PCR-40-20
Sub A

THE CITY OF WARWICK
STATE OF RHODE ISLAND

RESOLUTION OF THE CITY COUNCIL

NO.....R-21-49..... DATE.....4-8-21.....

APPROVED.....MAYOR

A RESOLUTION IN REGARDS TO AMENDING THE CITY COUNCIL RULES

Resolved that,

Resolved that,

WHEREAS, the City Council previously adopted rules for the 2021-2022 session via PCR-1-21; and

WHEREAS, the City Council hereby wishes to amend the previously adopted rules where indicated below:

The following Rules are hereby adopted as the Rules of the Warwick City Council for the ensuing term 2021-2022.

ORGANIZATION

RULE 1: The President shall preside over meetings of the Council. In the absence of the President, the President Pro-Tempore shall preside and shall exercise all the powers, and perform all the duties, of the President.

The President shall preserve decorum and order, and shall decide all questions and points of order subject to an appeal to the City Council by any one member, pursuant to these Rules and Robert's Rules of Order. No other business shall be in order until the question on appeal shall have been decided by the Council President, although said decision may be overturned by a majority of the members present.

RULE 2: A simple majority of all members of the City Council shall constitute a quorum. A lesser number of members of the City Council may convener from time to time and compel the attendance of absent members in such a manner and under such penalties as may be prescribed by Ordinance. Seating assignments of Council members on the Council floor for meetings during the term shall be determined and assigned by the Council President.

RULE 3: Biennially, members of the majority party shall elect from their membership a majority leader, and members of the minority party shall elect from their membership a minority leader.

RULE 4: The City Council is a continuing body, and unfinished business pending before it shall not lapse with the previous Council year. All pending business before the City Council, or any committee thereof, at the termination of any Council year, shall be considered as pending before the City Council, or the corresponding committee, for the next succeeding Council year, and may be acted upon or disposed of by the Council of such succeeding year in the same manner and with the same effect as if no change in such City Council had taken place.

RULE 5: Standing Committees of the City Council shall be immediately appointed after the organization of the City Government, the members of which shall hold office on such committees until the expiration of the period for which such members are elected to the City Council and until the expiration of the current municipal terms.

Each of the Standing Committees shall consist of three (3) members of the City Council, of which at least one (1) member thereof shall be a member of the party having a minority of the Council. Said three (3) members of Standing Committees of the City Council shall be appointed by the President of the City Council, and a list of the members appointed to each Committee shall be filed by the President with the City Clerk. The President shall name one (1) member as Chair and one (1) member as Vice-Chair, in the event that the Chair is absent or otherwise unable to perform his or her duties.

RULE 6: The Standing Committees are:

a. Finance Committees;
b. Public Properties, Land Use, and Community Affairs Committee;
c. Public Safety Committee;
d. Ordinance Committee;
e. Intergovernmental Relations Committee;
f. Appointments Committee;
g. Economic Development Committee;
h. Health, Education and Welfare Committee.

The several Committees shall consider all matters referred thereto and, in general, subject to the provisions of Rule No. 30 governing referral to the Committees. The Council President shall have the authority assign proposed resolutions or ordinances to Committees. For the purpose of this Rule, "consider" shall mean a vote on:

(i) A motion to report the resolution or ordinance to the Council with the recommendation of favorable action;
(ii) A motion to report the resolution to the Council with the recommendation of unfavorable action;
(iii) No recommendation; or

(iv) A motion to report the resolution or ordinance to the Council as being held in committee for further study for two (2) weeks or one (1) month.

No resolution or ordinance having been referred to any committee shall be tabled or held in committee indefinitely, and upon the written request of the principal sponsor of said proposed resolution or ordinance to the Council President, shall be discharged to the Council floor with one of the above recommendations for consideration and vote by the Council at the meeting scheduled two (2) months after the meeting at which the request was submitted.

The Committees shall have, respectively, the following suggested duties and areas of consideration:

Finance Committee

1. All reports of the Finance Director, City Treasurer, City Assessor and all matters relative to the City debt or to the revenue and expenditures of the City. It shall also be their duty to report to the Council their recommendations on such matters herein mentioned, including resolutions and ordinances.

Public Properties, Land Use and Community Affairs Committee

1. All matters relating to the maintenance, erection, location and repair of City property and buildings, the sale or exchange of tax title or surplus City property, the leasing of real and personal property by the City of Warwick.

2. All requests from various bureaus, fraternal or other organizations, and all matters relating to City playgrounds and recreation.

