

Form and Correctness Approved: BAP

Contents Approved:



By: _____
Office of the City Attorney



By: Brian J. L.
DEPT. City Attorney's Office

NORFOLK, VIRGINIA

Ordinance No. 49864

AN ORDINANCE TO AMEND THE NORFOLK CITY COUNCIL RULES OF PROCEDURE SECTION 5-1(A) REGARDING ORDER OF BUSINESS FOR COUNCIL MEETINGS, SECTION 5-2 REGARDING THE CONSENT AGENDA, SECTION 5-3 REGARDING PUBLIC COMMENT, AND SECTION 5-4 REGARDING RULES OF CONDUCT.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the Norfolk City Council Rules of Procedure Section 5-1 Order of Business is amended as set forth in the attached Rules of Procedure to remove the reference to 2nd and 4th Tuesdays of the month, and add a new item "Public Comment Period for Items on the Regular and Consent Agendas" to the Order of Business.

Section 2:- That the Norfolk City Council Rules of Procedure Section 5-2 is amended as set forth in the attached Rules of Procedure to make uniform the capitalization of Consent Agenda.

Section 3:- That the Norfolk City Council Rules of Procedure Section 5-3 is amended as set forth in the attached Rules of Procedure to rename the section as "Public Comment", add a new subsection A describing the three opportunities for public comment; amend the renumbered B(1) and B(3) regarding rules governing speakers who have properly signed up to speak, the three minute total limit for a speaker upon any Regular or Agenda Item, and the three minute total limit to comment upon a Public Hearing Item; and capitalizing "Council" in the renumbered subsection C.

Section 4:- That the Norfolk City Council Rules of Procedure Section 5-4(A)(5)(b) is amended as set forth in the attached Rules of Procedure to remove the description of two categories of public comment, and add that all speakers for

public comment must have signed up to speak by 3:00 p.m. the day of the meeting unless otherwise permitted by the presiding officer.

Section 5:- That the attached Norfolk City Council Rules of Procedure as amended (Exhibit A) (referred to herein as "attached Rules of Procedure") are hereby adopted.

Section 6:- That this ordinance shall be in effect from and after its adoption.

ATTACHMENTS:

Exhibit A - Norfolk City Council Rules of Procedure as amended (16 pages)

Adopted by Council February 11, 2025
Effective February 11, 2025

TRUE COPY

TESTE:

RICHARD ALLAN BULL

BY:

CHIEF DEPUTY CITY CLERK

**NORFOLK CITY COUNCIL
RULES OF PROCEDURE**

Introduction

These rules of procedure were designed and adopted for the benefit and convenience of the Norfolk City Council. Their purpose is to help City Council conduct its affairs in a timely and efficient manner. They incorporate the general principles of parliamentary procedure. The rules of procedure do not create substantive rights for third parties or participants in proceedings before City Council. Further, City Council reserves the right to suspend or amend the rules of procedure whenever six (6) members of Council vote to do so. The failure of City Council to strictly comply with the rules of procedure shall not invalidate any action of City Council.

SECTION 1- PURPOSE AND BASIC PRINCIPLES

Section 1-1. Purpose of Rules of Procedure

- A. To enable the Norfolk City Council to transact business fully, expeditiously and efficiently while affording every opportunity to citizens to witness the operations of government;
- B. To protect the rights of each individual Council member;
- C. To preserve a spirit of cooperation among Council members; and
- D. To determine the will of City Council on any matter.

Section 1-2. Basic Principles Underlying Rules of Procedure

- A. The business of the City Council should proceed in the most efficient manner possible;
- B. City Council's rules of procedure should be followed consistently;
- C. City Council's actions should be the result of a decision on the merits and not a manipulation of the procedural rules;
- D. Only one subject may claim the attention of City Council at one time;
- E. Each item presented for consideration is entitled to full and free discussion;
- F. Every member has equal rights to participate and vote on all issues;
- G. Every member must have equal opportunity to participate in decision making;
- H. The will of the majority must be carried out, and the rights of the minority must be preserved; and

I. The Council must act as a body.

SECTION 2 -- MEETINGS

Section 2-1. When and Where Regular Meetings are Held

Unless changed by City Council, meetings shall be held in the City Council Conference Room and City Council Chamber, on the tenth and eleventh floors of City Hall, as follows:

The dates of the formal voting meetings and the dates of the business meetings will be set in accordance with ordinances adopted scheduling the council meeting dates for each year.

