

**BOROUGH OF HARRISVILLE
BUTLER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2022-1

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF HARRISVILLE,
BUTLER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE BOROUGH
OF HARRISVILLE BY ADDING A NEW CHAPTER ENTITLED “RULES OF
COUNCIL” TO REPRESENT THE PROCEDURES WHEREBY COUNCIL CONDUCTS
ITS BUSINESS**

WHEREAS, the Rules of Council are based on the Borough Code, other pertinent State Laws, and Robert’s Rules of Order; and

WHEREAS, Robert’s Rules of Order shall serve as the parliamentary authority for all procedures not expressly set forth in these rules;

I. ORGANIZATION OF COUNCIL

A. Organizational Meeting

1. Borough council shall organize itself on the first business day of January following each general municipal election at a time and location selected by the members and appropriately advertised. At each organizational meeting of council, the borough solicitor shall serve as presiding officer over the meeting until council elects one of its members as president in accordance with Section B of this Article.

2.

(a) Organization. — The council shall organize on the first Monday of January of each even-numbered year by electing one member as president and one member as vice-president, who shall hold the offices at the pleasure of the council. If the first Monday is a legal holiday, the meeting and organization shall take place the following day. Any action taken by any council at any time between 12:01 a.m. on January 1 of an even-numbered year and the organization of council in that year shall be subject to reconsideration by the new council at any time within ten days after organization. The council may, at the organizational meeting, appoint other officers as may be provided for by law or ordinance, or as may be deemed necessary for the conduct of affairs of the borough, and may transact any other business as may come before the meeting. The president, and during the president’s absence or incapacity, the vice-president, shall preside over the meetings of council and perform other duties as are prescribed by this part or by ordinance.

3. The organizational meeting shall not be adjourned until a council president is elected. If necessary, the meeting may be recessed until a later time.

B. Procedure for the Election of the President

1. The presiding officer shall call for nominations from the floor. No second is required. No one may nominate more than one person for the office of president.
2. The presiding officer calls for nominations, repeats the name that was nominated, then declares that person nominated. To be considered for the presidency, a council member must be present at the meeting to accept or decline the presidency.
3. The presiding officer shall then ask if there are any further nominations until there are no further nominations. The presiding officer then declares that nominations for the office of president are closed without waiting for a motion to that effect.
4. After nominations have been closed, voting for the office of president takes place.
5. The borough manager Secretary (hereinafter manager) shall then call the roll. The members, when called upon, shall declare their vote for one of the nominees. The manager will repeat the names to be sure of their accurate recordation and shall then record the vote.
6. When all seated members have voted, the manager shall announce if any one nominated candidate has the votes of a majority of the seated members of council. The election to the office of president becomes final immediately if the candidate is present and does not decline.
7. In the event that no nominated candidate has a majority of the seated members of council, the manager announces that there is no election. The manager will then eliminate from the second round of voting the nominee with the least amount of votes. The manager then proceeds to call the roll for the second round of voting, and any subsequent rounds, following the same procedure until a president is selected.
8. The elected candidate assumes the office immediately upon election and shall preside over the nominations for the office of vice president.
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C. Terms and Powers of the Council President

1. The president shall be elected by a majority of the seated members of council and serves at the pleasure of the body. The election process will occur, but is not limited to, every January following the municipal election cycle.

2. The president shall have the following powers:

- i. To preside at all meetings of council;
- ii. To refer all proposed legislation to the proper committee of council and to sign all legislation passed by the council;
 - a. In the event that a bill is referred to a committee that has not been formed as of the date of referral or to a committee that ceases to exist before considering and issuing a recommendation on that bill, the president may, at his or her discretion and with written notice to the full council, or verbal notice at a regularly scheduled meeting, re-refer that bill to another committee.
- iii. To appoint the chair and members of each committee pursuant to Section (E);
- iv. To schedule public hearings of council and to preside at such hearings;
- v. To enforce all rules adopted by council for its operation;
- vi. To perform such other duties and functions as council may assign to the office.
- vii. In the event that the president is unable to exercise his or her duties, the vice president shall exercise the powers of the president.
- viii. The president may appoint a member of council as a presiding officer for public hearings.

D. Terms and Powers of Council Vice President

1. The term of the vice president shall run concurrently with that of the president. In the absence of the president, the vice president may sign legislation that has been passed by council and serve as the presiding officer at meetings of council.

E. Committees of Council

1. Committees are established to consider, investigate, or take action in regard to matters or subjects brought before council and shall be organized and led by a chair who shall be named by the president. Committees shall meet on at least a quarterly basis.

