

**RICHMOND CITY COUNCIL
BYLAWS AND RULES OF PROCEDURE**

1. *AUTHORITY*

- 1.1 *SOURCE OF AUTHORITY.* These rules and order of business are adopted by the Richmond City Council pursuant to the provisions of Section 6.9 of the duly adopted Charter of the City of Richmond.

2. *MEETINGS*

- 2.1 *ORGANIZATIONAL MEETING OF THE COUNCIL.* The Richmond City Council shall hold an organizational meeting at 8:00 p.m. on the Monday following each regular City election (Charter - Sec. 6.3(b)). The Council shall elect one (1) of its members to serve as Mayor and one (1) to serve as Mayor Pro-Tempore, who shall hold office until the next succeeding organizational meeting. Such election of Mayor and Mayor Pro-Tempore shall be by paper ballot (Charter - Sec. 6.2(a)). The duties of the Mayor and Mayor Pro-Tempore shall be as outlined in Section 6.2 of the City Charter. The current Mayor shall preside at the organizational meeting of the City Council until a successor is selected and sworn in, at which time the new Mayor shall assume the chair. In the absence of the Mayor, the current Mayor-Pro-Tempore shall preside (Charter - Sec. 6.2(a)). In the event of the absence of both the Mayor and Mayor Pro-Tempore, the Council shall select one (1) of its members to serve as presiding officer of the Council until a Mayor is selected (Charter - Sec. 6.2(f)).
- 2.2 *REGULAR MEETINGS.* The City Council shall provide by resolution for the time and place of its regular meetings and shall hold at least two (2) regular meetings in each month (Charter - Sec. 6.3(a)). If any regularly scheduled meeting shall fall on a legal holiday recognized by the City of Richmond, then the regular meeting shall be held on the next secular day which is not a holiday.
- 2.3.1 *SPECIAL MEETINGS.* The Richmond City Council shall meet in special session at the call of the City Clerk upon the written request of the Mayor, the City Manager, or any two (2) members of the City Council on at least twenty-four (24) hours' written notice to each member of the Council served personally or left at his usual place of residence (Charter - Sec. 6.4). A special meeting may be held on shorter notice in accordance with the Michigan Open Meetings Act if all members of the Council are present or have, in writing, waived notice thereof. Such waiver of notice may be made either before or after the holding of the meeting. All such waivers shall be attached to the minutes of the meeting to which they pertain (Charter - Sec. 6.4; PA 267 of 1976, as amended). No business shall be transacted at any special meeting of the Council unless the same has been stated in the notice of such meeting. However, any business which may lawfully come before a regular meeting may be transacted at a special meeting if all members of the Council present consent thereto and all

the members absent file their written consent (Charter - Sec. 6.5).

- 2.4. *COUNCIL ROUNDTABLE MEETINGS.* The City Council may hold periodic roundtable meetings at its discretion for the purpose of providing a medium for open and frank discussion with residents concerning special issues. The notice requirements for such meetings shall be the same as for special meetings. During such roundtable meetings, the regular rules of procedure of the City Council may be suspended or special rules established for the conduct of that particular meeting only. The Mayor shall serve as moderator of such meetings for the purpose of maintaining order and adherence to the rules established by Council for the conduct of roundtable meetings and to ensure meeting productivity. The City Council may, by majority vote, override any decision or action of the moderator. Citizens desiring to address the City Council on an issue of concern or interest shall approach the podium, state their name and address, and explain their issue. The City Council may, by majority vote, limit the time devoted to each issue. The moderator may also limit the time of discussion on any issue if, in the opinion of the moderator, the discussion is not productive. The City Council shall not take any formal action at the roundtable meeting on any matter brought before them.
- 2.5. *PLACE OF MEETINGS.* The City Council shall provide by resolution for the time and place of its regular meetings (Charter - Sec. 6.3(a)). Whenever the meeting place of the City Council shall appear to be inadequate for members of the public to attend, the Mayor and City Clerk may change the meeting place to an adequate facility located within the City of Richmond, Michigan. A notice of such change shall be prominently posted on the door of the regular meeting place. The City Clerk shall also give notice of such change in the place of meeting in a newspaper of general circulation within the City, if time permits.
- 2.6. *TIME OF MEETINGS.* Regularly scheduled meetings of the City Council shall begin at seven o'clock in the evening (7:00 P.M.) unless the City Council shall by majority vote in session set a different starting time. The City Council shall not begin considering any matter on the agenda not yet under consideration by the hour of ten o'clock in the evening (10:00 P.M.) except by majority vote of the City Council members. Matters on the agenda not yet acted upon at the time of adjournment shall be placed on the agenda of the next regular meeting or special meeting, if one is called.
- 2.7. *CHANGE IN MEETING SCHEDULES.* Changes in the regular meeting schedule shall not be made except upon the approval of a majority of the City Council members and only in session. In the event the City Council shall meet and a quorum of the Council is not present, a lesser number of members of the City Council may adjourn any regular or special meeting to a later time or date. In the absence of all members of the Council, the City Clerk may adjourn any meeting for not longer than one (1) week (Charter - Sec. 6.7).

