

**CITY OF LAKEVIEW
BAXTER COUNTY ARKANSAS
ORDINANCE 11-02**

AN ORDINANCE TO ESTABLISH RULES OF PROCEDURE FOR THE CITY COUNCIL, CITY OF LAKEVIEW, BAXTER COUNTY, ARKANSAS

WHEREAS, Arkansas State Statutes provide some latitude to municipal governing bodies in the establishment of rules and procedures, and

WHEREAS, the City of Lakeview has determined that it is in the best interest of said City to have such rules of procedure.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakeview, Baxter County, Arkansas:

SECTION I – MEETINGS

- A. **Regular** – Regular meetings of the City Council shall be held on the third Tuesday of each calendar month at 7:00 p.m. (Ref. Ord. 14-05 & 14-07)
- B. **Special** – Special meetings of the City Council may be called by the Mayor or by two (2) Council Members who shall file a written request to the Recorder/Treasurer at least two (2) days prior to the time specified for such meeting. Such request shall include the topic to be considered and a reason that consideration of said topic cannot be delayed. Recorder/Treasurer shall notify each Council Member of the time and purpose of such meeting and such media that have requested notice to be given [Ref. A.C.A. 14-43-502(b)(2)(B)] (Ref Ord. 18-02)
- C. **Place** – All meetings of the City Council, including special meetings, shall be held in the Lloyd Travis Municipal Center.
- D. **Quorum** – A majority of the member-elect, including the Mayor, shall constitute a quorum, but a lesser number may adjourn from time to time or compel the attendance of absent members.

SECTION II – ORDER OF BUSINESS

The business of the City Council shall be conducted in the following order:

- Call to order by presiding officer;
- Pledge of allegiance;
- Roll Call (if a quorum is not present, meeting will be adjourned subject to call);
- Approval of minutes of previous meeting;
- Approval of financials of previous month;
- Department Reports;
- Old Business;
- New Business;
- Public Input (all parties wishing to address the City Council, for whatever reason, shall be required to state their name and address for the record after which they will be afforded a period of three (3) minutes to state their concern)

SECTION III – PRESIDING OFFICER

- A. **Control of meeting** – The Mayor shall preserve order and conduct the proceeding of the meeting. [Ref. A.C.A. 14-44-107(a)]

- B. **Absence of Mayor** – If the Mayor is absent from the meeting, the Recorder/Treasurer or another elected official of the City as designated by the Mayor shall serve as president pro-tem of the City Council and shall act as presiding officer [Ref. A.C.A. 14-44-107(c)] (Ref. Ord. 15-01)
- C. **Participation in debate** – The presiding officer may speak upon any question recognizing that some discretion must be exercised so as not to override a fair opportunity for debate by the members of the Council.

SECTION IV – ORDINANCES & RESOLUTIONS

- A. **Reading Requirement** – All bylaws and ordinances shall be read in full on three (3) different days unless two-thirds (2/3) of members of the Council shall suspend the rule. (Ref. A.C.A. 14-55-202)
- B. **Voting Requirements**
 - 1. Passage of every by-law, ordinance, resolution or order to enter into a contract by the Council, the yeas and nays shall be recorder. [Ref. A.C.A. 14-55-203(a)]
 - 2. To pass any by-law, ordinance, resolution or order, a concurrence of a majority of the whole number of members elected to the Council shall be required. [Ref. A.C.A. 14-55-203(b)]
 - 3. Any person or persons taking issue with an ordinance enacted by the City Council may within thirty (30) days of publication of said ordinance file a referendum petition requesting reconsideration of said ordinance by fully stating reasons ordinance should be reconsidered within said petition.
 - 4. Emergency clause of any given ordinance shall only be executed if a true emergency exists. [Ref. A.C.A. 14-25-203(c)(1)(C)]
- C. **Effective Date** (Ref. Ord. 18-02)
 - 1. Ordinances passed by the City Council shall be effective thirty (30) days after passage unless the Emergency Clause has been invoked as provided for in Section IV(B)(4).
 - 2. Resolutions passed by the City Council shall be effective immediately upon passage since such actions are only intended to establish policies for the City.

SECTION V – GENERAL RULES

The deliberations of the City Council shall be conducted in accordance with the parliamentary rules contained in *Robert's Rules of Order, Newly Revised*, which is hereby incorporated in this section by reference. Persons in general attendance at a meeting may be afforded the opportunity to speak at the discretion of the presiding officer as long as comments are germane to the topic under discussion. No ordinance, resolution or other motion shall be discussed or acted upon unless it has been seconded.

SECTION VI – SUSPENSION OF RULES

These rules or any part thereof may be temporarily suspended in connection with matters under consideration by a recorded vote of two-thirds (2/3) of the members.

SECTION VII – RECONSIDERATION OF MOTIONS OR QUESTIONS

- A. When a motion or question has been decided, it shall always be in order for any member of the Council who voted on the prevailing side to move for reconsideration at the same or next succeeding meeting of the Council. If a motion to reconsider is made at the same or succeeding meeting, then a majority of the Council is required to decide whether a motion or question is to be reconsidered.
- B. A motion to reconsider any motion or question shall not be heard if it is not made at the same or succeeding meeting at which the original motion or question was proposed.

- C. If a motion or question is raised which had previously been decided by the Council during the same term, but not at the same or at the succeeding meeting, then the Council in order to consider the motion or question must first vote to suspend the rules (as set forth in Section VI) to allow motion or question to be brought before it.
- D. If the Council votes to suspend the rules to consider the motion or question once, the Council shall not vote to suspend the rules to consider the motion or question again until the beginning of a new term.

SECTION VIII – SEVERABILITY. The invalidity or unconstitutionality of the provisions of this Ordinance shall not affect any other section hereof, but same shall remain in full force and effect.

SECTION IX – EMERGENCY CLAUSE. This ordinance being necessary to insure compliance with terms, an emergency is declared to exist and this ordinance shall be in full force and effect from date of its passage.

PASSED AND ADOPTED by the City Council of the City of Lakeview, Baxter County, Arkansas this 18th day of October, 2011.

Attest:



Rebecca Barton, Recorder/Treasurer



Dennis Behling, Mayor

1-21-14 Section I(A) – Amended by Ordinance 14-05
6-17-14 Section I(A) – Ordinance 14-07 Repealed Ordinance 14-05
10-20-15 Section III(B) – Amended by Ordinance 15-01
7-17-18 Sections I(B) & IV(C) – Amended by Ordinance 18-02
10-7-21 State Statute references corrected to comply with Code.