3. All matters relating to transportation of garbage, dumps, camps, and parks.

4. All matters relating to the use of land, building or buildings, location, construction, petitions for rezoning, applications for approval to alter wetlands under the Wetlands Act, so-called, and petitions to abandon public highways within the City.

5. All matters relating to the protection, development, regulation and use of the natural shore, harbors, and park resources of the City of Warwick.

Public Safety Committee

1. All matters relating to claims against the City arising from damage done by animals, damage to property or on account of injury to persons, and all matters pertaining to the Police Department.

2. All matters relative to street lighting and pole location, the Fire Department, the location of street hydrants and fire alarm signals, the extension of the water system, and the

storage of petroleum products, hydro carbons or other hazardous materials, including hazardous waste.

Ordinance Committee

1. All proposed ordinances, including matters which would otherwise be referred to another Committee, except ordinances relating to expenditure of City funds or financial matters.

Intergovernmental Relations Committee

1. Shall act as Council liaison between other City and State agencies such as the School Department, General Assembly, Charter Commission, or other agencies as required.

2. All matters relating to litigation, all matters relating to public service corporations and the relationship between Warwick and other cities and towns.

3. All matters relating to changes in the City Charter, but excluding those matters specifically relating to the City debt, revenue or expenditures of the City. All matters relative to the jurisdiction or operation of the Municipal Court.

Appointments Committee

1. Shall review all appointments requiring Council approval.

Economic Development Committee

1. All matters relative to job creation, establishment of new businesses or expansion of existing businesses in the City of Warwick, other than those matters under the jurisdiction of the Land Use or Finance Committees, and all matters relative to economic development.

Health, Education and Welfare Committee

1. All matters relative to health, education and public welfare issues affecting youth, elderly, veterans and other social issues impacting the citizens of the City.

RULE 7: The President and President Pro Tempore of the City Council shall serve ex-officio as members of all standing Committees, but shall not have any vote on Committee business, provided that, in the absence of a member of a standing Committee, the President Pro Tempore may serve on said Committee as a voting member, and provided further that in the absence of both a member of a standing Committee and/or the President Pro Tempore, the President may serve on said Committee as a voting member.

RULE 8: A written record of all Committee proceedings shall be maintained. All Committee meetings shall be called for the transaction of Committee business by the respective Chair of said Committees. The Chair shall call a meeting of any committee when a majority of the members of said Committee are present or request such a meeting.

RULE 9: From and after the time any member of any Committee of the City Council ceases to be a member of the City Council, the member shall thereupon case to be a member of any Committees of which he or she was a member at the time which his or her office was vacated. All vacancies on Committees caused by death, resignation, or temporary disability of a member, or any other cause, shall be filled by the President of the City Council.

RULE 10: Whenever a member of any Committee of the City Council shall be called into military service which may interfere with the member's duties as a member of such Committee, the President of the City Council may appoint another member thereof to act as a member of such Committee, pro tempore, and during the absence of such member, the member pro tempore shall exercise all the powers and be subject to all the duties of such absent member. The powers and duties of such pro tempore member shall forthwith cease whenever said original member shall report to the President and to the City Clerk that military duties will no longer interfere with duties as a member of such committee.

MEETING DOCKET

RULE 11: The order of business at Regular or Special Business meetings shall be as follows:

1. Executive Communications
2. Appointments
3. Consent Calendar
    a. Resolutions relative to bids
    b. Resolutions relative to traffic studies (see Rule 13(a))
    c. Omnibus Resolution of Congratulations and Condolences (see Rule 13(a))
    d. Resolution relative to street lights (see Rule 13(a))
    e. Resolution relative to claims
    f. Resolution relative to tax abatements
4. Unfinished Business, to include:
    a. Second passage of ordinances not tabled
    b. First passage of ordinances not tabled
    c. Resolutions
    d. Reports of Committees on items referred and previously tabled
    e. Removal of items from the table
    f. Action on items removed from the table
5. New Business, to include:
    a. Reports of Committees on new items referred at the preceding docket session
    b. Action on newly docketed items

Provided, however, that at all Special meetings, the special business for which such meeting is called shall be first in order, and shall be taken up and exclusively considered until it is finally acted upon at such meeting.

No undocketed business shall be acted upon or considered at meetings except by unanimous consent of the Council members present, subject to compliance with the Open Meetings Act.