The Council may eliminate meetings which conflict with national holidays or for other reasons or hold additional meetings at other locations and times, or may change the locations and times of regularly scheduled meetings as it deems appropriate to do so. Notice of such additional meetings or changes to the location or time of regularly scheduled meetings should be provided to the public and the press as required by State Code. Additional meetings shall be referred to as "additional scheduled meetings" and shall be approved by Council during a regularly scheduled meeting.

Section 2-1.1. Continued Meetings

A regular meeting shall be continued to the immediately following Thursday of that week, or to the next regularly scheduled meeting, at the same time and place as the regular meeting if the Mayor, or Vice Mayor if the Mayor is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend the regular meeting. Such finding shall be communicated to the Council members and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

Section 2-2. Special Meetings

A. In accordance with Section 12 of the City Charter, the Council may hold such special meetings, as it deems necessary, at such times and places as it may find convenient; and it may adjourn from time to time. A special meeting of the Council shall be called pursuant to Section 12 of the City Charter.

B. Special meetings may be called by the Mayor, the City Manager, or any member of the Council in writing to the Clerk of Council for the purpose stated in the notice of the special meeting. The Clerk of Council shall forthwith notify the members of the Council of the time and place designated and the purpose of the meeting. Written notice of the special meeting shall be delivered to each member of the Council by leaving a copy thereof at his or her place of abode or place of business at least twelve hours before the time scheduled for the special meeting, in addition to the written notice, an email notice shall be sent to each member's City email account. Only matters specified in the notice of the special meeting shall be considered unless (1) all of the members of the Council are present and (2) the Council determines in good faith at the meeting that it is essential to discuss or act on such additional item(s) immediately.

C. Notice to the public of any special meeting shall be given contemporaneously with the notice provided the members of the Council, the City Attorney, and the City Manager.

Section 2-3. Cancellation or Rescheduling of Meetings

A regularly scheduled meeting may be cancelled or rescheduled, in special circumstances and for the convenience of Council. In the event of a cancelation or rescheduled meeting, the public and the media shall be notified promptly of the change.

Section 2-4. Organizational Meeting

A. The first meeting in January following the election in the previous year in which a Council election is held shall be known as the organizational meeting.

B. The Vice Mayor shall be elected at the organizational meeting for a term of two years.

C. Following the election of the Vice Mayor, the Council shall:

1. Establish the dates, times and places for regular meetings; and
2. Address such other matters as it deems appropriate.

Section 2-5. Procedure for Election of Vice Mayor

A. The Mayor shall call for nominations from the membership.

B. Any Council member, after being recognized by the Mayor, may place one or more names in nomination and discuss his or her opinions on the qualifications of the nominees.

C. After all nominations have been made the Mayor shall close the nominating process and open the floor for discussion.

D. After discussion the Mayor shall call for the vote.

E. The Vice Mayor shall serve two years or until replaced.

Section 2-6. Seating Arrangement

The Mayor shall occupy the center seat on the dais. The seating of the remaining members of the Council shall be determined by the Mayor.

SECTION 3 – OFFICERS**Section 3-1. Mayor and Vice Mayor**

The Mayor shall preside over all meetings of the Council. The Vice Mayor serves in the absence of the Mayor. In the absence from any meeting of both the Mayor and Vice Mayor, the Council members present shall choose one of their members as temporary presiding officer.

Section 3-2. Preservation of Order

At meetings of the Council, the presiding officer shall preserve order and decorum. The presiding officer shall have the following powers:

- A. To rule motions in or out of order, including any motion not germane to the subject under discussion or patently offered for obstructive or dilatory purposes;
- B. To determine whether a speaker has gone beyond the behavior permitted by the Council's Rules of Conduct;
- C. To entertain and answer questions of parliamentary law or procedure;
- D. To call a brief recess at any time;
- E. To adjourn in an emergency.

