

SECTION I GENERAL AUTHORITIES AND APPLICABILITY

Rule 1.0 **Rules of Council:** These Rules of Council apply when not in conflict with the codified ordinances of the Village of Richwood or the Rules of the State of Ohio. Until such time as they are amended or new rules are adopted by Resolution, these Rules govern the order and conduct of business of the Council.

Rule 1.1 **Violation of Rules:** During legislative body meetings, any member who thinks the Rules are being violated may make a point of order to call for the presiding officer to enforce the Rules.

Rule 1.2 **Review of Rules:** Council shall review and revise these Rules at least annually, or as needed. An annual review that requires amendment(s) to the Rules of Council shall be presented as a One Reading Resolution presented to Council by the first regularly scheduled Council Meeting in March. Any changes will be in effect immediately following the passage of the One Reading Resolution supported by a majority of Councilmembers. If the changes are not approved by a majority of members, the existing Rules of Council shall remain in effect.

Rules of Council may be adopted, amended or repealed at any time as deemed necessary by Council by Resolution (one reading only) by a majority vote of Council.

Rule 1.3 **Items not Addressed in the Rules:** To the extent these Rules do not address an issue of parliamentary procedure for legislative body meetings, Roberts Rules of Order shall apply.

SECTION II RULES AND PROCEDURES OF VILLAGE COUNCIL MEETINGS

Rule 2.0 **Meeting Time and Dates:** The day and hour of the regularly scheduled Village Council meetings shall be as set forth in the Village of Richwood Codified Ordinances.

Rule 2.1 **Emergency Meetings:** The President, or majority of the Councilmembers, may call an Emergency Meeting by providing 24 hours (when practicable) advance notice of meeting to all members and to all required media outlets during or outside of a public meeting.

Rule 2.2 **President:** The officer of Council shall be the President, who shall be elected by a majority of Councilmembers present which shall take place at the first meeting in January and begin acting immediately following the close of the meeting. Vote shall be taken by roll call vote. If there is a tie vote for the President, the current President shall continue to serve until the tie can be broken.

The President shall serve one-year terms and may serve consecutive terms.

Rule 2.3 **Order of Business:** The order of business of Village Council meetings shall be set forth by an agenda as presented by the Village Fiscal Officer at the start of each meeting.

Rule 2.4 **The Public Addressing Village Council:** Anyone, other than a Councilmember, may address the Council by the consent of the presiding officer and shall be limited to five minutes unless approved by a majority of the Councilmembers present. Members of the public must approach the podium when recognized by the presiding officer and speak only from the podium. While members of the public may speak their opinions on Village business, personal attacks on Councilmembers and Village officials, use of swear words, and signs or displays of disrespect for individuals are prohibited as they impede good communication with the Council. When the

public addresses Village Council, it is not intended to be a dialogue where Council or Administration respond back and forth with the speaker.

In further interest of time, speakers may be asked to limit their comments to new information and not repeat what prior speakers said.

Rule 2.5 **Voting and Abstention:** Each member of Council shall be required to vote upon all questions before the Council unless a member abstains due to a conflict of interest. An abstention reduces the number of members of the legislative body by the number of Councilmembers who abstain.

Rule 2.6 **Quorum:** A majority of all members of Council shall be considered a quorum for the conducting of business, and a majority vote of all members of Council is necessary for the passage of ordinary legislation. If a lesser number is present than is needed to have a quorum, those present shall adjourn and meet at the next regularly scheduled date and time.

SECTION III LESIGATION: RESOLUTIONS AND ORDINANCES

Rule 3.0 **Resolution:** A Resolution is the formal, written enactment of a municipal legislative authority of a less permanent nature, not prescribing any permanent rules of conduct and usually required or applied to the preliminary declaration of legislative intent to be effectuated by the subsequent passage of an Ordinance, or for the disposition of a specific matter not required by statute or charter provision to be done by Ordinance.

Resolutions which do not involve the expenditure of money may be adopted by a majority vote of the members of Council following a single reading by title only, and such Resolutions shall become effective immediately upon their adoption. However, if passed by a majority vote of members present, such Resolutions may also be read at a second and/or third subsequent meeting. Resolutions which involve the expenditure of money shall require three readings on three separate days, unless a reading has been dispensed with by a three-fourths vote of all members of Council.

Rule 3.1 **Ordinance:** An Ordinance is the formal, written enactment of the legislative authority of a municipality in the exercise of a governmental power vested by the Constitution or statutes in the municipality for the regulation of the conduct of its citizens or others subject to its control, and intended to be of permanent duration.

A. On First Reading

- a. Legislation is introduced to Council and the public.
- b. Administration and Council comments are heard.

B. On Second Reading and Public Hearing

- a. Legislation may be read in full and comments from the Administration, Citizens and Council are heard.

C. On Third Reading

- a. Legislation shall be voted on for passage by Council.

Exception 1: Pursuant to the Village's Codified Ordinances, a public hearing must be held for all zoning amendments, which because of notice requirements, may be held at Council's Third Reading.

Exception 2: There may be exceptions where a citizen's comments may be heard at 3rd Reading. Citizens wishing to speak at 3rd Reading are required to contact the Village Council in advance of the meeting, and may only be heard with the consent of the presiding officer.

