

ORDINANCE NO. 2011- 34

AN ORDINANCE AMENDING UTAH COUNTY LAND USE ORDINANCE, SECTION 7-23, POWERS AND DUTIES OF THE PLANNING COMMISSION

WHEREAS, the Utah County Planning Commission initiated a review of the Utah County Land Use Ordinance (UCLUO), dealing with powers and duties of the planning commission; and

WHEREAS, the Planning Commission addressed the proposed amendment to the Utah County Land Use Ordinance during the regularly scheduled meeting of the Planning Commission, scheduled and held a public hearing regarding the proposed amendment, and made a recommendation to the Board of County Commissioners regarding the proposed amendment; and

WHEREAS, the Board of County Commissioners has received and carefully reviewed the recommendation from the Planning Commission regarding the proposed amendment, and the minutes from the Utah County Planning Commission meeting and public hearing regarding the proposed amendment to the Utah County Land Use Ordinance; and

WHEREAS, the Board of County Commissioners has received and carefully reviewed the input, documents, and testimony from the public regarding the proposed amendment to the Utah County Land Use Ordinance; and

WHEREAS, the Board of County Commissioners finds that the proposed amendment to the Utah County Land Use Ordinance is in the best interest of the health, safety, and welfare of the citizens of Utah County, considering all factors.

NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF UTAH COUNTY ORDAINS AS FOLLOWS:

Part I:

Section 7-23, of the Utah County Land Use Ordinance is hereby amended to read as follows:

7-23: POWERS AND DUTIES OF THE PLANNING COMMISSION

- A. There is hereby created a Planning Commission which shall consist of seven members (termed "regular members") appointed by the County Commission, plus up to two alternate members appointed by the County Commission. The terms of the regular members shall be for a period of three years and until their successors are appointed, and terms of the alternate members shall be for a period of one year and until their successors are appointed. The terms of the regular members shall be staggered so that terms of at least two and no more than three of the regular members shall expire each year on December 31; any unexpired terms shall be filled for the remainder of the term. The County Commission may appoint residents of the

unincorporated area and residents of incorporated municipalities. Regular members and alternate members may be removed with or without cause by the County Commission. The Planning Commission shall elect a chair from its regular members, and may employ a Planning Director and other agents or staff to carry out its duties. Alternate members shall have full power to act in the capacity of regular members when there are fewer than seven regular members present. When there is a vacancy and more than one alternate member is available at the meeting, the Chair of the Planning Commission shall select which alternate member shall sit with the Commission. If, while deliberations on an agenda item are in progress, a regular member arrives, the regular member shall not take the seat of an alternate member until the next agenda item comes before the Commission. The Planning Commission members may receive a stipend for their services and may be reimbursed for mileage or other actual expenses incurred. To carry out its duties, the Planning Commission and its agents and staff shall have the powers granted to such by this chapter and by the Utah Code Annotated, 1953 as amended.

- B. The Planning Commission may prepare and recommend a general plan for Utah County, or amendments thereto, in accordance with Utah Code Annotated 1953, as amended, which plan, once adopted, shall be used by the Planning Commission as an advisory guide for land use decisions and recommendations.
- C. The Planning Commission may propose a land use ordinance and zone map for Utah County or may propose amendments of an existing land use ordinance or zone map to the County Commission, and may adopt procedures for the proposals to be initiated by its members, its staff, or members of the public at large. The Planning Commission shall also consider and give its recommendations on any amendment to the land use ordinance which is proposed by the County Commission and submitted to the Planning Commission for recommendation. Before the Planning Commission proposes any land use ordinance or zone map amendment, or makes a favorable recommendation of an amendment, it shall find that:
 - 1. The amendment will conform to the land use element and other provisions of the general plan (or conform to a proposed amendment to the general plan which is considered concurrently with the zoning amendment).
 - 2. The amendment is in the best interest of the health, safety, and welfare of the public.
 - 3. The amendment will more fully carry out the general purposes and intent of this ordinance.
 - 4. In considering a proposed amendment to the land use ordinance or zone map, the Planning Commission may submit a recommendation to the County Commission for or against the proposal, or it may recommend an alternate amendment.
- D. The Planning Commission is designated as the Land Use Authority to take action to approve or disapprove any applications for a conditional use permit where its approval is required by this ordinance. When the Planning Commission acts under its power to hear and decide applications for conditional uses, the conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in

accordance with applicable standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied. The Planning Commission shall grant approval if the following rules and applicable standards have been met:

