at the pleasure of council.

The appointment shall be for a two-year term coinciding with the term of council. Appointment and removal of the clerk of council during the two-year term shall be made only upon an affirmative vote of two-thirds of the members elected to council.

Prior to original appointment the qualifications of the proposed appointee shall be presented to council.

The clerk's staff shall be appointed as unclassified legislative employees of the city by the clerk of council. The clerk shall have supervision and control of the staff.

3.5 Appointment by the Mayor.

Within the first 30 days of a council term the clerk shall provide council with a list of those positions appointed by the mayor with the advice and consent of council which will expire during the two-year council term then beginning.

When the mayor submits a proposed appointment to council, the name of the proposed appointee shall be published in the city bulletin and consideration of the appointment shall be deferred until the next meeting.

3.6 Allocation of Office Space.

When any office occupied by a member of council (excluding the mayor) becomes vacant for any reason including death, resignation or defeat in an election, the vacant office space shall be offered to the other members of council in order of seniority based upon total consecutive time served on council. The clerk of council shall administer the assignment of vacant office space in accord with this rule.

3.7 Ban on Weapons and Items Resembling Weapons.

Weapons and any items that the chair determines resemble weapons (i.e., a plastic gun), are strictly banned from council chambers unless wielded by a member of the Cincinnati Police Department. Any person carrying such items will be immediately removed from chambers and banned from all council and committee meetings for a period of 60 days, in addition to any other penalties incurred at law.

MEETINGS

4.1 Regular Meetings.
4.2 Special Meetings.
4.3 Adjourned Meetings.

4.1 Regular Meetings.

Regular meetings of the council shall be held in the council chamber commencing at 2:00 p.m. on Wednesday of each week except during the months of July and August when the council shall be on summer schedule and shall meet once each month on the first Wednesday of the month. Whenever a regular meeting falls in a week in which a legal holiday occurs on Monday, Tuesday or Wednesday, the meeting shall be held on Thursday at 2:00 p.m. Date and time of regular meetings may be changed by motion.

The citizens' forum for public comment shall begin promptly 30 minutes prior to the scheduled start of every regular meeting of council, and will last for up to 30 minutes prior to the beginning of the council meeting. A quorum must be present for the citizens' forum to begin.

4.2 Special Meetings.

Special meetings of the council may be called by the clerk of council at the request of two members upon 24 hours notice to each member. The call for the meeting shall state the time, date, location and subjects to be considered at the meeting and shall be published in a newspaper of general circulation. No other subject shall be discussed except upon the approval of a majority of council.

A special meeting may be canceled as follows upon request of the members of council calling the special meeting. The clerk shall notify all members of the council of the proposed cancellation and upon the acquiescence of five members, the meeting shall be canceled. In the event the acquiescence of five members is not received, the meeting shall be held as scheduled. The media shall be notified of any cancellation.

4.3 Adjourned Meetings.

Any meeting of the council may be adjourned until a later time, date or location provided that no adjournment shall be for a longer period than until the next regular meeting.

CHAIR

5.1 The Chair.
5.2 Temporary Chair.
5.3 Preservation of Order.
5.4 Appeals from Decisions of the Chair.
5.5 Questions Stated.
5.6 Presiding Officer Leaving Chair.
5.7 The Clerk.
5.8 Addressing the Chair.

5.1 The Chair.

The mayor or, in the mayor's absence, the vice-mayor or, in the absence of both, the president pro-tem, shall take the chair.

5.2 Temporary Chair.

In case of the absence of the mayor, the vice-mayor and the president pro-tem, the clerk shall call the council to order and call the roll of the members. If a quorum is present, council shall select, by a majority vote, a chair of the meeting to act until the mayor, vice-mayor or president pro-tem appears.