3. *PUBLIC NOTICE OF MEETINGS*

- 3.1. *NOTICE FORMAT.* The City Clerk shall be responsible for providing the proper notice for all meetings of the Richmond City Council. Such notification shall include the name of the governmental unit, its principal address, and telephone number (PA 267 of 1976, as amended) and shall also include other information which may be required by the Michigan Open Meetings Act.

- 3.2. *NOTICE OF REGULAR MEETINGS.* The City Clerk shall post a notice in a prominent location at City Hall within ten (10) days after the first meeting of the City Council in each calendar year indicating the dates, times, and places of the regular meeting schedule, the name of the public body, its telephone number, and its address (PA 267 of 1976, as amended). The schedule may also be posted on the City of Richmond internet web site, if one exists.

- 3.3. *NOTICE OF MEETING SCHEDULE CHANGE.* Whenever the City Council shall change its regular meeting schedule, the City Clerk shall post a notice of the change in dates, times, and places within three (3) days following the meeting in which the change was made in a prominent location at City Hall (PA 267 of 1976, as amended) and on the City of Richmond internet web site, if one exists.

- 3.4. *NOTICE OF EMERGENCY MEETINGS.* If the City Council shall adjourn a meeting to a later date under Section 2.6 or call a special meeting under Section 2.3, the City Clerk shall post a notice of such meeting immediately, and no meeting except emergency meetings shall be held until the notice shall have been posted at least twenty-four (24) hours. An emergency meeting shall be held only upon the consent of two-thirds (2/3) of the City Council members and only if a delay would threaten severe and imminent danger to the health, safety, or welfare of the public (PA 267 of 1976, as amended). No public notice shall be required for such emergency meetings.

- 3.5. *NOTIFICATION TO MEDIA AND OTHERS.* The City Clerk shall notify, without charge, any newspaper or radio or television station of such meeting schedule, schedule changes, or special meetings, whenever such newspaper or radio or television station shall have filed with the City Clerk a written request for such notice. The City Clerk shall also notify other individuals or organizations of regular meeting schedules, changes in the schedule, or special meetings, but only upon their written request and agreement to pay for printing and postage expenses. The City Clerk shall mail all such notices pursuant to this section by first class mail deposited with the United States Postal Service (PA 267 of 1976, as amended).

4. *QUORUM; CALL OF THE RICHMOND CITY COUNCIL*

- 4.1. *QUORUM.* Four (4) members of the Richmond City Council shall constitute a quorum for

the transaction of business at all meetings of the Council, but, in the absence of a quorum, a lesser number of members of the Council may adjourn any regular or special meeting to a later time or date. In the absence of any members of Council, the City Clerk may adjourn any meeting for not longer than one (1) week (Charter - Sec. 6.7). The affirmative vote of the members of the Council equal to that required to constitute a quorum at any meeting shall be required for any official act of the Council at that meeting unless the City Charter or State or federal law requires a different number voting in the affirmative (Charter - Sec. 6.1(c)) .

- 4.2. *CALL OF THE RICHMOND CITY COUNCIL.* Any two (2) or more members of the City Council may, by vote, either request or compel the attendance of its members and other officers of the City at any meeting of the Council. Any member of the Council or other officer who, when notified of such request for his attendance, fails to attend such meeting for reasons other than confining illness or absence from Macomb County shall be deemed guilty of misconduct in office, unless excused by the Council. The presiding officer shall enforce orderly conduct at meetings and any member of the Council or other officer who shall fail to conduct himself in an orderly manner at any meeting shall be deemed guilty of misconduct in office. Any police officer of the City designated by the presiding officer of the meeting shall serve as the Sergeant-at-Arms of the Council in the enforcement of the provisions of this section (Charter - Sec. 6.8).