SECTION 4 — AGENDA**Section 4-1. Preparation**

A. The City Manager shall meet with the Mayor, Vice-Mayor, City Attorney and City Clerk ("Agenda Committee") and others invited by the Mayor to prepare an agenda for the regularly scheduled meetings conforming to the order of business specified in Section 5-1 entitled "Order of Business".

B. The Agenda Committee shall determine the start time of the regularly scheduled meetings and the City Clerk shall provide notice of the meeting time.

C. Any Council member may request that ordinances, resolutions or other items be considered. At the agenda review meeting following the request, the request shall be discussed.

D. In the event that the requested ordinance, resolution or other item is not scheduled for legal reasons, the City Attorney shall so inform the requestor. In the event that the requested ordinance, resolution or other item includes a cost not in the budget, the City Manager shall inform the requester that the matter will be scheduled after a source of funds is identified. If the requested matter is not scheduled for any other reason, the Mayor shall inform the requestor and if the requester still wants the matter on the agenda, the requesting member may make a motion to add the item.

E. Nothing herein prohibits the Mayor from adding matters to the agenda; however, it is considered desirable to have matters listed on the published agenda.

F. Any individual who wishes to address the Council on an Agenda Item or New Business during a regular meeting shall submit a request to the Clerk of Council by 3:00 p.m. the day of the Council meeting. Any speaker addressing the Council shall review and follow the below Rules of Conduct.

Section 4-2. Delivery of Agenda

The Council meeting package, including the agenda and related materials, shall be electronically delivered to each member of the Council, the City Clerk and the City Attorney by the Friday prior to the Tuesday Council meeting. Delivery by electronic means is the preferable method.

Section 4-3. Public Access to Agenda Materials

The Clerk of Council shall post the agenda documents for all Council meetings on the Internet for public information as promptly as possible. Furthermore, paper copies of agenda documents will be provided upon request in the City Clerk's Office.

SECTION 5 -- ORDER OF BUSINESS FOR COUNCIL MEETINGS

Section 5-1. Order of Business

A. At regular meetings of the Council, the order of business shall generally be as follows:

1. Call to Order
2. Council Concerns
3. Council Work Session Including Closed Meeting if necessary
4. Recess
5. Call to Order of Voting Meeting
6. Invocation & Pledge of Allegiance
7. Special Recognitions and Proclamations by the Mayor (if any)
8. Public Comment Period for Items on the Regular and Consent Agendas
9. Public Hearings including Public Presentations (if requested)
10. Consent Agenda
11. General Business
12. New Business
13. Adjournment

B. The above order of business may be modified by the Mayor or Clerk of Council to facilitate the business of the Council.

C. At regular meetings scheduled on the first Tuesday after the call to order, the Council will conduct a work session including Council concerns until its business is completed or the meeting is adjourned.

Section 5-2. Consent Agenda

A. The Consent Agenda shall include, by way of illustration but not limitation, any item that is routine and not controversial in nature.

B. The Consent Agenda shall be considered by the Council as a single item.

C. There may be a short discussion of Consent Agenda items to answer questions or clarify a matter. There should be no lengthy debate or discussion of a Consent Agenda item.

D. Upon request of any Council member, or if someone has signed up to speak on an item, an item shall be removed from the Consent Agenda. An item will not be removed merely because someone has made themselves available to answer questions. Such removed item shall be considered separately after adoption of the Consent Agenda.

Section 5-3. Public Comment

A. There shall be three opportunities for public comment. The first public comment period is for items on the Regular and Consent Agenda. This period shall be held prior to voting on the Consent or Regular Agenda. The public is afforded the opportunity to speak on public hearing items coincident to their being taken up by the Council. The third comment period is for comments on New Business, which shall be the last item on the Agenda. New Business will be held on the first meeting of each month.

B. Every petition, communication or address to the Council should be in respectful language and is governed by the following:

1. The presiding officer shall call upon speakers who have properly signed up to speak.

2. Each speaker shall clearly state his or her name and address.

3. During the Regular and Consent Comment period, a speaker shall be allowed up to three (3) minutes total to comment upon any Regular or Consent Agenda item, not three minutes per Regular or Consent Agenda item but three minutes total for all Regular and Consent Agenda items. Coincident with the calling of Public Hearing Items, a speaker shall be allowed up to three minutes total to comment upon a Public Hearing Item. During New Business at the first meeting of each month, a speaker shall also be allowed up to three minutes total to comment upon New Business.