2. The committee chair may convene a public forum to elicit public comment or input on issues under consideration by the committee. Committees shall present their findings to council in either a formal or informal manner.
3. The president is an ex officio member of each committee. No committee shall meet or be staffed unless called by the chair of the committee according to this ordinance.
4. When unable to attend a scheduled committee meeting, the chair of each committee may appoint a member of the committee to act as presiding officer.
5. Standing Committees – The president, upon election, shall appoint the members and the chair of each committee following re-organization. Each council member shall be appointed chair of at least one committee. No member shall be appointed chair of multiple committees unless a council member has declined chairmanship of a committee, or if there is a vacancy on council. The number and scope of each committee shall be at the discretion of the president, except that the following shall always be established as standing committees:
 - i. Finance & Legal Committee: The Finance & Legal Committee shall have the responsibility of reviewing and making recommendations regarding taxation, appropriations, and the pursuit of other revenues used for borough operations, including those pertaining to the borough's capital budget and operating budget. The committee shall examine all ordinances before the same are presented for payment, recommend negotiations and renewal of loans and make or have a report of the budget monthly. All matters with respect to taxes, municipal claims, annual budget, audit, insurance, office personnel and all manner of suits, claims or reckonings by or against the borough shall be referred to it to investigate and report to the council with its recommendations.
 - ii. Recreation and Community Affairs Committee: The Recreation and Community Affairs Committee shall consider all business pertaining to the parks, pool, summer program and general recreation. Such committee shall see that all buildings, apparatus and equipment used in connection with the parks and pools are kept in good repair. It shall investigate all matters with respect to parks and pool maintenance, personnel, equipment and supplies and make report to the Council with its recommendations. The committee shall consider all business and matters pertaining to the health, general welfare and public relations of the borough. Said committee shall be further charged with the responsibility of directing or disseminating any and all information to keep its citizenry well-informed on all matters of public interest.
 - iii. Public Safety Committee: The Public Safety Committee shall consider all business pertaining to public safety, not otherwise delegated to other committees, including erection of overhead signs, poles, wires, operation of street railways and

other utilities, in the roadways of the borough and in the conduct of the regulation of traffic. The committee shall investigate and report to the council with suggestion and recommendations with respect to all meters referred to it on any subject that may insure to the greater safety and comfort of the public in and about the roadways and public places of the borough. Accordingly, the fire chief and police chief shall consult with the committee, and through it, make recommendations to the council.

- iv. **Public Works Committee:** The Public Works Committee shall consider all business or matters pertaining to repairs and improvements to streets, alleys and thoroughfares of the borough and improvements, and see that the same are kept clean and in good repair. The matter of planting, pruning and removing all shade trees of the borough shall be referred to this committee. The public works director and the borough engineer shall consult with the committee as and when the committee desires. The matter of public works personnel and street lighting shall be referred to this committee. It shall consider the placing, replacing or removal of lights and shall report to the council with its recommendations.
- v. **Property, Supplies & Planning Committee:** The Property, Supplies & Planning Committee shall consider all business or matters pertaining to printing the necessary forms. Ordinances, notices, signs, rules and other things of a similar nature pertaining to the work of the borough or any of its officers or departments. It shall investigate and report to the council its recommendation for the purchase of materials, supplies and equipment. It shall see to the property operation, maintenance and management of the Municipal Center. All matters with respect to the zoning law of the borough, except as otherwise provided by law, shall be referred to it to investigate and report to council with its recommendations. All matters with respect to long-term planning, such as locations for new public buildings, civic centers, street parkways, parks, playgrounds or any other public ground or public improvement or any widening, extension or relocation of the same, or any change in the borough plan, shall be referred to this committee. It shall make recommendations to the council from time to time, concerning such matters for action by the council and, in so doing, have regard for the present conditions and future needs and growth of the borough and the distribution and relative location of all the principal and other streets and railways and all other means of public travel and business communications, as well as the distribution and relative location of all public buildings, public grounds, and open spaces devoted to public use.
- vi. **Appointment Review Committee:** The Appointment Review Committee shall be responsible for reviewing all letters of interest and resumes of individuals seeking appointments to boards or authorities of the borough. Any and all individuals may be invited to attend the committee meeting to answer questions of the members; while not mandatory, attendance of an individual being considered for a vacancy

is preferred. The committee shall not vote, but shall report to and make recommendations to the full council regarding appointments. No vote on an appointment may be made without a recommendation from the committee.

- vii. Executive Committee: The Executive Committee shall consist of the president, vice president and a third member appointed by the president and shall make recommendations designed to improve and expedite the business and procedures of council and its committees and to propose any amendments to this ordinance deemed necessary. The Executive Committee shall also be charged with making recommendations and approving actions regarding personnel matters.
6. Special Committee – The President may appoint a special committee at his or her discretion. It shall address only items of business that relate to a single topic that is clearly defined when the committee is created and shall automatically be dissolved when its final report is accepted by council. A special committee shall not vote. The item of business, or anything involving essentially the same issue, may not be considered by council or any other committee until the special committee makes its report, unless specifically requested by the chair with the consent of the president. Reports of the committee shall be presented at a time designated by the president or upon completion of its charge and shall list the names of all the members of the committee. A minority report may also be presented. Upon presentation of the report, council shall make a motion to accept the report at which time the committee will be discharged. A special committee may also be dissolved by vote of a majority of the seated members of council.
7. Advisory Committee – The president may appoint advisory committees to council, or at the request of a chair, to one of the committees of council to augment the deliberations of council members with a body of expertise to improve their decision making process. Advisory committees shall not vote. Advisory committees will submit their recommendations to the president or chair as the situation warrants. Such recommendations may be shared with Council either formally or informally.
8. In the event that a chair does not hold a committee meeting on a quarterly basis, he or she shall be removed by a 2/3 vote of the seated members of council. If a chair has not held a committee meeting for two consecutive quarters, he or she shall be removed by a simple majority vote of the seated members of council. Once vacant, the president may appoint a new chair of the committee.
9. E. Committees of Council
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11. 1. Committees are established to consider, investigate, or take action in regard to matters or subjects brought before council and shall be organized and led by a chair who shall be named by the president. Committees shall meet on at least a quarterly basis.