1. The appellant shall have submitted a properly completed application form.
 2. The land use ordinance specifically identifies the conditional use in question as one which the Planning Commission is empowered to approve.
 3. The conditional use shall meet the following standards:
 - a. It shall not degrade the public health, safety, or welfare.
 - b. It shall be consistent with the general purposes and intent of the land use ordinance.
 - c. It shall be compatible with the public interest and with the characteristics of the surrounding area.
 - d. It shall not adversely affect local property values.
 - e. It shall comply with all of the terms and requirements of the land use ordinance, including but not limited to those found in Chapter 3, and Chapter 5, of this land use ordinance.
 - f. It shall not result in a situation which is cost ineffective, administratively infeasible, or unduly difficult for the provision of essential services, including but not limited to: roads and access for emergency vehicles and residents; fire protection; police protection; schools and school busing; healthful water, sewer, and storm water facilities; and garbage removal.
 4. The applicant has the burden of proving by a preponderance of the evidence that all conditions for granting a conditional use have been met and must meet that burden based on the facts presented for the record, expressions of support or protest alone shall not constitute the basis of approval or denial.
 5. When necessary, the Planning Commission may attach conditions to fit the use with the surrounding area, and to mitigate any harmful effects; such conditions may include, but are not limited to, the following:
 - a. Parking.
 - b. Water, sewer, and garbage facilities .
 - c. Landscape screening or buffer areas.
 - d. Traffic acceleration lanes.
 - e. On-site storm water retention facilities.
 - f. Special security or fire protection facilities
 - g. Requirements for the management and maintenance of the above facilities.
 - h. Limited hours of operation.
 - i. Limited use of equipment emanating offensive noise, light, dust, or traffic.
 - j. Travel or route restrictions.
- E. The Planning Commission shall take action to recommend to the County Commission approval or disapproval of any proposed large scale development

projects in accordance with the terms of Chapter 6 plus any procedural bylaws the Planning Commission may have adopted under authority of this ordinance. Land use ordinance Chapter 6 constitutes the standards and criteria for recommending approval or disapproval of the requested conditional use permit and for recommending approval or disapproval of a plat. Approval of a plat constitutes the granting of a conditional use permit for a large scale development. The fact that “dwellings” may be permitted uses in the underlying zone does not alter or affect the standards and criteria applicable for approval or disapproval of a large scale development.