4. Speakers are not permitted to donate time to other speakers.

5. Any issue raised by the public which the Council wishes to consider may be put on the agenda for a future Council meeting by a majority Council vote.

C. Other than as stipulated above or during public hearings, no person shall be permitted to address the Council orally, except by permission of the presiding officer.

Section 5-4. Rules of Conduct

A. Persons appearing before the Council shall abide by the following Rules of Conduct:

1. No signs, posters, placards, or similar or like objects shall be affixed to the walls, doors, etc. of the City Council Chambers or any adjoining areas or City offices, except by City staff in connection with business, and then only with permission of the City Manager.

No sign, placard, poster, or similar or like object which may be carried by hand shall be permitted in the City Council Chambers or any adjoining areas or City offices.
2. All persons attending meetings of the City Council must be recognized by the presiding officer before speaking. In return, subject to the limitations in Rules 6 and 7, the presiding officer and other members of the City Council shall courteously receive the comments made by such persons.
3. (a) All persons permitted to address the City Council at a meeting shall be limited to three (3) minutes, provided however, that the presiding officer may, for reasons other than the content of the speech, permit a longer period.
(b) The presiding officer may, in his or her discretion, limit the aggregate amount of time to be devoted to a particular agenda item or topic, and if there are opposing viewpoints, may apportion the time allowed for the expression of each viewpoint as reasonably equal as possible.
(c) All persons attending a meeting shall remain seated, unless they are required to stand because of recognition as a speaker, official duties, physical necessity, or to enter or leave the meeting. Attendees should, to the extent possible, avoid leaving or entering once a meeting has begun. No one is permitted to approach closer to the dais than the lectern without permission of the presiding officer.

4. When a speaker is recognized by the presiding officer, he or she shall:
 - (a) Come forward to the speaker's podium (speakers shall not be permitted to bring anything other than notes or exhibits to the speaker's podium);
 - (b) State the speaker's name and address;
 - (c) State the speaker's position;

- (d) If representing a group, ask the persons represented to stand (except with the permission of the presiding officer, no other persons shall be permitted to accompany a speaker to the speaker's podium);
- (e) Provide any written statement or other materials to the City Clerk or his designee for the record.

5. (a) In general, the presiding officer may prevent or discontinue speech that he reasonably perceives to be, or imminently to threaten, a disruption of the orderly and fair progress of the meeting whether by virtue of its irrelevance, its duration or its very tone and manner.

(b) All speakers for public comment must have signed up to speak by 3:00 p.m. the day of the meeting unless otherwise permitted by the presiding officer. All public comment must be relevant. Comments upon specific agenda items must address the subject of the agenda item. Comments on new business must address new subjects. The presiding officer may, therefore, prevent or discontinue comments from any speaker that are irrelevant to the subject at hand.

(c) A personal attack, in the sense of an insult directed at a person and not speech directed at substantive ideas or procedures at issue, is irrelevant and threatens to disrupt the orderly conduct of a meeting. The presiding officer may, therefore, prevent or discontinue comments from any speaker that amount to a merely personal attack regardless of whether it is directed at the Council or any of its members, city administrators or members of the public.

(d) While relevant public comment is encouraged, repetitive or cumulative comment minimizes the significance of preceding remarks, prevents other topics and viewpoints from being adequately addressed and is generally burdensome to the public, wasteful of the Council's time and disruptive of meetings. The presiding officer may, therefore, prevent or discontinue comments from any speaker if they are cumulative or repetitive, or if the presiding officer determines that there has already been adequate comment or debate on that subject at the current meeting and/or at prior meetings. During the new business public comment period, the presiding officer may limit or discontinue comments as cumulative and not new business where a speaker (or speakers) has repeatedly expressed the same viewpoint on the same subject over a series of recent meetings.

(e) The presiding officer may also refuse to allow comment or continued comment by any speaker who has directed or is directing profane, vulgar, obscene or threatening speech towards the Council, any of its members, or to any member or members of the public, or has engaged or is engaging in behavior prohibited by these rules.

