



City of North Port

City Commission Policy – Rules of Order and Rules of Decorum for Boards

Policy No. 2021-03

Adopted by Resolution No. 2021-R-06

Adopted Date: April 27, 2021

Amended by Resolution No. 2023-R-10

Amendment Date: March 14, 2023

I. STATEMENT OF POLICY

This policy is intended to establish rules of order and rules of decorum to govern the conduct of public officials and attendees at public Board meetings, while providing ample opportunity for public participation.

II. DEFINITION

Board. The term *Board* refers to and includes the City Commission and all boards and committees created by the City Commission, including but not limited to those identified in Chapter 4 of the Code of the City of North Port, Florida, as well as the City's Planning and Zoning Advisory Board and the Zoning Board of Appeals.

III. CONFLICTS

This policy applies to all Boards, except that the City's codes and a Board's enabling legislation that conflicts with this policy will control over the conflicting policy provision.

IV. POLICIES AND PROCEDURES

A. Presiding Officer.

1. The Mayor¹ or chair will serve as the presiding officer at all Board meetings. The Vice-Mayor² or vice-chair will act as the presiding officer in the Mayor or chair's absence. In the absence of both, the Board members present shall, by majority vote, select a presiding officer to serve for the meeting.
2. The presiding officer is responsible for enforcing the Rules of Order and the Rules of Decorum, while maintaining an open environment for citizen input and Board decision-making. The presiding officer shall:

¹ See Section 5.03(c) of the City Charter.

² See Section 5.03(c) of the City Charter.

- a. Conduct the meeting firmly and courteously while preserving order and decorum;
- b. Ensure the public is given a reasonable opportunity to be heard;
- c. Determine all points of order, subject to the right of any Board member to appeal to the Board;
- d. Ensure that a Board member or other speaker is recognized before speaking and permit only one person to speak at a time;
- e. Rule out of order any remarks inconsistent with the Rules of Decorum; and
- f. Ask for a motion or call the question when it appears that Board members have concluded debate or when the debate has become repetitive and nonproductive for the required policy decision.

B. Absence.

1. A Board member who is unable to attend a Board meeting must notify the recording secretary, who will provide notification to the presiding officer.
2. A City Commissioner who is unable to attend a Commission meeting must notify the City Clerk, who will provide notification to the presiding officer.

C. Rules of Order.

1. Governing Rules. The following Rules of Order govern Board proceedings. If the Rules of Order do not address an issue, the Board shall be guided by state law, City Charter, City codes, City ordinances, City resolutions, and the most recent edition of Roberts Rules of Order (Revised), in that order.
2. Parliamentarian. The City Clerk shall serve as the parliamentarian to the City Commission.
3. Inclusion on Agenda. Absent a showing of a bona fide emergency and/or time sensitivity, only items appearing on that meeting's agenda will be submitted for a Board vote.
4. Motions. A motion is a formal proposal by a Board member to take action.
 - a. General.
 - 1) The presiding officer may make a motion only after passing the gavel to the Vice-Mayor or vice-chair or, in the absence of the Vice-Mayor or vice-chair, to any Board member.
 - 2) Only one main motion may be on the floor at a time.

- 3) A motion must be stated affirmatively, clearly, and concisely, utilizing language that accurately reflects the motion maker's intent and action sought.
- 4) A motion requires a second before debate. A motion that fails to obtain a second dies.
- 5) Once a motion is introduced, no discussion or debate shall take place until the motion receives a second and the presiding officer restates the motion.

b. Withdrawals and Modifications.

- 1) The Board member making the motion may withdraw or modify the motion any time before a second. If after a second, the motion may only be withdrawn or modified with the consent of the seconder.
- 2) Once the presiding officer has restated the motion, the Board's consent is required to withdraw or modify the motion.

c. Amendments.

- 1) Any amendment to a motion must pertain to the same subject of the main motion.
- 2) If an amendment receives a second, the Board must vote on the amendment separately from the main motion.
- 3) If the vote on the amendment fails, the Board will then vote on the main motion as originally stated. If the vote on the amendment passes, the Board will then vote on the main motion as amended.
- 4) A motion may only be amended once unless a majority of the Board consents.

5. Consensus.

- a. Board Meetings. Consensus may be used during Board meetings. The question for consensus must be clearly stated and must be unanimous of the Board members present. If consensus is not achieved, a Board member may follow with a motion.
- b. Commission Workshops. The City Commission may use consensus during workshops to obtain consent on direction provided to staff or to show agreement to an idea. Consensus must be unanimous of the Commissioners present, except in budget workshops, where consensus may be achieved by a majority of the Commissioners present.