- F. The Planning Commission may adopt rules of procedure for the conduct of its meetings and the performance of its other duties, which rules shall not be in conflict with state law or the terms of this ordinance.
- G. The Planning Commission shall perform other duties as required under the terms of this ordinance.
- H. The Planning Commission adopts the following Rules of Order and Procedure related to parliamentary order and procedure, ethical behavior, and civil discourse:
 1. The Planning Commission shall generally follow “Rosenberg’s Rules of Order,” unless the Chair, or Acting Chair, determines that a variance from the Rules is justified. Failure to follow the Rules shall not invalidate any action taken by the Planning Commission.
 2. Members shall adhere to the ethical and conflict of interest constraints as set forth in the Utah Code, including, but not limited to, the County Officers and Employees Disclosure Act, 17-16a-1, et seq., Utah Code Annotated 1953, as amended, and the Utah Public Officers’ and Employees’ Ethics Act, 67-16-1, et seq., Utah Code Annotated 1953, as amended. In addition, to protect the right of each applicant and potentially affected adverse party to be heard, Members shall be restricted from ex parte contact (contact other than in a noticed public meeting), including site or office visits, electronic communication, written communication, and verbal conversation either face-to-face or over the telephone, when such interaction involves a quasi-judicial matter, including a request for a conditional use permit, and a request for approval of a Large Scale Development, from and after the time that an application for such an approval is filed, until final action is taken on the application, and while the application is under appeal, if an appeal is filed. Ex parte contact shall be prohibited, and if such ex parte contact inadvertently occurs, it shall be disclosed on the record at the next meeting of the Planning Commission, including the substance of the communication, the party who originated the communication and whether the communication will affect the Member’s ability to impartially consider the evidence presented.
 3. To protect the right of each applicant and potentially affected adverse party to be heard, Members are discouraged from ex parte contact (contact other than in a noticed public meeting), including site or office visits, electronic communication, written communication, and verbal conversation either face-to-face or over the telephone, when such interaction involves a legislative matter, including the adoption or amendment of the general plan, the land use ordinance, or the zoning map, from and after the time that an application is

filed, until final action is taken on the application, and while the application is under appeal, if an appeal is filed. Ex parte contact shall be discouraged, and if such ex parte contact occurs, it shall be disclosed on the record at the next meeting of the Planning Commission, including the substance of the communication, the party who originated the communication and whether the communication will affect the Member's ability to impartially consider the evidence presented.

4. Members shall ethically serve the public interest by making decisions and taking actions which will enhance the public health, safety and welfare of the citizens of Utah County and by promoting public confidence in the integrity, independence, ability, and impartiality of the Planning Commission. Members shall uphold the prestige of their office, and avoid impropriety and the appearance of impropriety. Individual Members shall not convey the impression that they are in a position to determine the outcome of a decision of the Planning Commission and shall not attempt to use their office to influence or sway the professional staff recommendation. Members shall discharge their duties and responsibilities without favor or prejudice toward any person or group. Members shall not allow personal or business relationships to impact upon their conduct or decisions in connection with Planning Commission business and shall not lend their influence towards the advancement of personal interests or towards the advancement of the interests of friends or business associates. Members shall not accept or solicit a gift, loan, payment, favor, service, promise of employment or business contract, meal, transportation or anything else of value, if such thing is given with the understanding or possibility that it will influence the official action of the Member during Planning Commission proceedings. The same standard shall apply to a gift, loan, favor, etc. for the spouse, child or relative or business partner of the Member.
5. Members shall prepare for each meeting, shall create a positive environment in meetings of the Planning Commission, shall maintain an attitude of courtesy and consideration toward colleagues, citizens and staff during all discussions and deliberations, and shall allow citizens, colleagues and staff sufficient opportunity to present their views, within the prescribed rules for conduct of meetings of the Planning Commission. Members shall avoid the use of abusive, threatening or intimidating language or gestures directed at colleagues, citizens or staff, shall avoid comments, body language or distracting activity that conveys a message of disrespect and lack of interest, and shall respect all local, state and federal laws, rules and other regulations.
6. Public hearing and public comment: Participants shall generally be limited to three minutes per individual and should not be redundant; participants will be requested to complete a speaker sign-up sheet; participants will be requested to speak at the microphone when called, state their name and address, and not to speak from the audience; participants should be respectful of the Commission and others in the audience and not be disruptive; participants should direct comments to the Commission and not to staff,

applicants, or audience members. The three minute limit may be waived by the Chair or a majority of the Commission.

Part II:

A copy of the Utah County Land Use Ordinance, as amended herein, is hereby ordered to be filed in the office of the Utah County Clerk/Auditor.

Part III:

If any of the sections, sentences, clauses or provisions of this ordinance shall for any reason be adjudged inapplicable or invalid by a court of competent jurisdiction, such shall not affect or invalidate the remaining portion contained herein.