RULE 12: The order of business at Regular or Special Public Hearing meetings shall be as follows:

1. Executive Communications
2. Referred business
    a. Public hearings and actions thereon not initiated by petition or application
    b. Public hearings and actions thereon initiated pursuant to petition or application
3. Fifteen (15) minute public comment
4. Appointments
5. Consent Calendar
    a. Resolutions relative to bids
6. Unfinished Business, to include:
    a. Second passage of ordinances not tabled
    b. First passage of ordinances not tabled
    c. Resolutions
    d. Reports of Committees on items referred and previously tabled
    e. Removal of items from the table
    f. Action on items removed from the table
7. New Business, to include:
    a. Reports of Committees on new items referred at the preceding docket session
    b. Action on newly docketed items

Provided, however, that at all Special Meetings and special business for which such meeting is called shall be in first order, and shall be taken up and exclusively considered until it is finally acted upon at such meeting.

No undocketed business shall be acted upon or considered at meetings except by unanimous consent of the Council members present, subject to compliance with the Open Meetings Act.

Only five (5) public hearings plus any previously docketed hearings shall be scheduled for a single City Council meeting, provided however, additional public hearings may be scheduled if a public hearing is required to comply with deadlines imposed by law or regulations and provided further, that additional public hearings may be scheduled if in the discretion of the Council President additional public hearings will not inconvenience the public. This rule shall not apply to matters currently pending or filed with the City Council.

RULE 13: Consent Calendar Procedure:

a. For each Committee that has Consent Calendar items before it, the Committee will vote on all said Consent Calendar items before it as a whole, rather than each item separately. However, any member of the Council may exercise a right to remove an item form the Consent Calendar prior to said vote, so that the item may be discussed and receive an individual recommendation by the Committee. All items totaling more than fifty-thousand dollars ($50,000.00/100) will be automatically discussed and receive a recommendation by the Committee. The purpose of this rule is to ensure meeting efficiency without sacrificing any oversight by the Council, and also to encourage members of the Council to ask questions of Department Heads before meetings.

b. In the order set forth in Rules 11 and 12, the Council President shall request the Chairperson of the Committee referring said matters to the full Council to move for favorable action on the items to be considered on the Consent Calendar. Only items being recommended for favorable action may be placed on the Consent Calendar. Items not receiving a favorable action recommendation from the Committee must be assigned a docket number by the Clerk and considered separately by the Council immediately following the vote on the Consent Calendar.

   Resolutions relative to traffic studies and the Omnibus Resolution of Congratulations and Condolences shall only appear for actin by the City Council on the Consent Calendar docket at the first Regular Business meeting of each year. The number designations given to those Resolutions shall be utilized by the City Clerk during the year for all traffic studies and Resolutions of congratulations and condolences.

   Resolutions relative to street lights shall only be placed on the Consent Calendar docket if there are street lights to be considered by the City Council at its meeting.

c. Upon receiving a "second" to the motion for favorable action, the Council President shall request the Chairperson of the Committee to describe the items recommended for action on the Consent Calendar.

d. Prior to voting on the Consent Calendar, a member of the City Council may request that item(s) on the Consent Calendar receive separate consideration by the City Council in order to allow for discussion of the items, to cast a dissenting vote, or to abstain from voting on the item. There shall be one (1) roll call vote on the Consent Calendar, which shall be deemed to be a vote on each of the items on the Calendar. Any item removed from the Calendar for separate consideration shall be taken up and vote upon immediately following the vote on the Consent Calendar.

RULE 14: Notwithstanding anything to the contrary in these rules, as part of the Consent Calendar at the first Regular Business meeting each year, an Omnibus Resolution of Congratulations and/or Condolences shall be considered. Upon passage of said Resolution or Resolutions, a number shall be assigned to the Resolution by the City Clerk.

If during the year, subsequent to a Regular Business meeting, any Council Member considers it appropriate that the congratulations or condolences of the City should e offered to any citizen, the Council Member may contact the City Clerk who shall prepare the congratulations or condolences in resolution form with appropriate language, using the omnibus number previously assigned, followed by an alphabetical letter. The Clerk shall then transmit the document to the Mayor for approval and signature. Upon said signature, the Clerk shall transmit the document as directed by the Council Member.

MEETINGS

RULE 15: Except in July and August, the City Council shall hold its meetings, both regular business and public hearing, at 7:00 P.M. on the first and third Monday in each month. The meetings shall be held at Warwick City Hall, unless otherwise specified.