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13. 2. The committee chair may convene a public forum to elicit public comment or input on issues under consideration by the committee. Committees shall present their findings to council in either a formal or informal manner.
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15. 3. The president is an ex officio member of each committee. No committee shall meet or be staffed unless called by the chair of the committee according to this ordinance.
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17. 4. When unable to attend a scheduled committee meeting, the chair of each committee may appoint a member of the committee to act as presiding officer.
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19. 5. Standing Committees – The president, upon election, shall appoint the members and the chair of each committee following re-organization. Each council member shall be appointed chair of at least one committee. No member shall be appointed chair of multiple committees unless: a council member has declined chairmanship of a committee, a council member has been removed from the position of chair in accordance with Section E8, or if there is a vacancy on council. The number and scope of each committee shall be at the discretion of the president, except that there shall always be six (6) established as standing committees, which shall be adopted by Resolution from time to time.
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21. 6. Special Committee – The President may appoint a special committee at his or her discretion. It shall address only items of business that relate to a single topic that is clearly defined when the committee is created and shall automatically be dissolved when its final report is accepted by council. A special committee shall not vote. The item of business, or anything involving essentially the same issue, may not be considered by council or any other committee until the special committee makes its report, unless specifically requested by the chair with the consent of the president. Reports of the committee shall be presented at a time designated by the president or upon completion of its charge and shall list the names of all the members of the committee. A minority report may also be presented. Upon presentation of the report, council shall make a motion to accept the report at which time the committee will be discharged. A special committee may also be dissolved by vote of a majority of the seated members of council.
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23. 7. Advisory Committee – The president may appoint advisory committees to council, or at the request of a chair, to one of the committees of council to augment the deliberations of council members with a body of expertise to improve their decision making process. Advisory committees shall not vote. Advisory committees will submit their recommendations to the president or chair as the situation warrants. Such recommendations may be shared with Council either formally or informally.
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25. 8. In the event that a chair does not hold a committee meeting on a quarterly basis, he or she shall be removed by a 2/3 vote of the seated members of council. If a chair has not held a committee meeting for two consecutive quarters, he or she shall be removed by a simple majority vote of the seated members of council. Once vacant, the president may appoint a new chair of the committee.

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F. Liaisons

1. The president may name council members as liaisons to borough authorities and agencies, or related organizations with which the borough may have an interest, as he or she deems appropriate. A liaison shall attend meetings of the authority, agency or related organization and stay otherwise engaged or informed regarding their operations, deliberations and considerations.
2. The liaison shall deliver a report on the operations, deliberations and consideration of the authority, agency or related organization at the next regularly scheduled meeting of council. The report may be written and/or verbal but shall be a part of the council agenda. As such, the liaison shall, following the rules regarding placing items on the council agenda and advise the manager when a report is necessary.
3. At the discretion of the president, any matter relating to a borough authority, agency or related organization that the liaison has brought forth as being of concern may be transformed into a special or advisory committee. The committee shall be charged with reporting back to council and shall follow all rules regarding special meetings of council.

II. MEETINGS

A. Public Meetings

1. All regular, special, committee, and emergency meetings of council shall be open to the public to the extent required by, and in accordance with, 65 P.S.701 *et seq.*, commonly known as the Sunshine Act.
2. Council shall retain the right to establish physical boundaries beyond which may be limited to the members, officers, and staff of council. Reporters and other news media are subject to the regulation of cameras, lights, flash equipment, and recording transmitting equipment such that they do not interfere with the orderly conduct of council.
3. Every regular and special meeting of council shall include a public comment period for borough residents and taxpayers to comment on matters of concern, official

action, or deliberations which are, or may be, before the council subject to the limitations set forth in Article II (I).

B. Public Notice

1. Prior to the beginning of each calendar year, the manager secretary shall advertise in a newspaper of general circulation, and post to the Harrisville Borough website, a schedule of the dates, times, and place of all regular meetings of council for that calendar year.
2. Upon establishment of standing committees, the manager shall advertise in a newspaper of general circulation, and post to the Harrisville Borough website, the days, times, and place at which such meetings will generally be held for that calendar year. In the event that a committee meeting is scheduled on a day other than that which appeared in the public notice, the chair of the respective committee must give 3 days notice to the Manager in order that public notice of the meeting may be given. Detailed notices regarding meetings will be posted at the municipal center and made available on the Harrisville Borough website.
3. Special committee meetings shall also be advertised in a newspaper of general circulation, and posted to the Harrisville Borough website, at least twenty-four (24) hours prior to the meeting date.
4. Notice of meetings of council and its committees shall be given in the manner provided by *et seq.*, commonly known as the Sunshine Act.
65 Pa.C.S. § 709(a)
5. The president may cancel meetings of council with the consent of the majority of the seated members of council, except in cases deemed to be of an emergency nature. Committee chairs may cancel meetings of committees at their discretion. In the event that a meeting is canceled, the information must be posted to the Harrisville Borough website and notice placed at the site of the meeting. Said notice should include any information regarding rescheduling of the canceled meeting, to the extent practicable.
6. To the extent that it is possible, information relative to meetings of the council, standing committees, special committees and other meetings, as well as cancellation of the same, shall also be shared via the borough's social media accounts.