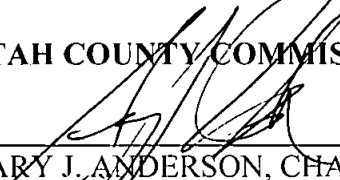
Part IV:

This ordinance shall become effective fifteen (15) days after it is passed and upon at least one (1) publication in a newspaper published in and having general circulation in Utah County.

PASSED and ordered published this 20th day of September, 2011.

UTAH COUNTY COMMISSION

VOTE



GARY J. ANDERSON, CHAIR

aye



DOUG WITNEY, COMMISSIONER

aye



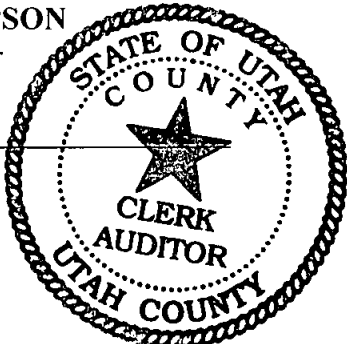
LARRY A. ELLERTSON, COMMISSIONER

aye

ATTEST:
BRYAN E. THOMPSON
County Clerk/Auditor

APPROVED AS TO FORM:
JEFFREY R. BUHMAN
County Attorney

By: 
Deputy



Approved

Disapproved

By: 
Deputy

Date of Publication: Once only, as soon as possible

"Rosenberg's Rules of Order"

1. *(Simple Rules of Parliamentary Procedure for the 21st Century)*

By Dave Rosenberg

Introduction

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules - "Robert's Rules of Order" - which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time, and for another purpose. If one is chairing or running a Parliament, then "Robert's Rules of Order" is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of, say, a 5-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of "Rosenberg's Rules of Order."

What follows is my version of the rules of parliamentary procedure, based on my 20 years of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars: (1) Rules should establish order. The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings. (2) Rules should be clear. Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate. (3) Rules should be user friendly. That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process. (4) Rules should enforce the will of the majority while protecting the rights of the minority. The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision-making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, and fully participate in the process.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the Chair of the body who is charged with applying the rules in the conduct of the meeting. The Chair should be well versed in those rules. The Chair, for all intents and purposes, makes the final ruling on the rules every time the Chair states an action. In fact, all decisions by the Chair are final unless overruled by the body itself.

Since the Chair runs the conduct of the meeting, it is usual courtesy for the Chair to play a less

active role in the debate and discussion than other members of the body. This does not mean that the Chair should not participate in the debate or discussion. To the contrary, the Chair as a member of the body has the full right to participate in the debate, discussion and decision-making of the body. What the Chair should do, however, is strive to be the last to speak at the discussion and debate stage, and the Chair should not make or second a motion unless the Chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. And each agenda item can be handled by the Chair in the following basic format:

First, the Chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The Chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the Chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the Chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the Chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the Chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the Chair may limit the time of public speakers. At the conclusion of the public comments, the Chair should announce that public input has concluded (or the public hearing as the case may be is closed).

Fifth, the Chair should invite a motion. The Chair should announce the name of the member of the body who makes the motion.

Sixth, the Chair should determine if any member of the body wishes to second the motion. The Chair should announce the name of the member of the body who seconds the motion. (It is normally good practice for a motion to require a second before proceeding with it, to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the Chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the Chair.)

Seventh, if the motion is made and seconded, the Chair should make sure everyone understands the motion. This is done in one of three ways: (1) The Chair can ask the maker of the motion to repeat it. (2) The Chair can repeat the motion. (3) The Chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the Chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the Chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the Chair takes a vote. Simply asking for the "ayes", and then asking for the "nays" normally does this. If members of the body do not vote, then they "abstain". Unless the rules of the body provide otherwise (or unless a super-majority is required as delineated later in these rules) then a simple majority determines whether the motion passes or is defeated.