5.3 Preservation of Order.

The chair shall preserve order and decorum, prevent attacks on personalities or impugning of members' motives and confine members in debate to the question under discussion. The chair shall exercise final authority to take any measures reasonably necessary to preserve order during meetings and to ensure that the meeting is conducted in an orderly and efficient manner. In discharging these duties, the chair may issue directives to any member of the Cincinnati Police Department who shall be deemed a sergeant-at-arms for the mayor and council.

Any person entering the council chambers or any of the council committee rooms while a meeting is in progress, shall render inaudible any device, such as a cell phone, beeper or paging device within such person's control that may beep, buzz or make any noise that may be audible to other persons in the area.

There shall be a parliamentarian from the clerk of council's office, with the assistance of the solicitor's office, at every council session.

5.4 Appeals from Decisions of the Chair.

The chair shall decide all questions of order subject to appeal. Upon appeal, the chair shall be sustained unless overruled by a majority vote of council.

5.5 Questions Stated.

Questions must be stated through the chair and shall not count toward the time limit on debate during council session. Said questions may be limited at the sole and absolute discretion of the chair or presiding officer.

5.6 Presiding Officer Leaving Chair.

The presiding officer at a meeting may call any other member to take the presiding officer's place in the chair but the substitution shall not extend beyond adjournment.

5.7 The Clerk.

The clerk and other officers and employees of the clerk of council's office shall be under the control and direction of the chair during council and committee meetings.

5.8 Addressing the Chair.

Every member speaking to a question or making a motion shall address the chair of council as "Mr. President" or "Madam President," and the chair of a committee as "Mr. Chair" or "Madam Chair." The chair shall thereupon state the name of the member entitled to the floor. Members addressing council shall confine themselves to the question under debate.

MEMBERS

6.1 Duty to Vote.
6.2 Right to Floor
6.3 Limitation of Debate.
6.4 Separation of a Question.
6.5 Roll Call Vote.
6.6 Tie Vote.
6.7 Change of Vote.
6.8 Personal Privilege.
6.9 Dissents and Protests.
6.10 Attendance at Meetings.
6.11 Excusal During Meeting.

6.1 Duty to Vote.

Every member present shall vote on all questions unless excused by a majority vote of council; except that no member shall vote on any question in which he or she is financially interested or which in any way directly involves the councilmember's personal or private rights. A member wishing to be excused or excepted shall state the reason for excusal or exception.

6.2 Right to Floor.

When any member addresses the council, he or she shall respectfully address the presiding officer and, when recognized by the chair, shall confine discussion 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 is first to speak. The exercise of such discretion by the presiding officer is not subject to appeal.

6.3 Limitation of Debate.

For council sessions, no member shall be allowed to speak more than once on any one subject until every other member choosing to speak thereon shall have spoken. Member comments are limited to three minutes. No council member may speak on any subject more than twice, and in no case may speak more than three minutes at one time. The one primary maker of the motion shall have the right to make a final two-minute summation before the vote. There shall be no remarks on a subject once the matter has been acted upon. The chair of the meeting shall indicate when the speaker is approaching the end of his or her allotted time and when his or her time has ended. The chair or presiding officer has the authority to limit debate in his or her sole and absolute discretion.

6.4 Separation of a Question.

Where a question under consideration covers two or more points which are separable, the question shall be separated upon the demand of any member.

6.5 Roll Call Vote.

When a roll call vote is required, the clerk shall call the roll and each member as his or her name is called shall answer in the affirmative or negative unless excused or excepted from voting. At the chair's discretion the vote may be announced.

It shall not be in order for members to explain their votes during the call of the roll.

6.6 Tie Vote.

On a tie vote, the matter is lost.

6.7 Change of Vote.

A member has the right to change his or her vote up to the time the next item of business is commenced. After such time, no member of council shall be permitted to change his or her vote as recorded without permission of the council. Permission may be given by general consent if no member objects when the chair inquires. If a member objects, the motion may be made to grant permission, which motion is undebatable and shall carry by a majority vote.

6.8 Personal Privilege.

Any member may address the council on a question of personal privilege. It shall be limited to cases in which the member's integrity, character or motives are assailed, questioned or impugned.

