

BOARD OF TRUSTEES

TOWN OF LA JARA, COLORADO

RESOLUTION NO. 1979-2

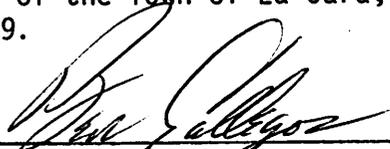
WHEREAS, The Board of Trustees of the Town of La Jara is authorized by law to establish rules of procedure for the conduct of business at its meetings, and

WHEREAS, the Board of Trustees finds that it is necessary for the efficient conduct of its business to adopt such rules,

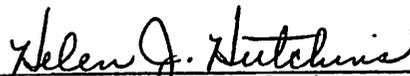
NOW THEREFORE BE IT RESOLVED that the attached "Rules of Procedure, Board of Trustees, Town of La Jara, Colorado" are hereby adopted as the rules of procedure of the Board of Trustees, unless and until such time as the same are amended or superseded per Paragraph 7.2 thereof.

ADOPTED by the Board of Trustees of the Town of La Jara, Colorado this eighteenth day of June, 1979.

APPROVED by the mayor this eighteenth day of June, 1979:

  
\_\_\_\_\_  
mayor

ATTESTED by the town clerk this eighteenth day of June, 1979:

  
\_\_\_\_\_  
town clerk

- 3.6.5 Members of the Public attending Town Board meetings shall be under the direction and control of the presiding officer and shall observe the same rules applicable to members of the Town Board.
- 3.6.6 Members of the public who wish to appear before the Board, when citizen participation has been authorized, shall register before the beginning of the meeting with the clerk, who shall make available for inspection a copy of these Rules and shall otherwise be of assistance to such members of the Public as may be reasonably requested.
- 3.6.7 Any person who makes personal, slanderous, or impertinent remarks may be removed from the Town Board chamber by order of the presiding officer.

#### 4. DUTIES AND PRIVILEGES OF MEMBERS

- 4.1 Attendance. Any member of the Town Board who is absent from any meeting may provide an explanation in writing to the presiding officer, who shall cause such explanation, or an accurate summary, to be entered in the minutes.
- 4.2 Assigned Seats. When the meeting is called to order by the presiding officer, all members of the Town Board shall take their respective seats in the chamber as assigned to them by the presiding officer.
- 4.3 Privileges. All members of the Town Board may move, second, and debate subject only to such limitations as imposed by these rules.
- 4.4 Roll Call Votes; Excuse from Voting. By request of the mayor or any Board member, a roll call vote may be required on any motion. In such case, each member shall say "aye" or "no," unless excused from voting.
- 4.4.1 Any member of the Town Board who wishes to be excused from voting shall so request before the voting begins. The member shall state briefly the reason for his request, and the question of excuse from voting shall be put to the Town Board without debate.
- 4.5 Personal Privilege. The right of any member to address the Town Board on a question of personal privilege shall be limited to cases in which his integrity, character, or motives are assailed, questioned, or impugned.

5.4.1 No member of the Town Board shall speak more than twice upon any one motion without majority consent of the Town Board.

5.4.2 No person shall speak for longer than five minutes at any one time without majority consent of the Town Board.

## 6. OFFICERS AND EMPLOYEES

6.1 Clerk. The clerk shall attend all meetings of the Town Board and shall keep the proceedings, and perform such other duties as set forth by these rules, or as requested by the mayor or the Town Board.

6.2 Administrative Officials and Employees. When requested by the Town Board, the head of any administrative department or any officer or employee of the Town, shall attend any meeting of the Town Board.

## 7. PARLIAMENTARY AUTHORITY/AMENDMENT TO RULES/SUSPENSION OF RULES

7.1 Matters Not Covered by These Rules. Any matter which is not addressed specifically in these rules shall be governed by *Robert's Rules of Order Newly Revised, 1970*, wherever applicable and not in conflict with State or local law.

7.2 Amendment to Rules. Any rule which does not have a basis in state or local law may be amended, or new rules may be adopted, by a 2/3 vote of those present and voting.

7.2.1 Any such amendment or alteration to these rules shall be submitted in writing to the Town Board at the preceding regular meeting and shall be placed on the agenda under new business.

7.3 Suspension of Rules. Any rule which does not have a basis in State or local law may be suspended, for the duration of the meeting, by a 2/3 vote of those present and voting.