If any regular meeting shall fall on a legal holiday, the meeting shall be held on the following Wednesday. The President shall take the chair at the hour designated for the meeting of the City Council, and shall promptly call the members to order.

There shall be one (1) regular meeting in July and August that combines the Regular Business Meeting and the Public Hearing Meeting to be held on the second Monday of the month of July and the third Monday of the month of August.

RULE 16: It shall not be necessary for a proposed Ordinance or Resolution to be read in full when presented on the Council floor for consideration. It shall be sufficient for such proposed Ordinance or Resolution to be considered by title and proposed number as assigned by the City Clerk, pursuant to Rule No. 30.

RULE 17: Members desiring to speak shall address the President, or the Chair of the Committee in the case of Committees, and after their right to speak has been recognized, they shall not be interrupted while speaking, except by a call to order, or for the correction of a mistake, or to yield to another member. They shall confine their remarks to the question under debate and shall avoid making personal attacks on others.

No member shall speak more than once on the same question until all other members desiring to speak thereon shall have done so. There shall be no conversation among members while a member is speaking, while a roll call is being taken, while any paper is being read or while a question is being stated by the President or the Chair of the Committee, in the case of Committees. No member's remarks on any item may exceed ten (10) minutes; however, the ten (10) minute limitation may be waived by a majority voice vote.

RULE 18: No persons, other than members of the City Council, members of the City Clerk's office, members of the City Sergeant's office, members of the Law Department and members of

the press shall be allowed inside the rail and on the floor of the City Council without receiving an invitation from the President or from a member of the City Council, through and with the approval of the President.

Upon request of a majority of the members of the City Council, a department head or any employee of the City of Warwick shall appear before the City Council to answer questions of members and explain any matter members may desire information about. No person within the rail shall speak unless requested to do so by the Council President.

RULE 19: The President shall enforce order and decorum among persons outside the rail and any person addressing the City Council, by permission or by request shall, while speaking, be subject to the same rules and shall be entitled to the same privileges of order as pertain to a member of the City Council, provided however, that a member of the City Council may interrupt such speaker for the purpose of asking a question or obtaining information.

RULE 20: Any citizen of the City of Warwick may request to be heard on any docketed Resolution or Ordinance prior to passage by the City Council. Upon receipt of such request, the Council President shall refer the requesting citizen to the Committee to which the proposed Resolution or Ordinance has been referred and the citizen shall be granted an opportunity to appear before the Committee at is scheduled Committee meeting, to present his or her views relative to the proposed Resolution or Ordinance. No citizen's remarks on any item may exceed ten (10) minutes; however, the ten (10) minute limitation may be waived by a majority voice vote. This time limitation shall not apply to any individual, entity or designee thereof, specifically invited to appear and speak on a properly noticed topic.

Upon favorable majority vote of the City Council, the citizen shall be permitted to appear at a regular or special session, at a time, place and duration to be determined by the Council President, to present his or her views on the docketed Resolution or Ordinance.

RULE 21: Meeting curfew.

a. No new Resolution or Ordinance shall be introduced for discussion after 11:30 P.M.
b. The City Council shall adjourn no later than midnight.
c. Any business before the City Council not completed by midnight will be tabled to the next available meeting. The date shall be announced and determined by the Council President.
d. Waiver of this rule requires unanimous consent.

RULES OF ORDER

RULE 22: The Order of Precedence of motions shall be as follows:

1. Fix the time at which to adjourn.
2. Adjourn.
3. Take a recess.
4. Raise a question of privilege.

5. Lay on the table.
6. Suspension of the rules.
7. Previous question.
8. Limit or extend limits of debate.
9. Postpone to a certain time.
10. Commit or refer.
11. Amend.
12. Postpone indefinitely.
13. A main motion.

The lowest rank is at the bottom of the list, and the highest rank is at the beginning of the list. When any one of them is immediately pending, the motions before it on said list are in order and shall be acted upon first, and those below are out of order.

RULE 23: The following motions shall be undebatable:

1. Fix the time at which to adjourn.
2. Adjourn.
3. Take a recess.
4. Raise a question of privilege.
5. Lay on the table.
6. Suspension of the rules.
7. Previous question.
8. Limit or extend limits of debate.

RULE 24: Only the following motions may be amended:

1. Fix the time at which to adjourn.
2. Take a recess.
3. Postpone to a certain time.
4. Commit or refer.
5. Amend.
6. A main motion.