The member shall not use such privilege to discuss a question or issue and it shall not consume more than five minutes of time unless extended by consent of the council.

6.9 Dissents and Protests.

Any member shall have the right to express dissent from or protest against any ordinance or resolution of council and have the reason therefore entered upon the journal. To be entered upon the journal, such dissent or protest must be filed in writing and presented to council not later than the end of the next regular meeting following the date of passage of the ordinance or resolution.

6.10 Attendance at Meetings.

Each member of the council shall be present within the chambers of the council during the entirety of each meeting of council, including the citizens' forum, unless excused by the presiding officer or necessarily prevented from attending.

6.11 Excusal During Meeting.

Any member desiring to be excused while council is in session shall obtain such permission from the presiding officer.

CONDUCT OF BUSINESS

7.1 Order of Business.
7.2 Call to Order.
7.3 Roll Call.
7.4 Quorum.
7.5 Filing of the Journal.
7.6 New Business; Announcements
7.7 Council Calendar.
7.8 Council Referrals.
7.9 Referrals of State and Federal Joint Proposals.
7.10 Referrals to City Manager.
7.11 Assignment of Agenda Items.
7.12 Deliberative Policymaking.
7.13 Sunset of Prior Legislative Matter.

7.1 Order of Business.

Council shall transact business in the following order at all regular meetings. The order may be altered at special meetings and at any other meeting by consent of a majority of council.

Council Procedure Effective 12-07-05

Roll Call

Prayer and Pledge of Allegiance

Filing of Journal

Special Orders (guests, proclamations, resolutions, etc.)

Regular Agenda (action items)

Supplemental Agenda

New Business and Announcements

Adjournment

After the presentations by members of council, the business of all regular meetings shall commence at the point where the order of business at the preceding meeting was interrupted by adjournment. At special meetings called for purposes specifically named, the purpose named in the call shall have precedence.

7.2 Call to Order.

At the time appointed for the council to meet, the presiding officer shall take the chair and immediately call the meeting to order.

7.3 Roll Call.

Before proceeding with the business of the council, the clerk shall call the roll, determine the presence of a quorum and enter in the minutes the members present, absent and excused. To be

recorded as present, a member of council shall be in the council chamber at the time of roll call. The clerk shall publish in the city bulletin the names of members present and absent at each meeting.

7.4 Quorum.

A majority of the members elected to the council, or appointed to a committee of council, shall constitute a quorum and shall be necessary for the transaction of business. If a quorum is not present, those in attendance may adjourn by a majority vote until a later time or date or may recess and direct the clerk to procure the attendance of absent members. When a quorum is present, a majority vote of those members shall be sufficient to transact all business except the enactment of ordinances and as a larger number is required by law or the rules of council.

7.5 Filing of the Journal.

At each meeting the journal of the preceding meeting shall be filed as prepared by the clerk if there is no objection.

7.6 New Business; Announcements

The mayor and, following the mayor, each other member in alphabetical order, in rotation, with the first member being the last at the next meeting, may speak for up to three minutes with regard to any announcements or informational matters. Council will end the practice of by leaves and emergency by leaves. Time will be on the agenda only for announcements and informational matters. No legislative issues may be introduced that are not on the council calendar. All motions, communications, resolutions and ordinances must be presented to council for consideration through the formal legislative process, by which they shall be referred to the committee so designated by the mayor for consideration.

Ceremonial resolutions that celebrate public achievements are restricted to matters of citywide significance as detailed by the mayor and clerk of council.

Councilmembers will be politely reminded that they have exceeded three minutes by the same timer and signal used for citizens.

Items not appearing on the calendar may be presented by the mayor at his or her sole discretion in cases of genuine emergency.

7.7 Council Calendar.

The clerk shall prepare a printed calendar for each meeting. The clerk shall make copies of the calendar for a regular meeting available in the clerk's office by **4:00 p.m.** of the day preceding the meeting. The supplement shall be made available by **11:00 AM** of the day of the meeting. With exception to meetings where a committee meeting is held the evening prior, the supplement will be do at **1:00 PM**.