6. Any person who fails or refuses to obey the rulings and directions of the presiding officer, or who otherwise disrupts the meeting in any manner, shall be requested by the presiding officer to leave the meeting room for the remainder of that meeting. If any person refuses to follow the directions of the presiding officer, the presiding officer shall cause such person to be removed from the meeting. Any person ejected or removed from a meeting shall be excluded from further attendance at that meeting, unless granted permission by the presiding officer to return.

The presiding officer may order removed from a meeting any person who commits any of the following acts at a meeting of the Council:

- (a) Profane, vulgar, obscene or threatening speech directed at the Council or members of the public; Disorderly, disruptive, distracting contemptuous or insolent behavior toward the Council or any member thereof, tending to interrupt the due and orderly course of said meeting;
- (b) A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting;
- (c) Disobedience of any lawful order of the presiding officer, which shall include an order to be seated or to refrain from addressing the Council;
- (d) Any other unlawful interference with the due and orderly course of said meeting.

7. All individuals desiring to attend a meeting of the City Council, as a condition of attendance, shall be subject to a search of their persons and property by metal detector and/or by other appropriate means, at the direction of the City Council.
8. The emission of sounds from cell phones, pagers, or other electronic communication devices capable of emitting sounds is prohibited.
9. Cameras, video recorders and other recording devices may not be used any closer to the dais than the lectern without permission from the presiding officer. In addition, the presiding officer may, in his or her discretion, limit the use of such equipment if its use would interfere with the meeting.

B. The presiding officer shall preserve order and decorum at Council meetings. He or she may declare speakers to be out of order and to discontinue and return to their seat or order the expulsion of any person for violation of these rules. Any person so expelled shall not be readmitted for the remainder of the meeting from which expelled. Any person who has been so expelled and who at a later meeting again engages in behavior justifying expulsion may also be barred from attendance at future Council meetings for a: specified and reasonable period of time not to exceed six months, or upon a still subsequent expulsion, a period not to exceed one year.

Section 5-5. Public Hearings

A. This section of the agenda shall be for public hearings as required by City, State, or Federal law, or as the Council may direct.

B. The presiding officer shall conduct all public hearings.

C. The order of public hearings shall be as follows:

1. The presiding officer shall open the public hearing.
2. Hearings may begin with a brief presentation from a staff member and/or representative from the cognizant board, authority, commission or committee. The presentation shall summarize the facts about the issue and the staff recommendation. Council members may seek clarification during the presentation.
3. After staff presentations, in land use cases (rezoning or conditional use permit) the applicant or his or her representative shall be the next speaker(s). There shall be a time limit of three (3) minutes for the applicant's or his or her representative's presentation.
4. The presiding officer shall then allow comments from members of the public who have properly signed up. Each speaker must clearly state his or her name and locality of residence. There shall be a time limit of three (3) minutes for each individual speaker.
5. Upon the conclusion of public comments, the presiding officer shall close the public hearing.

A. When a public hearing has been closed by the presiding officer, no further public comment shall be permitted. Council members, however, may direct questions to the applicant, the representative of the cognizant board, authority, commission, committee, to a speaker, or to a staff member for clarification prior to taking any vote, if a vote is in order.

Section 5-6. General Business

This section of the agenda shall include ordinances and resolutions to be considered by the Council.

Section 5-7. Items Not on the Agenda

With the Mayor's consent, items may be added to the agenda to respond to situations and/or questions of a critical nature which have arisen after the deadline has passed for items to be placed on the agenda.

Section 5-8. Closed Meetings

- A. Closed Meetings should only be used when the matter to be discussed is allowed by law.
- B. No meeting shall become a Closed Meeting until the Council takes an affirmative record vote during the open meeting.
 - 1. The motion shall state the purpose or purposes which are the subject of the closed meeting and make specific reference to the applicable exemption(s) under the Freedom of Information Act, which authorizes the Closed Meeting.
 - 2. Members and the City Manager shall request the assistance of the City Attorney when requesting a Closed Meeting agenda item.
- C. No resolution, ordinance, rule, contract, regulation or motion considered in a Closed Meeting shall become effective until the Council reconvenes in an open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation or motion which shall have its substance reasonably identified in the open meeting.
- D. At the conclusion of a Closed Meeting, the Council shall reconvene in open meeting and shall cast a vote certifying that to the best of each member's knowledge:
 - 1. Only public business matters lawfully exempted from open meeting requirements were discussed; and
 - 2. Only public business matters identified in the motion convening the Closed Meeting were heard, discussed or considered.
 - 3. Any member who believes that there was a departure from the above requirements shall so state prior to the presiding officer's call for the vote, indicating the substance of the departure that, in his or her judgment, has taken place.
- E. The Council may permit non-members to attend a Closed Meeting if their presence would reasonably aid the Council in its consideration of an issue.
- F. Individuals attending a Closed Meeting should respect the Council's decision that the subject matter is not appropriate for public discussion and should treat the Closed Meeting discussion as confidential.