RULES OF PROCEDURE  
BOARD OF TRUSTEES  
TOWN OF LA JARA, COLORADO

1. MEETINGS

- 1.1 Regular Meetings. The regular meeting of the Town Board shall be held on the second Tuesday of each month at 7:30 P.M. at the Town Hall.
- 1.1.1 When the fixed day for any regular meeting of the Town Board falls on a day designated by law as a legal holiday, the meetings shall be held the next business day unless otherwise determined by majority vote of the Town Board.
- 1.1.2 If the day and/or hour of a regular meeting is changed by the Town Board, all members not in attendance when the motion was adopted shall be notified in writing 48 hours preceding the meeting.
- 1.1.3 If the Town Board's regular chamber cannot be used, the meeting(s) of the Town Board shall be held at a central location which is accessible to the public. Notice of the change in location shall be given to each member of the Town Board and shall be publicized to the extent practicable.
- 1.2 Special Meetings. The mayor or any three Town Board trustees may call a special meeting by notifying the clerk in writing. The mayor and all board members will be notified by suitable means at least 48 hours before the meeting; however, shorter notice will be acceptable if the meeting call specified an emergency.
- 1.2.1 Business considered or transacted at a special meeting of the Town Board shall be limited to those items specified in the notice.
- 1.3 Adjourned Meetings. Any regular or special meeting of the Town Board may be continued or adjourned from day to day, or for more than one day provided that the day to which the regular or special meeting is adjourned falls before the next regular meeting.
- 1.3.1 Business at an adjourned meeting of the Town Board shall continue from the point where it was interrupted in the preceding regular or special meeting.

1.4 Executive Sessions. By majority vote, the Town Board may go into executive session which is closed to the public to consider documents or testimony given in confidence, or to determine its position relative to issues that may be subject to negotiation, to receive reports on negotiations' progress and status, to develop strategy, and to instruct its negotiators.

1.4.1 No formal or official action shall be taken at an executive session; however, the Town Board may determine its position regarding issues subject to negotiations.

1.5 Study Sessions. By majority vote, the Town Board may hold or schedule a study session.

1.5.1 No formal or official action shall be taken by the Town Board at a study session.

1.6 Public Hearings. In addition to those public hearings which are required by State and/or local law, the Town Board, by majority vote, may hold a public hearing.

1.6.1 Hearing as Committee. At any public hearing, when not in conflict with law, the Town Board may, by majority vote, appoint some or all of those present, whether Board members or not, as a special committee of the Board. In such case the Board shall, by majority vote, also appoint the Chairman of the committee. The Board may instruct the committee and require reports from it. The committee shall be deemed dissolved at the conclusion of the hearing unless the Board shall vote otherwise.

1.7 Open to the Public. Except as otherwise provided in Rule 1.4, all meetings of the Town Board shall be open to the public at all times.

1.8 Meeting Announcements. The clerk shall issue advance notice of all meetings of the Town Board to the general public by whatever means is deemed proper.

## 2. ORDER OF BUSINESS

2.1 Agenda Preparation. All items of business that are to come before the Town Board shall be submitted to the clerk at least 5 days before each regular meeting. The clerk shall arrange an agenda of such matters according to the Order of Business prescribed in Rule 2.3.

- 2.1.1 Any item of business which is not submitted to the clerk in accordance with the procedure prescribed in Rule 2.1 shall be held over and included in the agenda for the next succeeding regular meeting, unless it is considered an emergency by majority consent of the Town Board.
- 2.2 Agenda Distribution. The clerk shall furnish each member of the Town Board, and all municipal officials having an item of business coming before the Town Board, with a copy of the agenda and any supporting documents 48 hours preceding the regular meeting.
  - 2.2.1 Copies of the agenda also shall be kept in the clerk's office and shall be made available to any member of the public who so requests.
- 2.3 Order of Business. The Town Board shall consider and dispose of items of business in the following order, unless otherwise decided by a motion which is adopted by a 2/3 vote.
  1. Call to Order.
  2. Opening Ceremonies.
  3. Roll Call.
  4. Inquiries and Presentations from Guests.
  5. Consent Agenda.
  6. Reports.
  7. Public/Special Hearings.
  8. Old Business per Agenda.
  9. New Business per Agenda.
  10. Business not on Agenda (if authorized per Rule 2.1.1).
  11. Consideration and Disposition of Bills.
  12. Adjournment.
- 2.4 Consent Agenda. Any item or items may be removed from the Consent Agenda at the request of the Mayor or any Board member. The Consent Agenda shall be voted as one item but each question thereon shall be recorded separately in the minutes.

### 3. THE PRESIDING OFFICER

- 3.1 The Mayor. The mayor shall preside at all meetings of the Town Board, and shall take the chair at the appointed hour, and after ascertaining that a quorum is present, shall call the Town Board or order.
- 3.2 Quorum. A quorum is four members of the Town Board and is necessary to transact business. Any meeting lacking a quorum dies automatically.
- 3.3 Mayor Pro Tem. In the absence of the mayor, the mayor pro tem shall preside at the meeting of the Town Board.
- 3.4 Temporary Chairman. In the absence of both the mayor and the mayor pro tem, the Town Board, after ascertaining that a quorum is present, shall elect from their own number a temporary chairman who shall preside until the mayor or the mayor pro tem arrives.
- 3.5 Privileges of Presiding Officer. The presiding officer may debate from the chair subject only to such limitations as imposed by these rules.
- 3.6 Decorum and Order. The presiding officer shall preserve decorum at all times during meetings and shall decide all questions of order, subject to appeal by the Town Board (See Rule 4.6).
  - 3.6.1 Town Board members shall be under the direction and control of the presiding officer and shall not refuse to obey the orders of the presiding officer or the rules of the Town Board.
  - 3.6.2 Town Board members shall preserve order and decorum at all times and shall refrain from rude or derogatory remarks, or statements as to the personalities or motives of other members.
  - 3.6.3 Town Board members shall accord the utmost courtesy to each other, municipal officials, and members of the public attending the meetings of the Town Board.
  - 3.6.4 Members of the administrative staff and other municipal employees attending Town Board meetings shall be under the direction and control of the presiding officer and shall observe the same rules applicable to members of the Town Board.