Items shall appear on the calendar in substantially the following order:

(a) Reports and communications from the mayor, members of council, city manager, city boards and commissions, and department directors.

(b) Second reading of ordinances held from previous meeting.

(c) Third reading of ordinances held from previous meeting.

(d) Other matters received by the clerk.

(e) Reports of standing committees in the following order:

(1) Economic Development Committee

(2) Finance Committee

(3) Education, Health and Recreation Committee

(4) Law and Public Safety Committee

(5) Vibrant Neighborhoods, Environment and Public Services Committee

(6) Arts, Culture, Tourism, and Marketing Committee

(7) Rules and Government Operations

Anonymous communications shall not be placed on the agenda or introduced into council.

7.8 Council Referrals.

Items on the calendars, which have not been previously referred to committee, shall be referred to the appropriate committee by or at the direction of the mayor. Items shall be referred to the planning commission where required by the charter or law. Planning commission items shall be initially referred to the commission and to committee. When returned to council by the planning commission, the items shall be placed on the committee agenda with the initial referral. An item may be considered immediately and then acted upon only upon an affirmative vote of two-thirds of the members of council.

7.9 Referrals of State and Federal Joint Proposals.

All proposals for projects which contemplate cooperation with, or financial participation by, the state or federal government, shall be transmitted to council by the city manager. If a city board or commission desires to propose such a project, the proposal shall be filed with the city manager.

All proposals shall be in approved form and accompanied by proper plans and specifications conforming to the requirements of the respective state or federal government.

Council shall refer all proposals to the finance committee and to the chairman of any other appropriate committee. The committees shall report their recommendations to council. If council approves the proposal, it shall authorize the city manager to make application to the proper authority.

7.10 Referrals to City Manager.

Communications from council members must be directed to the city manager's office for follow-up. Requests for information from council members, other than for the resolution of routine constituent matters, shall go to the city manager instead of directly to the department heads. Basic information that does not involve or require a memorandum or a report may be requested directly by a council member to the city manager or his or her office. The city manager may require that a request for a written report or information be signed by the committee chair with jurisdiction on that matter, or by three council members. Notwithstanding the above, committee chairs may have direct contact with department directors or their supervisory staff regarding matters related to the committee's jurisdiction.

7.11 Assignment of Agenda Items.

The mayor shall assign all legislative matters to the appropriate committee for consideration; however, no matter shall be assigned to more than one committee for consideration in addition to the finance committee.

7.12 Deliberative Policymaking.

Council motions calling for administration action, the expenditure of funds or a change in policy direction must be before the public for at least one full week, allowing an opportunity for public comment at no less than one committee meeting following the meeting where the item is publicly introduced. This means an item must be presented 1) as a new business item at a regular council meeting and then presented before a committee meeting before advancing to council; or 2) presented at a committee meeting and then held in that committee for one meeting before advancing to the regular council meeting.

7.13 Sunset of Prior Legislative Matters

All legislative matters, including but not limited to resolutions, ordinances and motions, pending in council or committees at the conclusion of the term shall lapse and not be turned over to successive council or committees absent good cause shown to the mayor. Each new council shall start anew with council business and thus must give affirmative vote of council majority or new committee majority to take up previous council items as new items of business on the calendar. Items introduced between December 1, 2004, and November 30, 2005 are grandfathered into the new council and shall not lapse.

MOTIONS

8.1 Motions; General.
8.2 Motions; New Subject.
8.3 Procedural Motion During Debate.
8.4 Motion to Reconsider.
8.5 Motion to Take Recess.
8.6 Motion to Adjourn.

8.1 Motions; General.

All motions shall require a majority vote of council for adoption except as otherwise provided in these rules. When a motion is made it shall be stated by the chair before debate. A member may withdraw or amend a motion at any time before passage. All motions are debatable unless specifically stated otherwise.