Rule 3.2 **Three Readings:** No Ordinance or Resolution shall be passed until it has been read on three separate days, unless the reading on three separate days has been dispensed with by a three-fourths vote of all members of Council. An exception to this rule is a Resolution which does not involve an expenditure of money, to which there is only one reading.

Furthermore, all Resolutions and Ordinances shall be read by title only unless Council, by majority vote of all its members, requires a reading in full.

At the second reading, comments from the public shall be heard.

As an exception to the forgoing, matters of condolence, commendation, recognition, proclamation, or congratulations shall be read in full, adopted by voice vote, and upon acceptance by Council, shall be included in full in Council minutes.

Rule 3.3 **Referral to a Committee, Board or Commission on First Reading:** All Ordinances and Resolutions shall be read by title only the day when introduced. Such legislation may be referred by the presiding officer to a legislative body or may be referred by a vote of three members of Council. Such referral shall be reported back to Council on a date certain determined at time of referral, where it shall be heard on second reading. The legislative body so referred shall, after due consideration, report the same back with or without proposed amendments and with recommendations for approval or disapproval. Written reports, including a minority report, if any, may be prepared and given to the Village Council in time to be placed in Council's packet for the next regularly scheduled meeting.

Rule 3.4 **Referral to Committee, Board or Commission on Second or Third Reading:** Any pending legislation that is on the table for 2nd or 3rd Reading may, by a vote of a majority of the members present on Council, be referred to any legislative body under these rules, or to any appropriate legislative body designated in the motion to refer. When referred back to the Council, such legislation shall have the same standing as it had at the time when referred.

Rule 3.5 **Amendments:** It shall be in order to amend an Ordinance or Resolution at any time when not in the hands of a legislative body; but if amended on or after its second reading, it shall again be read as the second reading thereof, which may occur at the same meeting. Errors in copying or writing, apparent on the face of an Ordinance or Resolution, or which do not affect its substance, may be corrected by the Village Council without a Motion to Amend. A majority vote of Councilmembers present shall be necessary for the adoption of an amendment to any legislation pending before the Council.

Section IV MOTIONS

Rule 4.0 **Purpose and Form:** Motions shall be used only to expedite the orderly transaction of the business of Council and shall not be substituted for Resolutions or Ordinances. No second shall be required for any motion except as specifically provided for in a rule. Upon demand of the presiding officer, any motion shall be reduced to writing. Any such motion may be withdrawn by the maker before it has been amended or voted upon. When a motion is made, it shall be stated by the presiding officer before any debate shall be in order. All motions shall be included in the minutes.

RULE 4.1 **Motion to Adjourn into Executive Session:** After a motion to adjourn into Executive Session, there must be a second to the motion.

SECTION V COUNCIL CORE VALUES

Rule 5.1 Under the authority of the Ohio Revised Code, Village Council establishes the grounds and process for the expulsion of a Councilmember from office.

Rule 5.2 **Grounds for the Expulsion from Office:** A councilmember may be expelled from office upon determination that the councilmember:

Rule 5.2.1: while in office has pled guilty or no contest to or has been convicted of a felony while in office;

Rule 5.2.2: while in office has pled guilty or no contest to or has been convicted of any crime of moral turpitude, violence, fraud or dishonesty;

Rule 5.2.3: while in office has pled guilty or no contest to or has been convicted of any crime of involving dereliction of duties as a Councilmember;

Rule 5.2.4: has failed to attend at least four consecutive regularly scheduled meetings of Council without being excused by Council;

Rule 5.3 **Notice and Public Hearing:** Upon Council's finding that grounds exist under Rule 10.2 which subject a Councilmember to expulsion of office, the President of Council shall instruct a designated council representative to notify the Councilmember of Council's findings. The Council Representative shall further ensure that the Councilmember receives such notice in writing. A member so notified shall receive a public hearing before Council to be held no earlier than 10 days nor later than thirty days after notice of such findings has been received. This public hearing may be held during a regularly scheduled or a special Council meeting.

Rule 5.4 **Final Determination:** Council shall make a final determination by motion to approve the expulsion of the Councilmember from office. The Councilmember subject to expulsion of office shall be entitled to vote. A vote of two thirds of all Council Members is required to pass the motion. Upon passage of the motion, the office shall be deemed vacant, and Council shall fill the vacancy in any legally permissible manner.

LEGISLATIVE HISTORY

- The above rules of Procedure were adopted at the January 22, 2024 meeting of the Village Council.

Rule 6 - Council Vacancies

When the office of a member of Council becomes vacant, the vacancy shall be filled by election by Council for the unexpired term. If Council fails to act within thirty days to fill such vacancy, the Mayor shall fill the vacancy by appointment. (R.C. § 731.43)

The thirty day period commences either on the effective date of the member's resignation, the date of the member's expulsion or the member's date of death.

Whenever a vacancy exists in the membership of Council, the Clerk-Treasurer shall notify the local newspaper within 5 days that such vacancy exists and that the Mayor and Council will accept applications from qualified citizens who desire to fill the vacancy. Such notification shall also be posted on all public bulletin boards in the Village. Appointments to the above vacancies shall not be restricted to only applicants responding to published notices. Council will, at its discretion, conduct individual interviews for the position at a special meeting in executive session prior to the thirty-day deadline. Appointment will be made by open Council meeting motion, second. Whichever person receives a majority vote of Council Members shall be the new Council Member.