

**COUNCIL RULES FOR GOVERNMENT OF
THE COMMON COUNCIL OF
THE CITY OF KINGSTON
ADOPTED JANUARY 10, 1908,
AMENDED AND REVISED
AND CONTINUED JANUARY 1, 2010**

**RULE I
MEETINGS**

1. Regular meeting of the Common Council shall be held on the first Tuesday of each month at 7:30 PM unless otherwise ordered by the Council President with the assent of the Majority and Minority Leaders. There shall also be a second regular meeting of the Common Council to be held on the third Tuesday of December. Other meetings may be designated by resolution of the Common Council, or called pursuant to C13-2(A) ARTICLE XIII of the City Charter.
2. The latest time for filing all matters to be presented at a regular meeting of the Common Council shall be four o'clock in the afternoon of the day of the regular meeting.
3. The latest time for filing all matters to be presented at a recessed regular or special meeting of the Common Council shall be 12 o'clock Noon of the last working day prior to the recessed or special meeting.
4. The Clerk of the Common Council, with the assent of the Council President and Majority and Minority Leaders, shall waive the deadlines as set forth in paragraphs 2 and 3 of RULE I.

**RULE II
PRESIDING OFFICER**

1. The presiding officer shall be addressed as Mr. President.
2. The Common Council may elect a temporary chairman, who shall take the chair in the absence of the president.
3. The President may call any member to the chair for a part of the session and may from his seat in the Common Council, under any order of business present any motion, resolution or report and speak to the merits of any pending question, but neither the President nor any member while presiding, shall speak to the merits of any pending question, nor present any motion, resolution or report.

RULE III ORDER OF BUSINESS

1. Call to order.
2. Reading of the minutes of the last meeting unless on motion the reading thereof be dispensed with, after which if no objections are offered or corrections ordered, the President shall declare the same approved.
3. A public comment period, not to exceed 30 minutes in length, at which any member of the public may speak to the Council about any issue of his/her choosing. Prior permission to speak from the Council will not be necessary and Council members will not be allowed to engage in debate during this period.
4. Presentation of petitions and action thereon or reference thereof.
5. The presentation of bills, claims and communications shall be filed by the President with the Clerk of the Council. Any member may call for a clarification or a reading of a communication if so desired.
6. Committee reports in order named in Rule IV.
7. Motions and resolutions, the latter of which shall be in writing.
8. Unfinished business.
9. Special orders. Communications from the Mayor and reports from the Committee on Laws & Rules shall be privileged, and may be presented under any order of business.
10. This order of business shall not be set aside or suspended, except by a majority vote of all the members of the Common Council in office.

RULE IV COMMITTEES OF THE COMMON COUNCIL

- a. Standing Committees and Number of Members
 1. Finance/Economic Development - 5
 2. Laws & Rules/Cable - 5
 3. General Government/Public Safety/Audit - 5
- b. Special Committees - such committees as are appointed from time to time by the Council President.

c. Members of the Standing and Special Committees shall serve at the pleasure of the Council President.

d. Members of the majority party in the Common Council shall be granted the majority of the committee assignments and shall control all committees.

e. Minority Leader shall be defined as the head of the largest non-majority party of the Common Council.

f. Committee Reports

1. Each committee of the Common Council will be required to submit a detailed report to the President of the Council. The report will include: recommendations of the majority of the committee on proposed legislation; all matters discussed in committee including courses of action to be taken by the committee at a later date in time; the time, date and place where the meeting was held; and should specify what committee members were present for the meeting.

2. All committees shall render proposed legislation to be considered by the entire Common Council, in accordance with RULE I - Section 2 and 3, and detailed committee reports, must be submitted to the President of the Council within 30 days of the date the committee meeting was held.

3. Emergency legislation brought forward by committees is permitted with the consent of the Council President, the Majority Leader and the Minority Leader. Legislation from the Mayor is permitted at any time.