In order to be referred to an appropriate department in the administration for analysis and preparation of report, a motion drafted by a council member requires either the signature of three council members or the chair of committee with jurisdiction on the topic and one other council

member. This shall not include requests to the solicitor's office for assistance in the drafting or preparations of such documents. The clerk of council shall prepare and distribute to council members a weekly report of new legislative activities, to include the name of the sponsor, the title and the committee referral.

A motion in its final form, and referred for consideration, shall be introduced and filed with the clerk's office, which communicates it to the mayor for referral to committee. If approved by a committee, the item is sent to the Mayor's office to be placed on the Council calendar within ninety (90) days.

Any motion calling for a change in policy direction or the expenditure of city funds requires a majority vote of council.

8.2 Motions; New Subject.

All motions which bring a new subject before council shall be in writing and shall be referred by the Mayor to a committee for report prior to adoption. Such motions may be presented either in the form of a motion or a resolution.

8.3 Procedural Motion During Debate.

When a motion is before council, only the following procedural motions shall be entertained with precedence in the order listed.

(a) Motion to Refer.

Approval of a motion to refer may commit or recommit any pending question to a specific standing committee or may refer the matter to a special committee, the city manager, a board or commission or a department director for investigation, report or action. The response to such referral shall be made to council or as council otherwise directs.

(b) Motion for Vote on Current Item.

Approval by a majority of council of a motion for vote on the current item shall close debate and council shall immediately proceed to a vote on the current question. The motion is not debatable.

(c) Motion to Amend.

A motion to amend may only be amended once. An amendment once rejected may not be moved again substantially in the same form.

(d) Motion to Postpone Indefinitely.

An affirmative vote of two-thirds of council is required to approve a motion to postpone indefinitely. If a motion to postpone an item carries, the item is considered lost without a vote on the merits.

8.4 Motion to Reconsider.

A motion to reconsider a proposal that has been acted upon favorably must be made before adjournment of the meeting of council or committee at which the vote was taken. A motion to reconsider any other action taken by council or committee may be made at any time at any meeting held within 10 business days after the vote of council thereon. A motion to reconsider may be made only by a member who voted with the prevailing side. A majority of council shall be sufficient for reconsideration of a vote. If a motion to reconsider is lost, it shall not again be entertained.

8.5 Motion to Take Recess.

Council may move to take a recess to a specified time. The motion is debatable and amendable. At the appointed time the meeting shall be called to order and business will proceed the same as if no recess had been taken.

8.6 Motion to Adjourn.

A motion to adjourn shall be in order at any time, except as follows:

(a) When repeated without intervening business or discussion.

(b) When made as an interruption of a member while speaking.

(c) When the previous question has been ordered.

(d) While a vote is being taken.

A motion to adjourn is debatable only as to the time to which the meeting is adjourned.

ORDINANCES AND RESOLUTIONS

9.1 Ordinances Drafted.
9.2 Reading of Ordinances.
9.3 Suspension of Three Readings.
9.4 Amendments.
9.5 Improper Amendments.
9.6 Adoption of Ordinances.
9.7 Emergency Ordinances.
9.8 Publication of Ordinances.
9.9 Legislative Resolutions.
9.10 Resolutions.
9.11 Adoption of Resolutions.

9.1 Ordinances Drafted.

Ordinances shall be drawn by the city solicitor at the request of any member of council, a council committee, the city manager, a board or commission or department director.

All legislative matters shall be drafted as ordinances except when required by state law to be in the form of a resolution, in which case all formalities of an ordinance shall be followed in the passage of the resolution. No ordinance shall contain more than one subject which shall be clearly expressed in its title, and no ordinance shall be revived or amended unless the new ordinance contains the entire ordinance revived, or the section or sections amended and the section or sections so amended shall be repealed.