C. Regular Meetings

1. Council shall establish the time, place, and conditions of its regular meetings and shall publish the schedule prior to the beginning of the year. Deviations from the published schedule shall require twenty-four (24) hour public notice. Regular meetings of council shall be held at least once a month unless otherwise provided by ordinance. Council may, by ordinance, adopt a different schedule.

D. Special Meetings

1. Special meetings may be called by the president or by the written request of a majority of the seated members of council, as directed to the president. A written notice of each special meeting shall be delivered to the home of each council member, the mayor, the manager, and solicitor at least twenty-four (24) hours before said meeting is held. The same notice shall be provided via e-mail address to the above-listed individuals. Such notice shall specify the time, place, and purpose of the special meeting. Only business mentioned in the call of the special meeting can be transacted at such meeting. The presence of a member at the meeting constitutes a waiver of notice. Special Meetings also must be advertised in accordance with Section 709(a) of the Sunshine Act.

E. Emergency Meetings

1. Council may hold and take action at an emergency meeting. Such emergency meeting may be called by either the president or mayor provided that:
2. A quorum is present;
3. The meeting qualifies as an “emergency meeting” as set forth in 65 Pa.C.S. § 709(a), commonly known as the Sunshine Act, to wit, a meeting called for the purpose of dealing with a real or potential emergency involving a clear and present danger to life or property; and
4. No other business shall be considered or transacted at such emergency meetings except for the matter for which the emergency meeting was called.

F. Committee Meetings

1. The chair of each standing committee may establish regular meeting days for the conduct of its business. Each such committee shall meet for the consideration of legislation pending before the committee or the transaction of other committee business on all regular meeting days fixed by the committee, and shall vote on such legislation if the rules regarding quorum and amendment are met.
2. The chair of each standing committee may call and convene, as he or she considers necessary, additional and special meetings of the committee for the consideration of legislation pending before the committee or for the conduct of other committee business. The committee shall meet for such purpose under the call of that chair, or upon written request of a majority of the seated members of the committee. Notice of said meeting shall be given according to Article II (B).

3. Whenever legislation or other matter has been referred to a committee, the chair shall have full power and control over such legislation or other matter, except that such committee shall not change the subject. A committee shall not consider a bill or other matter which is not in its possession.
4. The committee is charged with reviewing, discussing, and, if the chair deems necessary, investigating the legality of proposed legislation. Should a chair or other member of council desire a legal opinion on any item of pending legislation or issue before the committee, such legal opinion shall be requested through the manager who will submit the same to the borough solicitor. Any required response date should also be communicated to the manager and, thereafter, the solicitor.
5. A quorum shall be deemed to be present for any committee meeting to proceed when both the chair and at least one seated committee member are present, with the exception of the Appointment Review Committee, for which the chair alone may constitute a quorum. In any committee, a majority of the seated members is necessary for the committee to amend legislation.
6. No person, other than council members or staff, shall be heard or seated at the committee table unless invited by the chair.
7. During its deliberation, the committee may vote on the legislation as presented or may amend (provided that a majority of the seated members of the committee are present). Upon the completion of its deliberation, the chair may call for a vote of the committee recommending the legislation to the full council with a negative, positive, or neutral recommendation. Any legislation which receives a majority vote of the members present shall be presented to the full council for vote with said recommendation. The legislation, if amended, shall be presented as amended to the full council for vote.
8. The committee may also hold or table any legislation in committee by vote. A motion to hold should, whenever practicable, include a specified time period or condition upon which the legislation will be before the committee for reconsideration and must be approved by a majority of the committee members present. A motion to table must be approved by a majority of the committee members present. A motion to untable the legislation must be approved by a vote of two-thirds of the seated members of the committee.
9. When a committee has recommended legislation to the full council for a vote, the chair of said committee shall make a report to council regarding the deliberations of the committee prior to the vote.

G. Public Hearings

1. Public hearings are formal proceedings of council that shall be approved by a majority of the seated members of council upon presentation of a motion that shall include the date, time, place, and purpose of the public hearing. The motion shall also detail the process for the hearing including the procedure for public testimony.
2. Public hearings are limited to those matters affecting public business within the jurisdiction of council.
3. Once approved, unless provided for by the Municipalities Planning Code, the public hearing shall be publicly advertised by a posting no later than five (5) days in advance in a newspaper of general circulation. The notice must contain the date, time, place, and purpose of the hearing. Copies of the public hearing agenda shall be made available at the public hearing.
4. The president shall preside over the hearing or appoint a presiding officer. The decision as to whether testimony shall be transcribed is at the discretion of the president.
5. Individuals wishing to speak must be registered prior to the meeting in accordance with the rules governing public comment at council meetings. Speakers invited by council are considered to be registered. Written testimony will be accepted up to five (5) calendar days after the final session of the hearings. The written testimony will be filed with the record of the hearing.