5. *REGULAR MEETING AGENDA*

- 5.1. *PREPARATION BY CITY MANAGER.* The City Manager shall prepare the agenda of business for all regular and special meetings of the City Council. Any member or representative of the City Council, City staff, or City boards, commissions, or committees desiring to place a matter on the agenda shall notify the City Manager of such items by twelve o'clock noon (12:00 P.M.) on the Wednesday preceding the next regular meeting of the City Council. The order of such items on the agenda shall be the same as they were received by the City Manager, unless unusual circumstances exist which warrant changing the order in the sole discretion of the City Manager, and shall be placed under the heading of "ITEMS FOR CONSIDERATION". Items that the City Manager does not receive by the stated deadline shall not be considered by the City Council until the subsequent regular meeting of the Council unless, upon majority vote of the City Council members, it is determined that the matter shall be considered sooner. Any request by the public for placement of an item on the City Council meeting agenda for discussion or action shall initially be placed under "Audience Participation" on the agenda by the City Manager, and the Council may act by majority vote at the meeting to refer the matter to the appropriate department, board, or agency for review or move the matter to "Items for Consideration" for discussion and action by the Council, at the Council's sole discretion. The City Manager shall provide for the delivery of the agenda packet to the City Council at their places of residence not later than the Thursday evening prior to the regular council meeting.

- 5.2. *SPECIAL MEETING AGENDA.* Whenever the Richmond City Council shall be called into a

special meeting, the matters to be considered shall be stated in the call of the meeting. No other matters not contained in the notice of the special meeting shall be considered at the special meeting unless all members of the Council present consent thereto and all the members absent file their written consent (Charter - Sec. 6.5).

5.3. *DISTRIBUTION OF AGENDA AND MATERIALS.* Upon completion of the agenda, the City Manager shall distribute to the City Council copies of the agenda together with copies of reports, explanations, recommendations, and other appropriate attachments that relate to the business matters coming before the Council, provided that the agenda and attachments shall at no time be completed and distributed to the Council later than the Thursday preceding the regular Council meeting. The City Manager may distribute such agenda materials by mail or personal delivery.

5.4. *ORDER OF BUSINESS.* The meeting agenda for regularly scheduled meetings of the Richmond City Council shall be arranged in the following order of business:

1. Call to Order
2. Pledge of Allegiance and Invocation
3. Approval of Minutes
4. Audience Participation
5. Adoption of Agenda
6. Consent Agenda
7. Public Hearings
8. Items for Consideration
9. City Manager’s Comments
10. Council Comments
11. Closed Session Agenda
12. Other Business
13. Adjournment

6. *CONDUCT OF MEETINGS*

6.1. *CHAIRPERSON.* The Mayor shall moderate and chair all meetings of the Richmond City Council. In the absence of the Mayor, the Mayor Pro-Tempore shall assume the duties of the Chair. In the absence of the Mayor and Mayor Pro-Tempore, the Council shall select one of its members to serve as the presiding officer at that meeting (Charter - Sec. 6.2(c) and (f)).

6.2. *RECOGNITION TO SPEAK.* Those members of the City Council wishing to speak shall first be recognized by the Chair to speak, and each person who speaks shall address the Chair. Other persons in attendance at the meeting shall not speak unless recognized by the Chair (Roberts’ Rules). Prior to the discussion by the City Council on each item to be considered, the Chair shall first ask for a motion from the Council on the item to be discussed. Once a motion is made and seconded, the City Council may discuss the matter at hand. Once

Council has finished its discussion on the matter, the Chair shall open discussion on the matter to the public. The Chair, at his sole discretion, may establish a time limit for individual public comments on any business item if the Chair determines that time limits are necessary to provide for the orderly conduct of the meeting (PA 267 of 1976, as amended). When the Chair determines that there are no other public comments on the business item, discussion on the item will be closed to the public and only the City Council shall then engage in any final discussion on the matter and act on the business item without interruption from the public. The rules contained in this section regarding public comments shall be published with each City Council agenda for the information of the public.