9.2 Reading of Ordinances.

Ordinances must be fully and distinctly read by title on three different days unless three-fourths of the members elected to the council dispense with the rule. If the rule has not been suspended, the first reading of the ordinance shall be for information. After the second reading, the question shall be engrossed and not subject to further amendment, except that the order of engrossment may be reconsidered by a majority vote of council. The third reading shall be for adoption of the ordinance by a roll call vote.

9.3 Suspension of Three Readings.

Upon motion affirmatively passed by seven members of council, the rule that an ordinance must be fully and distinctly read on three different days may be suspended at any time after the first reading of the ordinance.

The title of the ordinance shall be read once for information, the motion for suspension of the rule shall be made and, if the motion is acted upon favorably, the ordinance shall be subject immediately to amendment and passage. If the motion does not carry, the ordinance shall be held for the next meeting for the second reading. A motion to suspend the rule may be made after the second reading and, if acted upon favorably the ordinance shall be subject immediately to passage.

9.4 Amendments.

Amendments to ordinances made on the floor of council after the first reading shall be indicated by the clerk on the original ordinance.

When a resolution or ordinance is referred to a committee, it may be reported back with a recommended substitute for the legislation. The chair shall state the question on the substitute recommended by the committee.

The clerk shall note on the document that it is substitute legislation. The original legislation may be placed on the calendar for indefinite postponement.

9.5 Improper Amendments.

An amendment is not in order which is not germane to the question to be amended or is identical to a question previously decided during that council meeting. No independent new question may be introduced under cover of an amendment. An amendment may, however, conflict with the spirit of the original legislation and still be in order.

9.6 Adoption of Ordinances.

An ordinance or resolution in its final form, and referred for consideration, shall be introduced and filed with the clerk's office, which communicates it to the mayor for referral to committee. If approved by a committee, the item is sent to the Mayor's office to be placed on the Council calendar within ninety (90) days.

All ordinances shall require for passage the concurrence of no fewer than a majority of the members elected to council.

A vote of six members of council is necessary (a) to appropriate property when notice to the owner is only by publication because the owner cannot be found (719.05 O.R.C.), (b) to pass an emergency measure (Art. II, Sec. 3,Charter), (c) to submit to the electorate a proposal to amend the Charter (Art. XVIII, Sec. 9, Constitution), or (d) to overrule the failure of the planning commission to approve an amendment of the zoning ordinance or of the zone map or location of a public improvement or other matter on which the charter requires planning commission advice. An ordinance creating, combining, abolishing or decreasing the powers of any department, division or board, shall require a vote of three-fourths of the members elected to the council (Art. II, Sec. 7, Charter).

Council shall pass no Ordinance providing for an expenditure of City funds except as a part of the approved annual City budget unless the Ordinance at the same time provides for specific offsetting expenditure reductions or revenue increases. In the absence of the declaration of a genuine emergency by the City Manager, offsetting expenditure reductions shall not include funds taken from the Reserve for Contingencies, from any surplus, or from the previous year's Carryover Balance. Spending increases in the operating budget must be offset by reductions in the operating budget.

9.7 Emergency Ordinances.

In order to take immediate effect, an emergency ordinance must receive an affirmative vote of five members of council on the ordinance and six affirmative votes on the emergency clause. Each vote shall be taken separately by yea and nay vote.

In the event the ordinance receives an affirmative vote of five members, but does not receive six affirmative votes on the emergency clause, the emergency clause shall be stricken and the ordinance shall go into effect as otherwise provided by law.

The journal of the clerk shall show the yeas and nays of the roll call vote separately on the ordinance and the emergency clause.

9.8 Publication of Ordinances.

Every ordinance shall be published once within fifteen days after its passage in the city bulletin or another newspaper of general circulation in the city of Cincinnati. In the publication of every ordinance or resolution relating to improvements, the advertisement shall contain simply a statement

of the title, number and the date of the ordinance and resolution, a concise description of the private property affected, a summary of the nature of the improvements, the rate of any assessment levied or to be levied, and a reference to a copy of the ordinance or resolution, which shall be on file in the office of the clerk of council. In the publication of all other ordinances or resolutions the advertisement shall contain a statement of the title, number and date of the ordinance or resolution, the complete text or a brief statement of the nature of the ordinance or resolution and a reference to a copy of the ordinance or resolution, which shall be on file in the office of the clerk of council.