RULE 25: Votes on the following motions cannot be reconsidered:

1. Adjourn.
2. Take a recess.
3. Lay on the table.
4. Take from the table.
5. Suspend the rules or order of business.
6. Reconsider, including the reconsideration of a Resolution or Ordinance vetoed by the Mayor.

VOTING

RULE 26: The President of the City Council shall distinctly state every matter to be considered by the Council and every question to be voted upon. No motion shall be debated until it has been seconded. Any motion may be withdrawn by the mover at any time before the taking of a vote thereon, or before an amendment is made to such motion.

On all Ordinances, Resolutions and questions in relation to and involving the expenditure of City Funds, the selling and leasing of City Property, acting on a veto from the Mayor, and the confirmation of appointments, the vote shall be by roll call. All roll calls shall be taken alphabetically except the name of the President of the Council shall be called first. The "yeas" and "nays" of the members of the Council shall be taken and entered on the records of said City Council.

After a roll call vote has been ordered, said roll call shall not be interrupted, delayed or stopped by the President or any member of the City Council for any reason whatsoever, including points of order, personal privileges, or for a member to explain his or her vote.

After the roll call and before the President announces the results, members may change or explain their vote. In the case of a tie vote, the motion is not carried or passed.

RECONSIDERATION

Rule 27: When a vote has been passe, it shall be in order for any member voting with the prevailing side to move reconsideration thereof, in accordance with the provisions of these rules, at either the same or next subsequent meeting. The same Ordinance, Resolution or vote shall come but once before the City Council for reconsideration. A motion for reconsideration must be seconded by a member of the prevailing side and must be voted upon at the same meeting in which it is made.

If the motion for reconsideration is made at the next subsequent meeting and adopted, then the vote on the merits of the matter being reconsidered shall be docketed and voted upon at the following meetings, unless notice of the reconsideration matter was posted in accordance with the Open Meetings Act, in which case, the vote on the merits of the matter being reconsidered shall take place at the same meeting as the motion for reconsideration was adopted.

RULE 28: Upon adoption of a motion to reconsider any Ordinance or Resolution, vetoes or disapproval of any separate appropriation item or items vetoed or reduced by the Mayor, the City Council may reconsider the same, provided that said motion shall be adopted and the reconsideration of such ordinance, resolution or appropriation item be taken up and voted upon at the next Regular or Public Hearing meeting immediately following the Mayor's transmittal of the same to the City Clerk.

If upon reconsideration six (6) members shall vote in favor of passage, such Ordinance, Resolution or appropriation item shall become effective notwithstanding the Mayor's action in regard thereto. If said Ordinance, Resolution or appropriation item is not reconsidered and adopted as provided hearing, the measure or item shall be lost, or stand reduced, as the case may be. The vote upon such motion and reconsideration shall be by roll call.

UNANIMOUS CONSENT

RULE 29: No undocketed business shall be acted upon or considered at meetings except by the unanimous consent of the Council Members present and after compliance with the notice and other provisions of the Open Meetings Act.

Any member desiring to place an item before the Council under unanimous consent shall cause notice of the matter to be posted in compliance with the provisions of the Open Meetings Act, and at the meeting, the member shall state the title and give a brief description of the item. The Council President shall then inquire if there be any objection from any member to the item's consideration under unanimous consent. If there be no objection, the Council President shall assign a docket number to said item and the moving Council Member may move said item for action. If there be objection, the item shall not be assigned a docket number and shall not be considered under unanimous consent.

DOCKETING

RULE 30: The following shall govern the Docketing Procedure for Resolutions and Ordinances:

a. There shall be two (2) regular, monthly docketing sessions which shall be at the conclusion of the Regular Business Meeting and of the Public Hearing meeting.

b. Items being docketed shall be announced by the Council Member wishing to docket the same, whereupon the President shall announce that the item is docketed and it shall be referred by the President to an appropriate Committee for study. The Committee to which the item is referred shall report on the same with its recommendations at the next Council meeting following the completion of its study and adoption of its report and recommendations.

c. Within twenty-four (24) hours after a docket session, the City Clerk shall prepare and cause to be printed a docket on which there will be a definite statement of all Ordinances, Resolutions, orders and any other business to be considered at each meeting of the City Council. The docket shall include: the title of the proposed Ordinance, Resolution; a brief description of its contents; the name of the Council Member proposing the same; and the Committee to which said matter has been referred.

