



Established 650 A.D. Settled 1880 Incorporated 2018

Town of Bluff 190 N. 3rd East #1, PO Box 324, Bluff, UT 84512 [www.townofbluff.org](http://www.townofbluff.org)

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## Town of Bluff

### Rules of Order and Procedure

Pursuant to Utah Code 10-3-606 the Town of Bluff ("Bluff") hereby adopts the following rules of order and procedure to govern the meetings of the Bluff Town Council ("Town Council").

#### Part I. Applicability

**Rule 1.** The effective date of these Rules of Order and Procedure is **September 6, 2018** and remain effective until amendment or modification.

**Rule 2.** The Rules will be available to the public at each meeting and on the town's public website. [Utah Code 10-3-606](#)

**Rule 3.** In addition to these Rules, the Town Council shall comply with all of the required procedures contained in the Utah Code.

#### Part II. Meeting Types

**Rule 4. Regular and Special Council Meetings.** [Utah Code 10-3-502](#)

(A) The town council shall:

- (1) by ordinance publish and prescribe the time and place for holding its regular meeting, subject to Subsection (A)(2); and
- (2) hold a regular meeting at least once each month.

(B) The mayor of Bluff or two council members may order the convening of a special meeting of the council.

(1) Each order convening a special meeting of the council shall:

- (a) be entered in the minutes of the council; and
- (b) provide at least three hours' notice of the special meeting.

(2) The town recorder or clerk or the delegated council member shall serve notice of the special meeting on each council member who did not sign the order by email *and* by delivering the notice personally or by leaving it at the member's usual place of abode.

(3) The personal appearance by a council member at a special meeting of the council constitutes a waiver of the notice required under Subsection (B)(2).

**Rule 5. Business of Governing Body Conducted Only in Open Meeting.** [Utah Code 10-3-601](#). All meetings of the governing body of Bluff shall be held in compliance with the provisions of Title 52, Chapter 4, Open and Public Meetings Act. [Utah Code 52-4](#)

**Rule 6. Quorum Defined.** [Utah Code 10-3-504](#)

- (A) The number of council members in Bluff's five-member (5) council necessary to constitute a quorum is three (3).
- (B) A council member or the mayor may electronically participate in the meeting and that person's appearance shall be counted in the quorum. The meeting cannot be chaired by any person who is electronically participating. Arrangements to electronically participate should, to the extent possible, be made 24 hours in advance of the meeting.

## **Part III. Meeting Procedures**

**Rule 7. Role of Presiding Officer**

- (A) The mayor shall open and introduce items on the agenda in order, unless the mayor feels like there is a good reason to go out of order or there is a request to do so made by another council member.
- (B) If the item is one that requires discussion, the council members can consider the item in a polite, civil, free-for-all type exchange of ideas for as long as they feel necessary.
- (C) The mayor may or may not, at his or her discretion, allow members of the public or staff to participate in the discussion.
- (D) When the mayor thinks the discussion has gone on long enough, and the item is one that requires a decision of the council, the mayor can ask for vote on the matter.
- (E) Any council-member who has had enough of the discussion, can at any time also ask the mayor to either move on to the next item or call for a vote on the item. If a majority of the others on the council agree, the mayor shall call for a vote or move on to the next item as appropriate. No formal motions or seconds are required or necessary.

**Rule 8. Procedure for Proposing and Disposing of Motions**

1. Be recognized by the mayor or chair.
2. State the motion ("I move that . . .").
3. Second the motion. If the motion is not seconded it is a "failed motion."
4. Mayor or chair opens it up for discussion during which time the motion may be modified.
5. Vote.
6. Mayor or chair announces outcome.

**Rule 9. How the Vote is Taken.** [Utah Code 10-3-506](#)

- (A) A roll call vote shall be taken and recorded for all ordinances, resolutions, and any action which would create a liability against the town of Bluff and in any other case at the request of any member of the governing body by a "yes" or a "no" vote and shall be recorded.

(B) Every resolution or ordinance for consideration shall be in writing and provided to the other council members at least 24 hours before the vote is taken.

**Rule 10. Minimum vote required.** [Utah Code 10-3-507](#)

- (A) The minimum number of yes votes required to pass any ordinance or resolution, or to take any action by the council, unless otherwise prescribed by law, is a majority of the voting members of the council, without considering any vacancy in the council.
- (B) Any ordinance, resolution, or motion of the council having fewer favorable votes than required in this section is defeated and invalid.
- (C) An ordinance will be separately adopted concerning votes required for debt and the transfer of assets and real property.
- (D) Notwithstanding Subsection (B), a council meeting may be adjourned to a specific time by a majority vote of the council even though the majority vote is less than that required in this section.
- (E) A majority of the council members, regardless of number, may fill any vacancy in the council as provided under [Utah Code 20A](#).

**Rule 11. Reconsideration.** [Utah Code 10-3-508](#)

Any action taken by the governing body may not be reconsidered or rescinded at any **special meeting** unless the number of members of the governing body present at the special meeting is equal to or greater than the number of members present at the meeting when the action was approved.

## **Part IV. Agenda**

**Rule 12.** The agenda for the meeting will be the guide to the meeting.

**Rule 13.** Items may be placed on the agenda 36 hours prior to the meeting by either the mayor or a council member.

**Rule 14.** While matters not on the agenda may at times come up for discussion, time permitting, the mayor may allow discussion.

**Rule 15.** The agenda shall not be changed after the agenda is posted and no action shall be taken on any matter not on the agenda.

## **Part V. Conduct**

The mayor and council members shall treat each with respect and act at all times during the meeting in a civil and courteous manner to each other and the public. Discussion of other member's motives is not allowed. A separate code of conduct for the town council and the public will be separately adopted.