9.9 Legislative Resolutions.

Legislative matters that are required by the constitution or state law to be in resolution form shall be adopted and published in the same manner as ordinances.

9.10 Resolutions.

Resolutions shall be drawn by the city solicitor at the request of any member of council, a council committee, the city manager, a board or commission, or department director.

9.11 Adoption of Resolution.

All resolutions except legislative resolutions shall be adopted by an affirmative vote of a majority of council.

COMMITTEES

10.1 Appointment of Committees.
10.2 Standing Committees.
10.3 Special Committee.
10.4 Committee Meetings.
10.5 Secretary to Committees.
10.6 Committee Quorum / Prompt Start of Committee Meetings.
10.7 Reference to Committees.
10.8 Committee Reports.
10.9 Timely Reports.
10.10 Relieving Committee from Further Consideration.
10.11 Public Hearings and Special Meetings.

10.1 Appointment of Committees.

The standing committees and vice-chairs shall be appointed by a vote of a majority of the members elected to council. The chairs of the standing committees shall be appointed by the mayor. There shall be at least three members on each committee.

10.2 Standing Committees.

(a) The standing committees of council, commencing December 1, 2005 shall be:

(1) Economic Development Committee

(2) Finance Committee

(3) Education, Health and Recreation Committee

(4) Law and Public Safety Committee

(5) Vibrant Neighborhoods, Environment and Public Services Committee

(6) Arts, Culture, Tourism, and Marketing Committee

(7) Rules and Government Operations

(b) The standing committees shall be appointed for the two-year term of council.

10.3 Special Committee.

A special committee of council may be appointed by the mayor, or a subcommittee of a council committee may be appointed by a committee chair, for any special purpose and shall cease to exist upon final report to council or the committee on the duty assigned. It may be discharged by a vote of a majority of council or the committee appointing it.

10.4 Committee Meetings.

Each committee shall meet regularly at the time and day specified by the chair of the committee. Meetings may be canceled by the chair without objection from a majority of the committee. A tentative half-year schedule of planned committee meetings will be presented by committee chairs in January (for February through September) and September (for October through January) - allowing citizens, administration officials and councilmembers to plan and prepare for the meetings in advance. Standing council committees will generally meet every two weeks, or less frequently at the discretion of the committee chair. The committee meeting schedule should be staggered so that there are committee meetings each week.

Committee chairs shall have the authority to schedule meetings and set the agenda for committee hearings. Members may not speak on an item unless it is on the committee agenda, or upon recognition of the chair. Once items have been referred to committee, the chair shall set the agenda for each meeting. Referred items are not to be placed on committee agenda without the consent of the chair. However, items referred to committee shall be placed on the committee agenda for consideration within 30 days of referral, provided that such items have been signed by three council members. The chair or presiding officer, in his or her sole and absolute discretion, has the authority to direct security personnel to enforce council rules for purposes of civility and decorum.

The committee shall consider all matters referred and such matters shall be referred to the appropriate committee by or at the direction of the mayor. Any amendments or modifications to proposed action items currently pending on a committee agenda must be filed with the committee chair at least one (1) hour prior to the committee meeting in order to be discussed at said meeting. Any amendments introduced after the deadline shall be filed with the chair and will be considered at the discretion of the chair.

Items not appearing on the agenda may be presented through the committee chair at his or her sole discretion.

A committee may consider any matter concerning the city which falls within the area of responsibility assigned to that committee. A committee may initiate legislation within its area of responsibility for submission to council and such legislation, when accompanied by a committee report, may be acted upon immediately and need not be referred to another committee unless so directed by council.

10.5 Secretary to Committees.

The clerk or a deputy clerk shall act as secretary to each committee, and keep a record of attendance and business transacted at committee meetings.