d. In said preparation, the City Clerk shall assign to all proposed Resolutions and Ordinances a "Proposed Resolution Number" or "Proposed Ordinance Number" as the case may be. Such numbers shall be in addition to the docket numbers assigned to each item, and may be designated as "PCR" or "PCO," respectively. Such "PCR" or "PCO" numbers, together with the title of the proposed Resolution or Ordinance to be assigned herein provided, shall be the official designation for the Resolution or Ordinance to which it is assigned at all stages of proceedings prior to it becoming effective.

e. The Mayor and Members of the Council having Ordinances, Resolutions, orders, reports and other business to present to the Council for consideration, other than Executive Communications and the reports of Committees regarding items appearing on the docket which have been referred to the reporting Committee, shall submit a brief outline of said Ordinance, Resolution, order or report that may be printed on the docket.

f. It shall be the responsibility of the Council Solicitor to prepare a complete draft of the proposed item, including its title, and to present the same to the City Clerk by 1:00 P.M. of the 12th day preceding the Regular Business session or the 5th day preceding the Regular Public hearing session, whichever shall apply. If the Regular Business meeting is rescheduled due to a holiday, then the items for the Public Hearing meeting need not be presented to the City Clerk until the 4th day preceding the Regular Public Hearing meeting.

g. The Council Solicitor shall draft all Ordinances and Resolutions utilizing a system whereby the text of a proposed new Ordinance shall be underlined, and any amendment to any existing Ordinance will provide for new language to be added to be underlined. Any language deleted shall be crossed through. An amended version of an Ordinance or Resolution shall be identified as "Sub A." If the Ordinance or Resolution is amended a second time it shall be identified as "Sub B." Each subsequent amendment shall be identified using the next letter of the alphabet. All proposed Ordinances and Resolutions shall be printed on paper delineating line numbers for ease in reference to specific parts of the proposed Ordinance or Resolution.

h. No items or business shall be considered as having been introduced unless it shall have been so presented at the docket session and ordered to appear on the printed docket, as is so prepared and presented in final and complete proposed form to the City Clerk, all as required by these rules, unless the Council by unanimous vote of those present shall allow the introduction of such from the floor without it having been so presented, docketed, prepared or presented to the City Clerk.

i. The City Clerk shall cause to be prepared copies of the docket and copies of each item thereon in final and complete form and shall cause a copy of said docket and of each of said items to be delivered to each member of the Council by 8:00 P.M. on the 10th day preceding the Regular Business session.

j. Copies of all claims pending before the City Council shall be e-mailed to each member of the Council five (5) days prior to the Regular Business meeting.

k. All petitioners for matters to be heard at the Public Hearing meeting shall provide eleven (11) copies of reports and other exhibits to be presented at the Public Hearing meeting, to the City Clerk at least ten (10) days in advance of the public hearing so that the City Clerk can e-mail said items with the docket for the Public Hearing meeting. This requirement to pre-submit reports and exhibits shall not preclude a petitioner from submitting amended or revised reports and exhibits at the Public Hearing meeting.

l. On the day of e-mailing of said docket, the City Clerk shall cause to be posted on a bulletin board in the lobby of City Hall a copy of the City Council and Committee dockets as delivered to the Council members, and on the City's website and the Rhode Island Secretary of State's website in compliance with the Open Meetings Act.

m. On the day of the Regular Business session or the Regular Public Hearing, as the case may be, the City Clerk shall cause to be printed and available a sufficient number of copies of the docket for the benefit of the public who may be in attendance at such Council meeting.

n. Upon becoming effective, the City Clerk may be assigned to such proposed Resolution or Ordinance any number consistent with the indexing and filing requirements of the Clerk's office.

o. Council members must provide ample information for the Council Solicitor to effectively draft their proposed Resolutions and Ordinances. It is foreseeable that circumstances may warrant pending legislation to be continued to a date later than the one originally scheduled. No legislation may be continued for a period to exceed sixty (60) calendar days from the date it was originally scheduled to be heard and remain as a docketed item.

   Once a proposed Ordinance or Resolution has been continued sixty (60) calendar days from the date on which it originally appeared on the Docket, the item will be placed in a Future Legislation File until the item has been completed.

   When the Council Solicitor has received sufficient information from the Sponsor to draft the desired legislation, it shall be re-docketed. The City Clerk will then add the proposed Ordinance/Resolution to the next scheduled City Council Docket.

   The City Clerk shall note on the Docket those items that are undrafted and which will not be acted upon.