H. Executive Sessions

1. Council may hold executive sessions in accordance with the provisions set forth in the Pennsylvania Sunshine Law. It shall be the purview of the president to call for an executive session, or for the manager to request the same. Additionally, any member may move for an executive session which shall be convened if approved by a majority of the seated members of council. The executive session may be held prior to, during, or at the conclusion of an open meeting, or may be announced for a future time. The date and reason for holding the executive session must be announced at the regular meeting of council occurring prior to the executive session, or at the next regular meeting of council occurring after the executive session.
2. If the executive session is not announced for a future specific time, or called and held during the course of a meeting, members of council shall be notified twenty-four (24) hours in advance of the time of the convening of the meeting, specifying the date, time, location, and purpose of the executive session. Council shall take no official action on any matter in an executive session. Council may, during the course of a regular meeting, recess that meeting and convene an executive session with an affirmative vote of the seated members of council. Council may reconvene the regular meeting following the executive session.

I. Public Participation and Comment

1. To be eligible to speak before council, each prospective speaker must either e-mail, call or speak directly with the manager at least 24 hours before the scheduled start of the meeting at which he or she desires to speak. At a minimum, the prospective speaker must provide their name, address, phone number, date of meeting at which they wish to speak, and the agenda item or subject matter they wish to address.
2. The manager will inform the speakers of their place on the agenda and inform the council of the names of the speakers and the topics to be addressed.
3. Speakers wishing to address agenda items will be provided opportunity to comment prior to council's consideration of scheduled business. Speakers wishing to address non-agenda items will be provided opportunity to comment following the business portion of the meeting, prior to adjournment. The president and council reserve the right to alter the length of time for comment, the length of the comment period, and to schedule any overflow from such changes to another date. It shall be within the discretion of the president to allow comment from non-registered speakers.
4. Speakers may not allocate or defer their scheduled time to another speaker. A speaker's unavailability to proceed at the time his or her name is called will result in cancellation of the opportunity to speak at that meeting. The president may waive this rule in individual circumstances.
5. All remarks must be related to the issue and are limited to three (3) minutes. The manager shall be responsible for clocking this time and alerting the president and speaker when the time has expired. The speaker is responsible for any type of audio-visual equipment or other visual or auditory aids, if needed for their presentation. The manager shall be advised of the use of such equipment or aids in advance of the start of the meeting, and shall also be given a copy of items, as appropriate, for public posting. All remarks should be made to the council as a body and addressed through the president and not to a particular council member.
6. If submitting written testimony that will be presented or to supplement their oral testimony, speakers are required to provide ten (10) copies of said testimony to the manager prior to the start of the meeting. Testimony is not to be disseminated to council by the speaker.
7. The president shall maintain order in all matters during the public comment portions of the meeting. No speakers shall be allowed to use vulgar or offensive language, make slanderous remarks, or refuse to leave the podium after the allotted time. The president may rule any speaker doing so out of order and shall instruct the speaker to

be ejected from the meeting. If ruled out of order, that speaker shall be barred from further speaking at that meeting unless a majority vote of the council allows.

8. At the discretion of the president, persons offering public comment may be invited to present their commentary to a council committee that is charged with the responsibility for the issue being addressed.

J. Regular Meeting Procedure

1. Quorum – A majority of seated members of council shall constitute a quorum necessary to transact official business. A quorum must be present at the meeting site to transact official business. Any council member arriving after the roll call has been completed shall be recorded by the manager as “Present, late” and at what point in the agenda the member was seated shall also be recorded. A council member who has answered roll call at any regular meeting of the council shall not be permitted to absent himself from such meeting without notifying the president or other presiding officer and the time of her or her departure shall be noted for the record. If a quorum is present, the president or presiding officer shall proceed with the order of business prescribed for the meeting.
2. Lack of Quorum – If, upon the call of the roll, a quorum is not present, the president or presiding officer shall order a recess for the period of not more than thirty (30) minutes. If a quorum is not present at the conclusion of the recess, the president or presiding officer shall declare the meeting canceled.
3. Loss of Quorum – If, in the process of a meeting, it is determined that a quorum is not present, all business shall automatically stop. The council may, by majority vote of those in attendance:
 - i. Fix another day at which to reconvene;
 - ii. Adjourn and return at the next regular meeting;
 - iii. Recess for not more than 30 minutes. If a quorum is not present at the conclusion of the recess, the president or presiding officer shall declare the meeting cancelled.
 - iv. The names of those members present and their decision shall be recorded in the minutes, stating a quorum was not present and the time set for another meeting. If a day other than the next regularly scheduled meeting date is chosen, notice of such meeting shall be posted prominently in the municipal center, on the Harrisville Borough website and on the borough’s social media accounts.

4. Participation by Telephone – Those council members wishing to participate in a regular or special meeting of council must notify the manager no later than 12:00 noon on the day of the meeting. The number of council members who may participate by phone at any one meeting is limited to three. Phone participation will be via speakerphone in the council chambers. Any council member who wishes to participate by telephone must have his or her call connected no later than five minutes after the start of any meeting in order to take part in any vote or be recognized by the presiding officer.

K. Parliamentarian & Parliamentary Authority

1. The borough solicitor shall act as parliamentarian. Robert's Rules of Order shall serve as parliamentary authority for all council proceedings not otherwise covered by these rules or other applicable law.