10.6 Committee Quorum / Prompt Start of Committee Meetings.

A majority of the members appointed to any committee of council shall constitute a quorum.

If a quorum is not present at a special or regularly scheduled meeting, the chair or presiding committee member may permit persons present to speak on agenda issues; however, no referrals or reports to council may be made or action taken on any matter in the absence of a quorum, but shall be held in committee until the next meeting. The chair of the committee shall report to council that there was no quorum at its regularly scheduled meeting or that a scheduled meeting was not held. Should action be required on any matter referred to the committee before the committee's next scheduled meeting, council may relieve the committee from further consideration of the matter.

If a committee chair is not present five minutes after the scheduled starting time of a committee meeting, the committee vice-chair shall call the meeting to order. If neither the chair nor the vice-chair is present, a committee member shall call the meeting to order.

10.7 Reference to Committees.

Each committee shall investigate and report on all items on the calendar referred to it and may refer such items to the city manager, city board or commission or department director for report to the committee.

10.8 Committee Reports.

A report in its final form, and referred for consideration, shall be introduced and filed with the clerk's office, which communicates it to the mayor for referral to committee. If approved by a committee, the item is sent to the Mayor's office to be placed on the Council calendar within ninety (90) days.

Any item that was reviewed in committee in which there was a tie vote or no action could be taken may be referred by any member of the committee to the mayor for consideration of whether the item should be placed on the council agenda.

The clerk shall transmit to council in writing the reports of committees containing the recommended disposition of matters referred to them. Written indication on the calendars as to a committee recommendation shall satisfy the requirement that reports of committees be transmitted in writing to council.

10.9 Timely Reports.

Administration reports required for review or approval at a council committee or regular council meeting shall be distributed at least one day prior to the meeting to allow meaningful council review and deliberation.

10.10 Relieving Committee from Further Consideration.

The mayor has the authority to relieve a committee from further consideration of a matter referred to it. Council may also, by an affirmative vote of two-thirds of the members of council, relieve a committee of further consideration of a matter referred to it and either order the matter placed on the calendar for consideration or send the matter to the mayor to be referred to a new committee.

10.11 Public Hearings and Special Meetings.

Only a committee chair may schedule a public hearing or a special meeting, with the required public notice.

Any committee may hold a public hearing or special meeting on any matter pending before the committee, or on any matter of importance to the city within the area of responsibility of the committee.

In the event such a public hearing or special meeting is called, notice of such a meeting shall be published at least one time in advance in the city bulletin or other publication of general circulation.

In the event of an emergency which necessitates scheduling a public hearing or special meeting within a period of time that does not allow publication as aforesaid, then the rules applicable to scheduling special sessions of council shall apply.

In all cases, due care should be taken to avoid scheduling conflicts of members of the committee or other previously scheduled hearings or meetings of council and/or its standing committees.

LEGAL OPINIONS FOR COUNCILMEMBERS

11.1 Legal Opinions for Councilmembers.

Councilmembers may, individually or jointly, request legal opinions and legal work from the city solicitor. When appropriate, they may specify that such opinions be delivered confidentially under the attorney-client privilege, and be delivered only to the councilmember(s) who requested the legal opinions.

If the "Rule 11" legal work the councilmember(s) requests involves an item to which the administration has already established a position or generated a legal analysis, the councilmember(s) may request an independent opinion conducted by a city lawyer not involved in the prior decision making or analysis.

When the councilmember(s) has requested a confidential/privileged and independent opinion or analysis, only the councilmember(s) can disclose the legal opinion to others within or outside the administration. Consistent with Ohio rules of legal ethics, the attorney must conduct his or her analysis independently and provide a neutral and confidential opinion or analysis to the requesting councilmember(s).

Councilmembers who jointly request a confidential legal opinion or analysis must respect their joint attorney-client privilege for legal opinions given to them in confidence by the Solicitor's Office or other attorneys of the city.