Section 5-9. Remote Participation by Electronic Communication Means

- A. Qualifying Reasons: As provided below, a member of the Norfolk City Council may participate in a meeting through electronic communication means from a remote location that is not open to the public if:

EXHIBIT A

1. On or before the day of the meeting, a member of the Council notifies the Mayor as the chair of the Council that:
 - (a) The member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance;
 - (b) A medical condition of a member of the member's family requires the member to provide care that prevents the member's physical attendance;
 - (c) The member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting; or
 - (d) The member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. However, the member may not use remote participation due to personal matters more than two meetings per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.
2. If participation by a member through electronic communication means is approved pursuant to this subsection, the Council shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public and may be identified in the minutes by a general description.
 - (a) If participation is approved pursuant to subdivision 5-9(A)(1)(a) or 5-9(A)(1)(b), the Council shall also include in its minutes the fact that the member participated through electronic communication means due to a (i) temporary or permanent disability or other medical condition that prevented the member's physical attendance or (ii) family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance.
 - (b) If participation is approved pursuant to subdivision 5-9(A)(1)(c), the Council shall also include in its minutes the fact that the member participated through electronic communication means due to the distance between the member's principal residence and the meeting location.
 - (c) If participation is approved pursuant to subdivision 5-9(A)(1)(d), the Council shall also include in its minutes the specific nature of the personal matter cited by the member.

B. Other Requirements:

1. Remote participation by a council member is only authorized if approved by a majority of a quorum of the Norfolk City Council physically assembled at the primary or central meeting location. A request for remote participation shall be recorded by and voted on as a resolution of the Council;

2. The City Council shall make arrangements for the voice of the remote council member to be heard by all persons in attendance at the primary or central meeting location;
3. If a member's participation from a remote location pursuant to this subsection is disapproved because such participation would violate this policy adopted pursuant to Virginia Code § 2.2-3708.3(D), such disapproval shall be recorded in the minutes with specificity; and
4. This policy shall be applied strictly and uniformly, without exception, to the entire membership of the Council and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

SECTION 6 — GENERAL PRINCIPLES OF PROCEDURE.

Section 6-1. Quorum

A. As provided by Section 15.2-1415 of the Code of Virginia, a majority of the members of the Council must be present in order to vote on any matter.

B. Quorum refers to the number of members present at a meeting, not the number of members voting on an issue. A quorum is a majority of the entire membership of the Council including any vacant seats. If no quorum is present or if a quorum is lost, the Council cannot vote except to vote on a motion to (i) adjourn, (ii) recess, or (iii) take steps to obtain a quorum.

C. If a quorum fails to attend any meeting, those attending may adjourn to such other time prior to the next regular meeting as they may determine and the Clerk of Council shall enter such adjournment in the record of the Council and shall notify absent members thereof in the same manner as required for special meetings.

D. If the Virginia Conflict of Interests Act prevents some of the members of the Council from participating in an item of business, Sections 2.2-3112 and 15.2-1415 of the Code of Virginia provide that a majority of the remaining members of the Council shall constitute a quorum.

Section 6-2. Speaking on the Council

Whenever any member wishes to speak, he shall be first recognized by the presiding officer. When two or more members of the Council wish to speak at the same time, the presiding officer shall name the one to speak.

Section 6-3. Comments, Queries of Council Members

Council members are to observe the following rules during the discussion of agenda items:

A. The presiding officer shall keep discussion germane to the subject.

B. Council members may address questions to the City Manager or staff present at the meeting. Staff members should be at a microphone when answering Council members' questions. All legal questions should be addressed to the City Attorney.