L. Conduct of Business

1. The manager shall read the titles of ordinances, resolutions, and motions contained on the agenda and announce all decisions of the borough council.
2. The manager shall publicly acknowledge that correspondence accompanying a veto by the mayor of a previously approved bill has been received and will publicly acknowledge any ordinance that has been previously approved by council but not returned within seven (7) days by the mayor, or returned unsigned.
3. The president or presiding officer shall decide all questions of order without debate. Any ruling by the president or the presiding officer may be overruled by a motion approved by a majority of the members present.

M. Decorum in Meetings

1. Robert's Rules of Order shall serve as the determinant of proper decorum.
2. Proper decorum shall be maintained while the president is speaking, while a citizen is speaking, or during a voting procedure.
3. A council member who has the floor shall refrain from dealing in personalities and impugning the motives of others. Reference to other members of the council shall be by proper title, i.e. Mr. Chairman, the last council member who spoke, the last citizen who spoke, or the former speaker.
4. Council members shall confine their remarks to the question before the council. If any council member was absent from a committee meeting where a particular subject was discussed, that council member shall be recognized for debate on that subject

only twice. Any debate beyond the two opportunities shall be at the discretion of the president. This rule shall not apply to the sponsor or committee chair.

5. If a council member expresses a conflict of interest, the member shall state the conflict and refrain from further participation in the matter.
6. No member shall be permitted to conduct discussion on a bill during voting, or to explain his or her vote, except for an abstention, in which case the member shall be permitted to explain the reason for the abstention.
7. When a speaker is called to order by the president, that person shall relinquish the floor immediately until the question of order is resolved.
8. Unless previously scheduled according to the procedures set forth for scheduling public comment contained within Article II (I), no person shall address the council unless invited by a council member with the approval of the majority vote of the members present.
9. If any council member, in speaking or otherwise, transgresses this ordinance regarding decorum, the president or presiding officer, or any member through the president or presiding officer, shall call that council member to order, in which case the council member shall immediately fall quiet unless permitted by the council to explain. The council, upon appeal, shall decide the case without debate. If the decision is in favor of the member, the member may proceed. If the case requires, the member shall be liable to censure or other punishment as the council deems proper.
10. Censure by council is a formal motion reprimanding a person for conduct that falls below the guidelines established in this ordinance.

N. Amendments

1. Motions, ordinances, and resolutions may be amended by an affirmative vote of the majority of the seated members of council. All amendments offered to any proposed ordinance or resolution shall be presented in written form, with a clear indication that an amendment is being offered and noting all sponsors of the amendment, to the council members before the final vote is taken on the bill.

O. Recording of Minutes & Voting

1. At all regular, special, committee, and emergency meetings, the manager shall be responsible for maintaining a record of all votes, minutes, and meeting summaries. Minutes shall include the date, time, and place of the meeting, the names of members present, the substance of all official actions and a record by individual member of the roll call taken, the names of all citizens who appeared officially, and the subject of

their testimony. Corrections of the minutes may be made by a simple majority vote of the members present at the council meeting at which said minutes are on the agenda for approval.

2. All proposed motions, resolutions, and ordinances introduced to council for a final vote shall be passed by an affirmative vote of the majority of the seated members of council, unless otherwise provided for by this ordinance, the Borough Code, or other applicable law.
3. When any action item, upon its final presentation, receives the affirmative or negative vote of a majority of the council members present, but not a majority of the seated members, such bill shall be considered held, and may be called up for further action at the same or any subsequent meeting by an affirmative vote of the majority of the seated members of council.
4. The president or presiding officer, may call for a voice vote on any motion or appointment. If the vote is not unanimous, a roll call vote must be taken.
5. Roll call votes shall be called alphabetically by member with the president or presiding officer being last. Once a vote has been called for, all comments shall cease. The manager shall read the motion, resolution, or ordinance title and conduct the vote.
6. Voting by secret ballot is prohibited.
7. A council member may abstain from voting only when the abstention is accompanied by a written explanation.
8. The manager shall repeat all motions made from the floor, conduct the vote, and announce all decisions of council. The president or presiding officer shall decide all questions of order without debate, subject to an appeal by any member. Any ruling by the president or presiding officer on a point of order may be overruled by a majority of members present.

III. COUNCIL AGENDAS

A. Preparation of Agenda

1. The agenda for regular or special meetings of council shall be prepared by the manager in consultation with the president, or in his or her absence, the Vice-president or appointed presiding officer.
2. The agenda shall include the following items:

- i. Proclamations, motions, resolutions, and ordinances, requested in writing, by any member of council;
 - ii. Presentation of appointments, made in writing;
3. The manager shall have available prior to the meeting a record of all matters to be presented at the meeting. The record shall consist of an agenda, copy of all ordinances and resolutions, appointments to be considered as well as other matters needing advance consideration. The date and time of the meeting shall be clearly stated on the agenda.