- 3.6.5 Members of the public attending Town Board meetings shall be under the direction and control of the presiding officer and shall observe the same rules applicable to members of the Town Board.
- 3.6.6 Members of the public who wish to appear before the Town Board (during designated citizen participation periods) shall register with the clerk who shall explain the procedure by which members of the public shall be allowed to speak.
- 3.6.7 Any person who makes personal, slanderous or impertinent remarks may be removed from the Town Board chamber by order of the presiding officer.

#### 4. DUTIES AND PRIVILEGES OF MEMBERS

- 4.1 Attendance. All members of the Town Board shall attend all meetings of the Town Board, and shall not be excused from attending except by majority consent of the Town Board.
  - 4.1.1 No member of the Town Board shall leave the chamber while the Town Board meeting is in progress unless excused by the presiding officer.
- 4.2 Assigned Seats. When the meeting is called to order by the presiding officer, all members of the Town Board shall take their respective seats in the chamber as assigned to them by the presiding officer.
- 4.3 Privileges. All members of the Town Board may move, second, and debate subject only to such limitations as imposed by these rules.
- 4.4 Roll Call Votes; Excuse from Voting. By request of the mayor or any Board member, a roll call vote may be required on any motion. In such case, each member shall say "aye," "no," or "present." To say "present" shall be the method of abstaining from voting.
  - 4.4.1 Any member of the Town Board who wishes to be excused from voting shall so request before the voting begins. The member shall state briefly the reason for his request, and the question shall be put to the Town Board without debate.
- 4.5 Personal Privilege. The right of any member to address the Town Board on a question of personal privilege shall be limited to cases in which his integrity, character, or motives are assailed, questioned, or impugned.

4.6 Appeal the Ruling of the Chair. Any member may appeal to the Town Board on a ruling made by the presiding officer.

4.6.1 If the appeal is seconded, the member making the motion shall state briefly the reason for the appeal, and the presiding officer shall explain his ruling. There shall be no debate by any other member of the Town Board on the appeal.

4.7 Dissent and Protests. Any member of the Town Board shall have the right to express dissent, or to protest against any action taken by the Town Board, and to have the reasons therefore entered into the record.

4.7.1 All dissent and protests from any member of the Town Board be made in writing, couched in respectful language, and submitted to the Town Board no later than the next succeeding regular meeting.

## 5. RULES OF DEBATE

5.1 Obtaining the Floor. Any member of the Town Board who wishes to put a proposal before the Town Board, or wishes to speak in debate, shall first obtain the floor through the presiding officer's recognition.

5.1.1 No member shall address the presiding officer or demand the floor while another member, who is in order, is speaking.

5.1.2 When recognized by the presiding officer, the member shall confine himself to making a motion, or to the question under debate.

5.2 Motions Stated by the Chair. A motion which has been made and seconded is not before the Town Board for debate until it has been stated by the presiding officer.

5.2.1 A motion may be withdrawn by the maker at any time before the motion is stated by the presiding officer. Once stated, a motion may be withdrawn only by majority consent of the Town Board.

5.3 First in Debate. The maker of a motion is entitled to speak first in debate, if the motion is debatable.

5.4 Limitations on Debate. No member of the Town Board shall speak more than once on a question until every other member who so chooses has spoken.

5.4.1 No member of the Town Board shall speak more than twice upon any one motion without majority consent of the Town Board.

5.4.2 No member of the Town Board shall speak for longer than 5 minutes at any one time without majority consent of the Town Board.

## 6. OFFICERS AND EMPLOYEES

6.1 Clerk. The clerk shall attend all meetings of the Town Board and shall keep the proceedings, and perform such other duties as set forth by these rules, or as requested by the mayor or the Town Board.

6.2 Administrative Officials and Employees. When requested by the Town Board, the head of any administrative department or any officer or employee of the Town, shall attend any meeting of the Town Board.

## 7. PARLIAMENTARY AUTHORITY/AMENDMENT TO RULES/SUSPENSION OF RULES

7.1 Matters Not Covered by These Rules. Any matter which is not addressed specifically in these rules shall be governed by *Robert's Rules of Order Newly Revised, 1970*, wherever applicable and not in conflict with State or local law.

7.2 Amendment to Rules. Any rule which does not have a basis in state or local law may be amended, or new rules may be adopted, by a 2/3 vote of those present and voting.

7.2.1 Any such amendment or alteration to these rules shall be submitted in writing to the Town Board at the preceding regular meeting and shall be placed on the agenda under new business.

7.3 Suspension of Rules. Any rule which does not have a basis in State or local law may be suspended, for the duration of the meeting, by a 2/3 vote of those present and voting.