Section 6-4. Action by the Council

Items of business will be considered and dealt with one at a time, and a new proposal may not be put forth until action on the preceding one has been concluded. The Consent Agenda is one item.

Section 6-5. Motions

- A. Informal discussion of a subject is permitted while no motion is pending.
- B. Any member, including the presiding officer, may make a motion.
- C. A member may make only one motion at a time.

Section 6-6. Debate

- A. The presiding officer shall state the motion and then open the floor to debate. The presiding officer shall preside over the debate according to the following general principles:
 1. The maker of the motion is entitled to speak first;
 2. A member who has not spoken on the issue shall be recognized before someone who has already spoken;
 3. To the extent possible, the debate shall alternate between proponents and opponents of the measure.
 4. A member of the Council may vote against his or her motion, but may not speak against his or her motion,
 5. The presiding officer may participate in the debate prior to declaring the matter ready for a vote.
 6. Council members shall not engage in electronic communications amongst themselves regarding a motion that is on the floor for debate.

Section 6-7. Duty to Vote

A. Each member of the Council who is present at a meeting shall be required to vote upon all issues presented for decision unless prohibited from doing so by the Virginia Conflict of Interests Act or reasons of similar legal authority. A member who wishes to be excused from voting shall provide for the record his or her reasons for abstaining. If there are any objections and the law does not compel the abstention, the Council may take a vote of the remaining members on the question of whether or not to allow the member to abstain from voting.

B. If there is an abstention, it shall be the responsibility of the Clerk of Council to note the abstention and the reason for abstaining for the record.

Section 6-8. Method of Voting on Motions other than Ordinances and Resolutions

A. After debate, the presiding officer shall ensure that the motion is clear and call for the vote.

B. All motions submitted to the Council shall be determined by a majority vote of the members voting on any such motion, unless otherwise required by special or general law (ordinances and resolutions require the affirmative vote of five (5) members). A majority is more than half. For general ordinances and resolutions, an affirmative vote of five is required by Norfolk City Charter Section 15.

C. An "affirmative vote" by a majority of the Council present being necessary to adopt a motion, a tie vote means that the motion, resolution or issue has been rejected. When a motion fails on a tie vote, the "noes" prevail.

D. All motions submitted to the Council for decision shall be decided by a vote of the Council with preference for an electronic voting board in Council chambers. In the absence of the electronic voting board, or if the meeting is held in a space without such a device, the question shall be decided by an oral vote of "aye" or "nay". Any member may request a roll call vote. In any case, the Council Clerk shall announce the results of the vote.

SECTION 7 — APPOINTMENTS TO BOARDS, AUTHORITIES, COMMISSIONS AND COMMITTEES

Unless otherwise provided, members of boards, authorities, commissions and committees shall be appointed by an affirmative vote of a majority of the members of the Council to serve specified terms as may be deemed to be appropriate by the Council.

SECTION 8 -- GENERAL OPERATING POLICY

Section 8-1. Broadcasting Council Meetings

Regular meetings of the Council shall be broadcast live on the City Government Channel 48 and posted on YouTube and the City Web Site. Copies of the broadcast may be obtained by the public from the Clerk of the Council.

Section 8-2. Numbering and Indexing of Resolutions and Ordinances

It shall be the responsibility of the Clerk to number and index all resolutions and ordinances adopted by the Council. The resolutions shall be numbered consecutively. Ordinances shall also be numbered consecutively.

Section 8-3. Minutes of the Council Meetings

The minutes of the Council meetings shall be kept by the Clerk of the Council and reflect the official acts of the Council. The Minutes shall be posted on the City Web Site. Minutes shall be considered for approval within a reasonable time after the meeting they record.

Section 8-4. Amending the Rules of Procedure

These rules may be amended or suspended at any regular meeting, or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting. Adoption of an amendment shall require an affirmative vote of the attending majority.

Section 8-5. Special Rules of Procedure

The Council may adopt its own special rules of procedure to cover any situations that are not adequately addressed in these Rules of Procedure. Adoption of a special rule of procedure shall require an affirmative vote of a majority of a quorum of the Council.