B. Order of Agenda Items

1. The order of business for each regular meeting of council shall be as follows, unless a majority of the seated members of council votes otherwise:
 - i. Call to Order
 - ii. The Pledge of Allegiance
 - iii. Roll Call
 - iv. Presentation of Proclamations
 - v. Report by the Mayor
 - vi. Liaison Reports
 - vii. Approval of Minutes
 - viii. Public Comment on Agenda Items
 - ix. Report of the Borough Manager
 - x. Official Action on Regular Business of Council: Reports of Committees and Ordinances, Resolutions and Motions
 - xi. Discussion Items: New Business of Council including Ordinances, Resolutions and Motions
 - xii. Public Comment on Non-Agenda Items
 - xiii. Adjournment

C. Procedure for Placing Items on the Agenda

1. All items to be included on the agenda must be submitted in written and electronic form to the manager no later than 12:00 noon the Thursday prior to a regular meeting of council in the format prescribed by these rules.
2. All pieces of legislation shall include a title that clearly indicates the purpose of the legislation. Legislation amending existing law shall also be noted as such in the title. All pieces of legislation shall include severability and repealer language and an appropriate page for enactment information, signatures and attestation as provided by the manager.
3. Legislation amending existing law shall be presented by utilizing Microsoft Office Tools-track changes to indicate language that is being omitted and inserted. Amendment may also be reflected by providing the language within the existing law, followed immediately by noting the language that would replace it. If utilizing this option, sponsors should also submit the existing law to the manager for reference.
4. Each piece of legislation shall state the sponsor of the legislation. If a council member is the sponsor of legislation and wishes to list another member as co-sponsor, the co-sponsor must communicate this to the manager. If a member wishes to co-sponsor another member's legislation, the sponsor has the option of accepting or rejecting co-sponsorship and must communicate this to the manager.
5. All new items shall be brought up under discussion items and shall be potentially referred to committee for further discussion and action.

D. Non-Agenda Items

1. The council may take action on ordinances and resolutions not appearing on the posted agenda under any of the following conditions:
 - i. Legislation resulting from an emergency situation;
 - ii. Upon determination by the president or the presiding officer that there is a need to take immediate action and that the need to take action came to the attention of the council subsequent to the agenda being posted;
 - iii. Council members may introduce items not on the agenda by motion. The motion may be acted upon by the council, referred to committee, or by majority vote of council, postponed to another meeting. Items not on the agenda may only be voted on at the same meeting by a two-thirds vote of the seated members of council.

E. Posting of Agendas

1. The agenda for any regular or special meeting shall be made available to the public no later than twenty-four (24) hours prior to the stated regular or special meeting. In addition, the agenda for the stated regular or special meeting shall be posted in a conspicuous place in the municipal center and on the Harrisville Borough website.

IV. LEGISLATION & LEGISLATIVE ACTION

A. Legislation

1. Council shall take official action by motion, ordinance, or resolution. All legislation must be submitted to the manager in the proper format as determined by this ordinance. All ordinances with the exception of general appropriations ordinances shall contain no more than one subject, clearly expressed in their titles. All ordinances shall be presented in one of the following forms:
 - i. Ordinance – An ordinance is the most formal of the actions presented to council. Council members may sponsor ordinances and present them to the council in writing. Public notice must be given of the introduction and it must be read by title at two (2) general or special meetings of council separated by at least seven (7) days.
 - ii. Resolution – A resolution is a formal, written request for council consideration sponsored by council members. Introduced in written form, resolutions must be identified on the agendas of convened meetings of the council. Public notice must be given of the introduction and it must be read by title at two (2) general or special meetings of council separated by at least seven (7) days.
 - iii. Motion – Motions shall be formal requests for some specifically identified action, or shall express the sense of council on specifically identified subject matter. Motions shall not require public notification prior to passage, or second or subsequent readings. A motion is adopted or defeated by simple majority vote of the seated members of council. The order of motion is governed by Robert's Rules of Order.
 - iv. Amendments – Any member may move to amend legislation provided that the proposed amendment is germane to the subject of the original legislation. Amendments to ordinances and resolutions must be presented in writing. If amending existing law, such amendment shall indicate present language to be omitted and new language to be inserted pursuant to the provisions of this ordinance. Amendments to formal motions may be presented orally upon the consent of the sponsor to amend. Amendments made by committee shall not

be subject to subsequent approval by the council, but nothing shall preclude the amendment of such legislation on the floor.

- v. **Emergency Ordinances & Resolutions** – Emergency ordinances and resolutions may be introduced by the mayor, borough manager or council members and shall contain a declaration that an emergency exists and clearly describe the emergency in specific terms. Emergency ordinances and resolutions must be accompanied by a motion to waive the second reading, may be adopted by a majority vote of council without prior notice, and may be effective immediately. All emergency resolutions and ordinances shall expire after thirty (30) days unless re-enacted by a formal vote of council at a general or special meeting. After initial adoption of an emergency ordinance or resolution, the manager shall follow the publication requirements for other legislation.
- vi. **Proclamations & Certificates** – Proclamations and certificates are ceremonial acknowledgements, sponsored by a council member, whereby council recognizes some event, person, or group for an activity or outstanding achievement. Council members wishing to sponsor a proclamation or certificate must provide all information needed to compose the document to the appropriate staff person three (3) days prior to the date it is needed. Council members may read the proclamation or certificate into the record, present it at a function other than a council function, or send it to the recipient. If the proclamation or certificate is to be presented during a council meeting, the deadlines established to place items on the agenda apply. If information is not available, and the appropriate staff person needs to contact someone, a reference person and telephone number should be given well in advance of the date that the proclamation or certificate is needed.
- vii. **Appointments** – Council shall receive letters of intent for appointments to boards, authorities, commissions, and other units of borough government at a regularly scheduled meeting of council. Recommendations shall be submitted to the manager in letter form, addressed to all members of council, and shall contain no more than one name. The letter shall include the name, address, and phone number of the candidate, the term of office for which the candidate is interested, and the name of the person the candidate will replace. Upon presentation of the appointment, the legislation will be referred to the appropriate committee including advisory boards and committees for deliberation where all candidates will be interviewed, and the committee shall make a subsequent recommendation to the full council. Council must, by motion, act to confirm or reject appointments within forty-five (45) days or the appointment shall be effective as though council had confirmed it.