6. Discussion and Debate.

- a. The Board member making the motion will have an opportunity to speak first, followed by the seconder. The presiding officer will then recognize other Board members in rotation, with the presiding officer speaking last. The presiding officer will not recognize

any Board member a subsequent time until all Board members have had an opportunity to speak.

- b. Once recognized, a Board member shall not be interrupted while speaking unless the presiding officer calls the Board member to order or another Board member raises a point of order.

7. Voting.

- a. Every Board member present when the question is called must vote, unless abstaining due to a conflict of interest or, in a quasi-judicial proceeding, to assure a fair proceeding free from potential bias or prejudice.³
- b. A motion or other action passes upon the affirmative vote of a majority or more of the Board members present and eligible to vote. A motion fails in the case of a tie.
- c. Voting shall be conducted by roll call, which may include electronic means that identify each Board member's vote.⁴
- d. After voting against a motion or other action, a Board member may express a basis for dissent, which shall appear in the minutes.

8. Reconsideration.

- a. A motion to reconsider any Board action may be made:
 - 1) During the same meeting at which the action took place; or
 - 2) No later than the second regular meeting after the action took place if a Board member timely submits an agenda request for the item to the Board's staff liaison, or in the case of the City Commission, to the City Manager and/or City Clerk.
- b. Only a Board member who voted with the prevailing side may make a motion to reconsider. Any Board member may second the motion.
- c. No question may be reconsidered more than once unless the Board votes unanimously to do so.

9. Point of Order.

- a. If a Board member believes the Rules of Decorum or Rules of Order are being violated, the Board member may interrupt a speaker without being recognized by stating, "Point of Order." No motion is required, and no debate is allowed. The presiding officer will ask

³ See Section 286.012, Florida Statutes (voting requirement); see also Sections 112.311, 112.313, and 112.3143, Florida Statutes (conflicts of interest).

⁴ See Sections 5.03 and 6.03 of the City Charter.

the Board member to state the point and will rule. The ruling is subject to appeal. If the presiding officer is in doubt, the presiding officer may put the question to a vote.

- b. Appeal. A Board member may interrupt a speaker without being recognized to appeal the presiding officer's ruling on a point of order. The appeal requires a second and is subject to debate after the second. If any appeal is taken, the question will be, "Shall the decision of the presiding officer be sustained?" The presiding officer will put the question to a vote.

D. Rules of Decorum.

1. Board Members. All Board members will be subject to the following rules of decorum in the conduct of all Board meetings:
 - a. Board members shall maintain order and decorum, not interrupt the proceedings, and follow the presiding officer's ruling and direction related to order and decorum.
 - b. Board members desiring to speak shall address the presiding officer and, upon the presiding officer's recognition, confine remarks to the question under debate.
 - c. Board members shall refrain from engaging in personal attacks and boisterous, immaterial, inflammatory, obscene, profane, or disorderly conduct.
 - d. Board members desiring to inquire about a matter directed to City staff shall address questions to the relevant charter officer, who may answer the inquiry or designate a staff member to respond.
 - e. Board members shall not berate or admonish staff members.

2. Meeting Attendees. Board meetings are open to members of the public.

- a. Meeting attendees must observe the same Rules of Order, Rules of Decorum, and good conduct applicable to Board members.
- b. Meeting attendees must refrain from obscene, profane, or disorderly conduct, including handclapping, yelling, and similar demonstrations, all of which disturbs the peace and good order of the meeting.
- c. Recording devices may be used only in a manner that will cause minimum interference with or disruption of the Board proceedings. Any supplemental lighting must be discontinued if the presiding officer determines that the lighting disturbs the Board proceedings.

E. Enforcement of Order and Decorum.

1. The presiding officer may interrupt any speaker to maintain order and decorum, but the interruption will not reduce the speaker's time if time limits have been imposed.

2. Meeting attendees who become disruptive to the orderly conduct will first be counselled about their behavior. If the disruption persists, the presiding officer may request that the City Manager have a police officer escort the disruptive attendee out of the meeting. If necessary, persons violating the law may be arrested by a police officer present and noting the interruption or disturbance.⁵
3. If any meeting is disturbed and order cannot be restored, the presiding officer may recess or adjourn the meeting, with any remaining business to be rescheduled for a future Board meeting.

V. SUSPENSION OF POLICY

The City Commission may, by majority vote, temporarily suspend any provision of this policy not governed by state law, the City Charter, or the Code of the City of North Port, Florida.

⁵ See Section 871.01, Florida Statutes.