- 6.3. *DISORDERLY CONDUCT AT MEETINGS.* The Chair may call to order any person who is being disorderly by speaking without recognition or otherwise disrupting the proceedings of the City Council meeting, by failing to be germane, by speaking longer than the allotted time, or by speaking vulgarities. Any person so disrupting a lawful public meeting of the City Council shall be guilty of a misdemeanor in accordance with M.C.L. 750.170. Furthermore, any member of the City Council who shall fail to conduct himself in an orderly manner at any meeting shall be deemed guilty of misconduct in office (Charter - Sec. 6.8(a)).
- 6.4. *REFUSAL TO VOTE.* Any member of Council refusing to vote on an item of business before the Council, except when a bona fide conflict of interest exists, shall be guilty of misconduct in office (Charter - Sec. 6.9(5)).
- 6.5. *ROLL CALL VOTES.* In all roll call votes, the names of the members of the Council shall be called in alphabetical order and the name to be called first shall be advanced one position alphabetically in each successive roll call vote (Charter - Sec. 6.9(4)).

7. *RECORD OF CITY COUNCIL MEETINGS*

- 7.1. *RECORDING RESPONSIBILITY.* The City Clerk shall be responsible for keeping a journal in the English language of all of the proceedings of the City Council meetings (Charter - Sec. 6.9(1)). The minutes of each meeting, whether such meeting is open or closed, shall contain at least the following information: date, time, place, members present, members absent, decisions made at the open meeting, the purposes for which a closed meeting was called, and all roll call votes taken at the meeting. In the event a closed meeting is held, minutes shall also be taken, but these minutes shall not be available to the public and may only be disclosed by order of a court. Closed session minutes shall be approved by consensus of Council by reviewing the Clerk’s notes at the end of the closed session meeting. The Clerk shall seal the closed meeting minutes immediately upon review and approval by the Council. Minutes of closed sessions must be retained for one year and one day after approval of the minutes of the regular meeting at which the closed session was approved, after which time the minutes shall be destroyed (PA 267 of 1976, as amended). A vote upon all matters before the Council shall be taken by a “yes” and “no” vote and entered upon the records, except that, where the vote is unanimous, it shall only be necessary to so state (Charter - Sec.

6.9(2)). The record shall include the names of the mover and seconder and the vote of the City Council. The record shall also state whether the vote was by voice vote or by roll call vote and, when by roll call vote, the record shall show the “yes”, “no”, or “abstain” votes for each Council member. The presiding officer and City Clerk shall authenticate approved Council meeting minutes with their signatures in accordance with Section 6.9 (1) of the City Charter. The City Clerk shall be responsible for maintaining at all times in the office of the Clerk copies of each resolution and ordinance and other matters acted upon by the City Council.

7.2. *RECORD OF DISCUSSION.* The City Clerk shall not be responsible for maintaining a written record or summary written record of the discussion or comments of the members of the City Council or of comments made by members of the public. The City Clerk shall only be responsible for recording the proceedings of meetings as outlined in Section 7.1, and the written record prepared by the City Clerk, approved by the City Council, and authenticated by the presiding officer and Clerk shall be the official record of each meeting. Any audio or audio/visual recordings made of Council meetings shall not be deemed as official records of Council meetings.

7.3. *REQUESTS FOR REMARKS TO BE INCLUDED IN MINUTES.* Any City Council member may request to have his or her comments printed as part of the official record of the Council meeting. If there are no objections by any Council member, the comments shall be included by the City Clerk in the minutes of the meeting. If there is an objection to such printing of the comments, the City Council shall decide the matter by majority vote. Such comments to be included as part of the official record shall be provided in writing by the Council member making the comments to the City Clerk or shall be transcribed exactly by the City Clerk and read back. This courtesy shall only be provided to members of the City Council.

7.4.1. *PUBLIC ACCESS TO MEETING RECORDS.* The City Clerk shall make available to members of the public copies of the records and minutes of official meetings in accordance with the Michigan Freedom of Information Act, Public Act 442 of 1976, as amended. The proposed minutes of open meetings shall be available within eight (8) business days after the meeting to which the minutes refer. Approved minutes shall be available for public inspection within five (5) business days after the meeting at which the minutes are approved by the City Council. The City Clerk shall also promptly send copies of minutes to persons who have subscribed to the same and who have paid the fee therefor as established periodically by separate resolution of the City Council (PA 442 of 1976, as amended).

