

TOWN OF
MAGNOLIA SPRINGS

Ordinance Number 2008-14

**Adopting Council Meeting Order of Procedures
Amending Ordinance 2007-15**

BE IT ORDAINED BY THE COUNCIL OF MAGNOLIA SPRINGS, 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 council of Magnolia Springs, Alabama.

Section 2. Regular meetings of the council shall be held on the fourth (4th) Tuesday of each month, unless prescheduled and announced otherwise. Regular work session of the council shall be held on the second (2nd) Tuesday of each month, 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 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 2 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.

Section 4. A quorum shall be determined as provided by Section 11-43-48, Code of Alabama.

Section 5. All regular meetings and work sessions shall convene at Five o'clock P.M. at the Magnolia Springs Town Hall located at 12191 Magnolia Springs Hwy, Magnolia Springs, Al. 36555 unless posted otherwise, and all regular work sessions and council meetings, shall be open to the public.

Section 6. The order of business shall be as follows:

1. Call to order
2. Roll call
3. Pledge and Invocation
4. Approval of the minutes of the previous meetings
5. Approval of financial reports
6. Public comments
7. Presentations, guests speakers, petitions, applications, appeals, etc.
8. Ordinances
9. Resolutions
10. Motions/requests from the town council
11. Committee reports
12. Council, Legal Counsel and Staff Comments
13. Other business that might come before the meeting

Section 7. No member shall speak more than twice on the same subject without permission of the presiding officer.

Section 8. The public shall not be allowed to address the council while in session without permission of the presiding officer. Public participation will be limited to a maximum of 3 persons per subject discussed at the meeting, and 3 minutes per person. The presiding officer, in their sole discretion, can allow changes to those limitations.

Section 9. Any and every officer, whose duty it is to report at the regular meetings of the council, who shall be in default thereof, must designate another person to represent him/her for that meeting.

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 made by a member who voted with the prevailing side 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 division 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 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 any matter on the table shall be first in order.

Section 16. All meetings of the council shall be open to the public except when the council meets in executive session as authorized by state law.

Section 17. The council may meet in executive session only for those purposes authorized by state law. 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 for adjournment 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 two-thirds vote 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 regular salaries of officers or wages of employees of the city.

Section 23. All ordinances, resolutions or propositions submitted to the council will be reviewed by legal counsel before adoption.

Section 24. The clerk, engineer, attorney or chief of police, and such other officers or employees of the town of Magnolia Springs, 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 25. No ordinance or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent be 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.

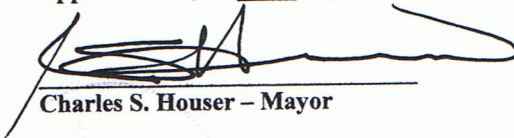
Section 26. *Robert's Rules of Order* is hereby adopted as the rules of procedure for this council in those situations which cannot be resolved by the rules set out in this ordinance.

Section 27. Repeal of Prior Ordinance. Ordinance 2007-15 adopted by the governing body of the Town of Magnolia Springs, Alabama on September 25, 2007, shall be and hereby are repealed, such repeal to become effective on the effective date of the Ordinance

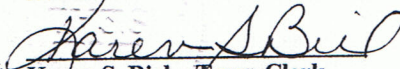
Section 28. Publishing and Effective Date. The Town Clerk shall cause this Ordinance to be immediately published by posting copies thereof in three (3) public places within the Town, one of which shall be in the Office of the Mayor and two (2) other public places, and after such posting, which posting and publication is in accordance with the provisions of Section §11-45-8, Code of Alabama, (1975), this Ordinance shall take effect.

Section 29. This Ordinance shall become effective upon its adoption and publication.

Approved this, the 25th day of November, 2008.

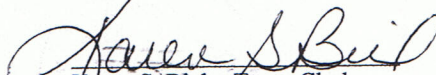

Charles S. Houser – Mayor

Attest:


Karen S. Biel – Town Clerk

TOWN OF MAGNOLIA SPRINGS, ALABAMA Certificate of Publication. This is to certify that **Ordinance Number 2008-14**, Town of Magnolia Springs, Alabama was published by posting on at least three (3) Bulletin Boards in the Town from **November 26, 2008** to **December 1, 2008**.

- 1) Town Hall
- 2) Magnolia Springs Post Office
- 3) United Bank – Magnolia Springs


Karen S. Biel – Town Clerk