APPOINTMENTS; CONFIRMATION OF APPOINTMENTS

RULE 31: For any City Council appointment to a board or commission, no later than sixty (60) days prior to the expiration of the term of the position which is to become vacant, the City Clerk shall notify the Chair of the Appointments Committee of said position and the date upon which the term expires. The City Clerk shall also send a copy of said notice to every member of the City Council.

No later than thirty (30) days prior to the expiration of the term, any Council member who desires to submit the name of a person to be considered for the appointment, must submit to the Chair of the Appointments Committee the name, address and a resume of the person to be considered. First time appointees and re-appointees must always submit said requested information for the Council's consideration. The Chair of the Appointments Committee shall provide the requested information for each prospective appointee to the City Clerk who shall e-mail the information to each member of the City Council following the expiration of the thirty

(30) day period for submitting names. The Clerk shall also make the request information available publicly. Appointments shall take place during the first Regular Business meeting of the month following expiration of the thirty (30) day period.

At its meeting, the Appointments Committee shall review and consider the submitted information about the prospective appointees and re-appointees, as well as take comments from other members of the Council and the public about the prospective appointees and re-appointees. First time appointees shall appear before the Appointments Committee to answer any questions from members of the Committee or members of the City Council. Re-appointees are not required to appear before the Appointments Committee unless specifically requested by a Member of the Council. Consideration of appointments may be held to the next Council meeting if the appointee or re-appointee is unavailable. Consideration and confirmation of appointments may also be held to the next Council meeting by a majority vote of the Appointments Committee or the City Council.

At the same Council meeting, the Appointments Committee shall vote to make a recommendation to the City Council of a person to be appointed to the board or commission.

RULE 32: Any appointment by the Mayor, Council President or any other appointing authority requiring confirmation of the City Council shall be submitted to the City Council no later than five (5) days before the Regular Business Meeting of each month. Concurrently with the submission of the appointment to the City Council, the name, address and a resume of the person to be considered shall be provided to each Council person for their consideration.

The Appointments Committee shall review and consider the information submitted of the prospective appointees and re-appointees, as well as take comments from other members of the Council and the public about prospective appointees and re-appointees. First time appointees shall appear before the Appointments Committee to answer any questions from members of the Committee or members of the City Council. Re-appointees are not required to appear before the Appointments Committee unless specifically requested by a Member of the Council. Consideration of appointments may be held to the next Council meeting if the appointee or re-appointee is unavailable. Consideration and confirmation of appointments may also be held to the next Council meeting by a majority vote of the Appointments Committee or the City Council.

The Appointments Committee shall vote to make a recommendation to the City Council of a person to be appointed to the board or commission with the expiring term at the same Council meeting.

SPECIAL MATTERS
Wetlands, Zoning, Purchase & Sale of Land, Abandonments

RULE 33: All persons who testify regarding petitions for Wetlands approval, street abandonment or change of zoning pending before the City Council shall offer such testimony under oath or affirmation, whenever required by the Council President.

RULE 34: Applications under the "Wetlands Act" (R.I.G.L. § 2-1-18 et seq. As amended, R.I.G.L. § 2-1-22).

1. All applications for approval to alter wetlands pursuant to Chapter 2-1 of the General Laws of Rhode Island, as amended, shall be accompanied by a list of all abutting property owners within two hundred feet (200') of the property in question. Upon receipt of such an application, the City Clerk shall forward the same to each member of the Council. The Clerk shall also refer the application to the Planning Board, which agency shall make a study of such application and report its findings and recommendations as soon as possible prior to the scheduled public hearing.

2. The City Clerk shall immediately docket the application for public hearing at the earliest Regular Business or Public Hearing meeting of the City Council, consistent with the notice requirements as set forth in this section and the Open Meetings Act.

   At least seven (7) days prior to such Public Hearing, the City Clerk shall cause notices of the scheduled Public Hearing to be sent to the Petitioner and all abutting property owners within the two hundred feet (200') of the property in question and shall cause a notice of the scheduled Public Hearing to be advertised in a newspaper of general circulation in the City of Warwick. All costs incurred by the City Clerk in sending notices and advertising of the scheduled Public Hearing as provided herein shall be assessed to and pay by the Petitioner.

3. In the event any application for approval to alter wetlands is withdrawn or denied, no application seeking approval to alter the same or substantially the same wetland shall come before the City Council for Public Hearing within one (1) year from the date of such denial or withdrawal.