B. Legislative Action

1. No ordinance or resolution shall be considered until it is given a first reading, referred to a committee, reported on by the committee, and a given second reading, unless:
 - i. A motion to waive the second reading is approved by two-thirds of the seated members of council;
 - ii. A motion to pull a bill from committee is approved by two-thirds of the seated members of council, if such motion is made fewer than sixty (60) days from the date of the first reading of the bill; or
 - iii. A motion to pull a bill from committee is approved by a majority of the seated members of council, if such motion is made after sixty (60) days from the date of the first reading of the bill.
2. All proposed motions, resolutions, and ordinances introduced to council for a final vote shall be passed by an affirmative vote of the majority of the seated members of council unless the legislative action requires an affirmative vote of two-thirds (2/3) of the seated members of council, as follows:
 - i. A motion intended to override a veto by the mayor; or
 - ii. A resolution to authorize inquiries and investigations.
3. In lieu of a vote of approval, council may hold any piece of legislation until a future designated time by an affirmative vote of a majority of the seated members of council. All motions to hold must contain a specified time period or condition upon which the bill will be brought before the full council for reconsideration.
4. Council may also table any piece of legislation by an affirmative vote of a majority of the seated members of council. An affirmative vote of two-thirds (2/3) of the seated members of council is required to untable a bill.
5. All proposed motions, resolutions, and ordinances may be withdrawn by the primary sponsor or primary sponsors at any time before a vote is called. For the purposes of this section, a "primary sponsor" shall be defined as any council member who participated in the request for a bill to be drafted. Any council member requesting to be added as a sponsor after a bill is either (1) circulated to the full council for co-sponsorship or (2) placed upon the agenda for introduction shall be deemed to be a co-sponsor.

V. **BUDGET PROCESS**

The borough budget year is coterminous with the calendar year. Balanced operating and capital budgets for the next fiscal year must be adopted by council before the end of the current fiscal year. The ordinance shall also set the rates for penalties and interest on all current borough real estate taxes which remain unpaid after the due date.

- A. Budget Workshops – The Finance & Legal Committee shall hold a minimum of two (2) budget hearings at which borough officials, the borough manager and, as directed by the borough manager, directors and staff will present their request for appropriation for the next fiscal year and answer questions of the committee. Time will be allotted at each workshop for the public to address the committee. The workshops must be held at least two (2) weeks prior to the adoption of the budget.

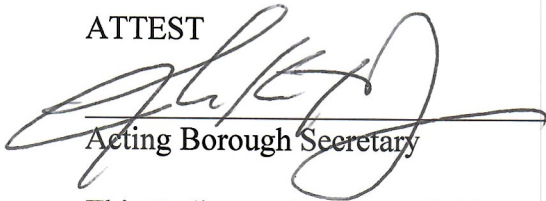
VI. AMENDMENTS AND WAIVER OF THE RULES

- A. All amendments to this ordinance shall be in written form and provided to all seated members of council in advance of any such vote. Any amendment must receive an affirmative vote of the majority of the seated members of Council.

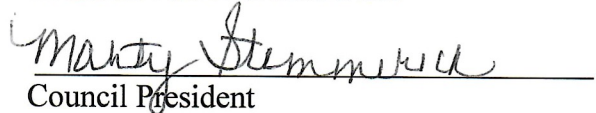
This Ordinance shall become effective immediately.

ORDAINED AND ENACTED into an ordinance this 7th day of February, 2022.

ATTEST


Acting Borough Secretary

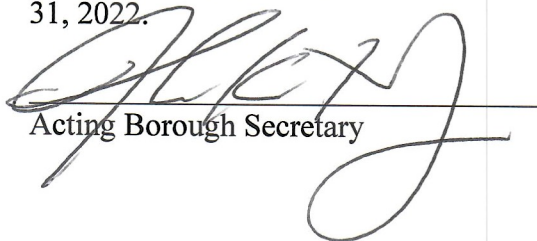
HARRISVILLE BOROUGH


Council President

This Ordinance is approved this 7th day of February, 2022


Mayor, Harrisville Borough

I hereby certify that the foregoing ordinance was fully enacted and approved as set forth at the meeting of Council held on February 7th, 2022, and before approval, was advertised in the Butler Eagle, a newspaper of general circulation in the municipality of Harrisville Borough on January 31, 2022.


Acting Borough Secretary