8. *COMMITTEES OF THE COUNCIL*

8.1. *STANDING COMMITTEES PROHIBITED.* In accordance with Section 6.9 (7) of the Richmond City Charter, there shall be no standing committees of the City Council. However, ad-hoc committees may be established for a finite period of time to accomplish specific tasks. The rules hereinafter set forth in this section shall govern the establishment of, and

appointment to, ad-hoc committees of the City Council.

- 8.2. *ESTABLISHMENT OF AD-HOC COMMITTEES.* The Council may, by resolution, establish ad-hoc committees consisting of not more than three (3) members of the Council to accomplish specific tasks. Ad-hoc committees shall be established for a finite period of time, with said time limit to be stated in the resolutions establishing the committees. In no case shall the term of an ad-hoc committee exceed one (1) year in length unless the City Council formally acts to extend the term of the committee for a period not to exceed one (1) additional year (Charter - Sec. 7.19). Ad-hoc committees may include as members representatives from the City administration, other boards and commissions of the City, and citizens.
- 8.3. *APPOINTMENT TO AD-HOC COMMITTEES.* The Council shall by majority vote appoint members of the City Council to ad-hoc committees as necessary.
- 8.4. *AD-HOC COMMITTEE DUTIES AND RESPONSIBILITIES.* The duties and responsibilities of each ad-hoc committee shall be outlined by the City Council in the resolution establishing the committee. Each ad-hoc committee shall thoroughly investigate any matters referred to it by the City Council and shall report, in writing, its findings to the City Council without undue delay.
- 8.5. *DISCHARGE OF AD-HOC COMMITTEES.* Upon the motion of any member of the City Council, and approval by a majority, the City Council may discharge a committee from further consideration of any matter if, in the sole discretion of the City Council, the committee has duly completed the tasks delegated to it or no longer serves at the pleasure of the City Council.
- 8.6. *AD-HOC COMMITTEE MEETINGS.* A majority of the members of the committee shall constitute a quorum for the conduct of business and an affirmative vote of the same number shall be necessary to act on any matter before the committee. Each committee shall be responsible for determining its own officers, and the conduct of committee meetings shall be subject to the same general rules and limitations which are placed upon the City Council, except as otherwise outlined in Section 8 of these rules. Committee meetings shall be open to the public in accordance with the Michigan Open Meetings Act, Public Act 267 of 1976, as amended. Each committee shall maintain a written record of its meetings and shall deliver such record to the City Clerk as soon as the minutes are prepared and available. The City Clerk shall maintain a separate file for each committee. The record of each committee shall include at least the following: the date, time, and place of the meeting, members attending, and any final recommendations that the committee has approved. Such meeting record shall constitute a public record in accordance with the Michigan Freedom of Information Act and shall be made available to any persons as required by the Act. No ad-hoc committee of the City Council shall sit during any session of the City Council, unless the Council shall grant it leave to do so.

9. *BOARD AND COMMISSION APPOINTMENTS*

9.1 *PROCEDURE.* The City Council shall make appointments to the various boards and commissions in accordance with the rules and procedures set forth by law or policy, provided that the City Council shall first post notice of position openings in a newspaper of general circulation within the City prior to making appointments to board and commission positions.

10. *CLOSED SESSIONS OF THE CITY COUNCIL*

10.1. *PROCEDURE.* The City Council may meet in closed session, with said session closed to the public, upon the motion of any member of the City Council and approval by roll call vote by not less than two-thirds of the council members elected and serving, except for the closed sessions permitted under Section 8(a), (b), (c), and (g) of the Michigan Open Meetings Act. The roll call vote and the purpose or purposes for calling the closed session shall be entered into the minutes of the meeting at which the vote is taken.

10.2. *PURPOSES.* The City Council may hold closed sessions only for those purposes permissible under Section 8 of the Michigan Open Meetings Act, Public Act 267 of 1976, as amended.