Tenth, the Chair should announce the result of the vote and should announce what action (if any) the body has taken. In announcing the result, the Chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring 10 days notice for all future meetings of this body."

Motions in General

Motions are the vehicles for decision-making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the Chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member's desired approach with the words: "I move"

So, a typical motion might be: "I move that we give 10-day's notice in the future for all our meetings."

The Chair usually initiates the motion by either (1) Inviting the members of the body to make a motion. "A motion at this time would be in order." (2) Suggesting a motion to the members of the body. "A motion would be in order that we give 10-day's notice in the future for all our meetings." (3) Making the motion. As noted, the Chair has every right as a member of the body to make a motion, but should normally do so only if the Chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body's consideration. A basic motion might be: "I move that we create a 5-member committee to plan and put on our annual fundraiser."

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion which is before the

body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

"Motions to amend" and "substitute motions" are often confused. But they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So that if a member makes what that member calls a "motion to amend", but the Chair determines that it is really a "substitute motion", then the Chair's designation governs.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The Chair can reject a fourth motion until the Chair has dealt with the three that are on the floor and has resolved them.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed first on the last motion that is made. So, for example, assume the first motion is a basic "motion to have a 5-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a 5-member committee to plan and put on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows:

First, the Chair would deal with the third (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion passed, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions. On the other hand, if the substitute motion (the third motion) failed then the Chair would proceed to consideration of the second (now, the last) motion on the floor, the motion to amend.

Second, if the substitute motion failed, the Chair would now deal with the second (now, the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be 5 members or 10 members). If the motion to amend passed the Chair would now move to consider the main motion (the first motion) as amended. If the motion to amend failed the Chair would now move to consider the main motion (the first motion) in its original format, not amended.

Third, the Chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (5-member committee), or, if amended, would be in its amended format (10-member committee). And the question on the floor for discussion and

decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the Chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the Chair must immediately call for a vote of the body without debate on the motion):

A motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

A motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the Chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

A motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

A motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on "hold". The motion can contain a specific time in which the item can come back to the body: "I move we table this item until our regular meeting in October." Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

A motion to limit debate. The most common form of this motion is to say: "I move the previous question" or "I move the question" or "I call the question." When a member of the body makes such a motion, the member is really saying: "I've had enough debate. Let's get on with the vote". When such a motion is made, the Chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a 2/3 vote of the body. Note: that a motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." Even in this format, the motion to limit debate requires a 2/3 vote of the body. A similar motion is a motion to object to consideration of an item. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a 2/3 vote.

Majority and Super-Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a 7-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which, effectively, cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a 2/3 majority (a super-majority) to pass:

Motion to limit debate. Whether a member says "I move the previous question" or "I move the question" or "I call the question" or "I move to limit debate", it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a 2/3 vote to pass.

Motion to close nominations. When choosing officers of the body (like the Chair) nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers, and it requires a 2/3 vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled, or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a 2/3 vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a 2/3 vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself: the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate, perhaps disagreement and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to a re-opener if a proper motion to reconsider is made.

A motion to reconsider requires a majority vote to pass, but there are two special rules that apply only to the motion to reconsider. First, is timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the body. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and by a 2/3 majority, can allow a motion to reconsider to be made at another time.) Second, a motion to reconsider can only be made by certain members of the body. Accordingly, a motion to reconsider can only be made by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she can make the motion to reconsider (any other member of the body may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back to the body again and again. That would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is then in order. The matter can be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the Chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the Chair before proceeding to speak.

The Chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The Chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the Chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is "no." There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be: "point of privilege." The Chair would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

Order. The proper interruption would be: "point of order." Again, the Chair would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the Chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the Chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the Chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, "Let's return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the Chair discovers that the agenda has not been followed, the Chair simply reminds the body to return to the agenda item properly before them. If the Chair fails to do so, the Chair's determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the Chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.