4. After final action by the City Council at the Public Hearing, the City Clerk shall cause a notice of such action to be sent to the Department of Environmental Management of the State of Rhode Island provided however, that final action by the City Council in recommendation wetlands applications shall be contingent upon no changes being made in the application or plans presented in conjunction with said application after passage of a recommendation by the City Council and that a statement to this effect be included in each Resolution adopted in connection therewith.

RULE 35: Zone Change Petitions.

a. No Petition for change of zone shall come before the City Council for hearing until Petitioners have submitted and had considered by the Planning Board a specific plan, including, but not limited to, all necessary elements, such as drainage, traffic, easements, parking and physical location of the planned project on the subject parcel.

b. Whenever a Public Hearing on a Petition for a change of zone or an amendment to the Comprehensive Plan is continued beyond a second scheduled City Council meeting, and the continuance is requested by or caused by the Petitioner, for the third meeting and each

subsequent meeting thereupon, the Petitioner shall send notice, by mail, to the abutters in the same form and manner as was done by the City Clerk for the initial Public Hearing. The cost of the additional mail notices and advertising shall be paid by the Petitioner. At least three (3) business days prior to the scheduled Public Hearing, the Petitioner shall file with the City Clerk an Affidavit of Compliance with this rule, a copy of the notice which was mailed, and the return receipts for the notice.

RULE 36: Purchase and Sale of Land.

a. All Ordinances and Resolutions involving the purchase or acquisition of land or the sale or leasing of City owned land or tax sale land, or the change of a Zoning Ordinance shall be accompanied by a blueprint or plan showing the location, area and other necessary details of the same, and copies of such blueprint or plan shall be furnished to each member of the City Council at least five (5) days prior to the meeting at which such matter shall be acted upon.

   In addition, whenever a Petitioner petitions for a change of zoning, and such petition involves the change of zoning of a portion of a lot, it shall be the responsibility of the Petitioner, at least five (5) business days prior to the hearing thereon, to prepare and submit to the City Clerk a mete and bounds description prepared by a licensed engineer or a licensed surveyor of the portion of said lot sought to be included in the change of zoning.

b. The City Treasurer shall prepare completed packages on all matters concerned with the sale or leasing of land and submit to the City Clerk at least seven (7) days prior to the Regular Business meeting at which such matters shall be acted upon. The City Clerk shall remit copies of these completed packages to all members of the City Council at least five (5) days prior to said meeting at which such matters shall be acted upon.

RULE 37: Street or highway abandonment. Any petition for street abandonment shall require passage at two (2) Council meetings before approval shall become effective. The Council must make a finding that abandonment is appropriate pursuant to relevant state law.

RULE 38: Effect or denial of withdrawal.

1. Should any Petition for a change of zoning brought pursuant to the Zoning Ordinances of the City of Warwick be denied or withdrawn, no Petition seeking the same change of zoning for the same or substantially same land shall come before the Council for Public Hearing within one (1) year from the date of such denial or withdrawal.

2. Any Petition, application or abandonment, other than a Petition seeking a change of zoning, which is denied or withdrawn may not come before the City Council within one (1) year from the date of such denial or withdrawal. All withdrawals shall be treated as a denial.

3. Upon withdrawal of Petitions, any person who is in opposition to such Petition shall be able to sign a sheet furnished by the City Clerk indicating their objection, which shall then be included in the official record of the Council meeting.

AMENDMENT OF RULES; LEGAL OPINIONS; PUBLIC COMMENT

RULE 39: Unless otherwise stated within, the foregoing rules shall not be altered, amended, suspended, or repealed at any time except by the vote of the majority of the whole number of members elected to the City Council.

RULE 40: All written legal opinions prepared by the Council Solicitor at the request of any Council member shall be remitted to each Council Member as soon as the opinion has been completed.

RULE 41: After General Communications and prior to the Consent Calendar at each City Council Public Hearing meeting, there shall be a fifteen (15) minute period during which citizens may comment about Warwick City Government issues subject to the following stipulations:

a. The total period of time for public comment shall be fifteen (15) minutes. Comments need to be brief in order to allow as many citizens as possible to participate.
b. The topics for comment shall be issues directly affecting City government.
c. City Council members will not respond to questions during the public comment period.
d. The public comment session will terminate at the expiration of fifteen (15) minutes. Waiver of this provision requires a unanimous vote of the Council.

This Resolution shall take effect upon passage.

The Clerk is directed to post a revised copy of the City Council rules on the City of Warwick website.

SPONSOR: COUNCILMAN SINAPI

COMMITTEE: INTERGOVERNMENTAL