10.3. *MINUTES OF CLOSED SESSIONS.* At each closed session, the City Clerk shall keep a separate record. This record of minutes shall not be disclosed to the public except upon court order. The City Clerk shall destroy said minutes after one year and one day have passed following the approval of the minutes of the meeting at which the City Council approved the closed session (PA 267 of 1976, as amended).

11. *PUBLIC HEARINGS*

11.1. *CONDUCT OF PUBLIC HEARINGS.* When it shall be necessary to conduct a formal public hearing in accordance with State or federal law, the City Council shall adhere to the following procedure for the conduct of such hearings:

1. The presiding officer of the Council announces the purpose of the public hearing.
2. The City Manager provides an explanation of the matter subject to the public hearing and gives a report on the details of the matter.
3. The presiding officer of the Council opens the public hearing to the floor for the purpose of receiving public comments on the matter at hand.
4. Comments are received from interested members of the public. Citizens wishing to address the City Council shall state their names and addresses for the record prior to giving comments. The City Clerk records in the minutes the names and addresses of those persons commenting on the matter at hand. The Clerk shall not be responsible for recording the comments of members of the public.
5. The presiding officer of the Council determines that there are no other public

comments to be received on the matter at hand and closes the public hearing.

6. The City Council places the matter under “Items for Consideration” on the current meeting agenda or a future meeting agenda for Council consideration and disposition.

12. COUNCIL MOTIONS AND RESOLUTIONS

12.1 *STATEMENT BY CHAIR; WRITTEN MOTIONS AND RESOLUTIONS.* No motion or resolution shall be adopted by the City Council until the motion or resolution is stated by the person chairing the meeting. All motions except procedural motions and resolutions may be required to be in writing upon the demand of any member of the Council. A request to recess for the purpose of writing out a motion or resolution shall be in order. Each written motion or resolution shall be read by the City Clerk before being debated.

12.2. *ORDER OF MOTIONS.* Whenever a question is under debate, no motion shall be received except a motion to:

- fix the time of the next meeting
- adjourn
- recess
- vote immediately
- lay on the table
- postpone to a certain time
- commit or recommit
- postpone indefinitely
- amend

These motions shall take precedence in the order in which they are stated above.

12.3. *NON-DEBATABLE MOTIONS.* The motions to adjourn, to recess, to lay on the table, to vote immediately, and all questions relating to the priority of business shall be ordered and voted upon without debate.

13. VOTING

13.1. *VOTE REQUIRED; ABSTENTION.* Whenever a question is put by the Chair, every City Council member present shall vote on all questions. No member present shall abstain from voting “yes” or “no” unless excused by unanimous consent of the other Council members present (Charter - Sec. 6.9(5)).

13.2. *DEMAND FOR ROLL CALL VOTE.* On demand by any Council member, the vote on any pending question shall be taken by a record roll call vote.

- 13.3. *HANDLING OF ROLL CALL VOTES.* When a record roll call vote is demanded on a question, and after the Chair has stated the question, the City Clerk shall be directed by the Chair to call the roll. No member is entitled to speak on the question, nor shall any motion be in order until such roll call is completed and the result announced.
- 13.4. *CONFLICT OF INTEREST IN VOTING.* No member of the City Council shall vote on any question in which he has a financial interest other than the common public interest nor on any question concerning his own conduct. On these, as on all other questions, each City Council member who is present shall vote when his name is called unless excused by the unanimous consent of the remaining members present. A City Council member refusing to vote when not so required by this section shall be guilty of misconduct in office (Charter - Sec. 6.9(3) and (5)).
- 13.5. *ORDER OF ROLL CALL VOTES.* In all roll call votes, the names of the City Council members shall be called in alphabetical order, and the name to be called first shall be advanced one position alphabetically in each successive roll call vote (Charter - Sec. 6.9(4)).
- 13.6. *DECIDING RESULTS OF VOTES.* In all cases where a vote is taken, the Chair shall decide the results of the vote. Any member of the Council may call for a division of the votes, and, upon such call, the Chair shall request the call of “yes” and “no” votes.
14. *PARLIAMENTARY PRACTICE RULES*
- 14.1. *RULES TO GOVERN.* The rules of parliamentary procedure practice as contained in **ROBERT’S RULES OF ORDER**, most recent edition, shall govern the Richmond City Council in all cases to which the rules are applicable, provided that the rules are not in conflict with these rules, with the ordinances and Charter of the City of Richmond, or with State or federal law. The presiding officer of the Council shall interpret and apply the rules of parliamentary procedure, and the presiding officer’s interpretation and application shall be final and conclusive unless overturned by a majority vote of the City Council.
15. *LEGISLATION AND ORDINANCES*
- 15.1. *RESOLUTIONS.* The term “resolution”, as it pertains to the actions of the City Council, shall mean any official action of the City Council in the form of a motion, and such action shall be limited to matters required or permitted to be done by resolution by the City Charter or by State or federal law and to matters pertaining to the internal affairs or concerns of the City government.
- 15.2. *ORDINANCE ENACTMENT.* All legislation of the City of Richmond shall be done by resolution or by ordinance. Those matters coming before the Council which cannot be disposed of by resolution, and all acts carrying a penalty for the violation thereof, shall be by ordinance. Ordinances shall be enacted by the City Council in accordance with Chapter IX of

the Richmond City Charter.

15.3.1. *CODIFICATION OF ORDINANCES.* It shall be the responsibility of the City Clerk to submit all enacted ordinances of the City Council to the City’s codification service at least quarterly to be codified and supplemented to the City of Richmond Code. The City Clerk shall maintain a list of the copies of the code books issued to City officials and shall ensure that all such code books are updated as supplements are received.

16. *RESTRICTIONS OF THE RICHMOND CITY COUNCIL*

16.1. *INTERACTION WITH CITY STAFF.* No member or combination of members of the City Council shall direct or demand the appointment of any person to, his promotion within, or his removal from, any office or employment in the City government. Except for purposes of inquiry authorized by it, the City Council and its members shall deal with the administrative officers and employees of the City solely through the City Manager concerning matters relating to the performance of their several official duties and employments. No action contrary hereto shall be valid or binding upon the City Manager or any officer or employee of the City. Any violation of this section shall constitute misconduct in office and shall be punishable as such (Charter - Sec. 6.12(a)).

16.2. *CONTRACTING AND APPOINTMENTS.* The City Council shall not have the power to make any contract with or give any official position to any person who is in default to the City (Charter - Sec. 6.12(b)). Council is prohibited from appointing relatives and their spouses of members of Council or their spouses to any appointive office or employment during the term of said members, with relatives to include child, parent, brother, and sister and all such relationships arising from adoption. However, this section shall not apply to relatives or spouses who are bona fide appointive officers or employees of the City at the time of the election of such member (Charter - Sec. 4.20). Except at public meetings and in cases of letting of contracts, neither the City Council nor any member thereof shall direct or request the purchase of any specific materials, supplies, or equipment.

16.3. *OFFICIAL REPRESENTATION.* The City Manager or his authorized designee shall serve as the official representative and spokesperson of the City Council and City government in intergovernmental, media, and public relations, and no individual member or combination of members of the City Council shall make any public statements or representations on behalf of the City Council unless authorized by the Council to do so. Copies of any written statements or representations on behalf of the City Council shall be provided to the Council prior to, or within three (3) days after, such statements or representations are issued.

17. *BY-LAWS: ADOPTION AND AMENDMENT*

17.1 *ADOPTION.* These by-laws and rules of procedure for the Richmond City Council shall be adopted upon the affirmative vote of not less than two-thirds (2/3) of the membership of the

City Council.

- 17.2. *AMENDMENT.* These by-laws and rules of procedure for the Richmond City Council may be amended from time to time at the discretion of the City Council. Any such amendments to these by-laws shall be presented in written form to the City Council and shall not be adopted at the same meeting at which the amendments were introduced. These by-laws and rules of procedure shall only be amended by affirmative vote of not less than two-thirds (2/3) of the membership of the City Council.

THIS RESOLUTION WAS DULY ADOPTED BY THE RICHMOND CITY COUNCIL DURING ITS REGULAR MEETING HELD ON FEBRUARY 7, 2000.

Honorable Timothy Rix, Mayor

Ms. Karen M. Stagl, City Clerk

ADOPTED: 02/07/2000

AMENDMENTS INCORPORATED HEREIN:

08/07/2000 – Add new Section 2.4

12/03/2001 – Resolution No. 2001-21 – Amend Section 5.1

08/05/2002 – Resolution No. 2002-14 – Amend Section 16.3