4. Committee reports shall not be read except upon request of a majority of the committee members so stated in the report, in which case they shall be read after the Communications as provided in the Order of Business (RULE III). Committee Reports shall be public records and maintained in the Office of the City Clerk.

RULE V MOTIONS AND RESOLUTIONS THEIR PRECEDENCE

1. When a question shall be under consideration no motion shall be received except as herein specified, which motions shall have precedence in the order stated:

1st - For and adjournment of the Common Council

2nd - For the previous question

3rd - To lay on the table

4th - To postpone indefinitely

5th - To postpone to a certain time

6th - To commit to a standing committee

7th - To commit to a select committee

8th - To amend

2. All questions shall be put in the order they are moved except in filling up blanks the longest time and the largest sum shall be put first.

3. All questions relating to the priority of business that is, the priority of one question or subject matter over another, under the same order of business shall be decided without debate.

4. The motion to adjourn and to lay on the table shall be decided without amendment or debate. The several motions to postpone or commit shall preclude all debate of the main question.

5. A motion to adjourn or to take a recess, shall always be in order except when the previous question shall have been ordered; but when once put and lost shall not be renewed until some intermediate question has been proposed, or other business shall have intervened.

6. Every motion or resolution shall be stated by the presiding officer, or read by the clerk before a vote is taken thereon; and every motion except the motions to adjourn, to lay on the table, to postpone the previous question, or commit, shall be reduced to writing if the presiding officer or any member desire it by the member offering same.

7. After a motion shall be stated by the presiding officer it shall be deemed in the possession of the Common Council, but may be withdrawn by the mover at any time before it shall be decided or amended.
8. Resolutions or motions affecting the duties or powers delegated to any Department of City Government by statute shall not be in order.
9. Unless otherwise provided by law, the number of votes required to pass a resolution of the Common Council shall be a majority of those members present at a meeting at which a quorum is present.

RULE VI RECONSIDERATION OF MOTIONS OR RESOLUTIONS

1. No motion for the reconsideration of any vote shall be in order, unless at the same or next regular meeting of the Common Council to that on which the decision proposed to be reconsidered took place, and unless a member who voted in the majority thereon shall move such reconsideration; but a motion to reconsider, made for the purpose of correction of error in any ordinance or resolution, shall be considered a privileged motion to any member, and shall always be in order.
2. A motion for reconsideration being put and lost shall not be renewed, nor shall any subject or motion be a second time reconsidered without unanimous consent.

RULE VII RELATING TO THE PREVIOUS QUESTIONS

1. The previous question shall be as follows: "Shall the main question be now put?" and until it is decided shall preclude all amendments or debate.
2. When, on taking the previous question, the Council shall decide that the main question shall be considered and still remaining under debate; the main question shall be on passage of the motion, resolution, or other matter under consideration; but when amendments are pending, the question shall first be taken upon such amendments in the order; and if the previous question has been ordered.

RULE VIII DIVISION OF QUESTIONS

1. If any question contains several distinct propositions they may be divided by the presiding officer at the request of any member, but a motion to strike out and insert shall be inadvisable.

RULE IX DECIDING AND RECORDING THE VOTE

1. The ayes and nays shall be taken on any question whenever requested by either the Majority or Minority Leader for purposes of explaining the vote upon the final passage of a bill, and when so taken shall be entered on the minutes. Each council member shall have two minutes to explain and cast their vote.
 - a. That each member of the Common Council of the City of Kingston, New York shall vote on each item before said body, calling for a vote unless he or she shall be excused from voting because of a conflict of interest. The question of whether a conflict of interest exists for a member shall be solely decided by the President of the Common Council. An abstention by a member shall constitute a "no" vote upon the issue for which the abstention is requested.
2. The presiding officer may also call for a rising vote of the members of the Common Council whenever he is unable to decide the result of a vote taken viva voce. In all cases where a motion, resolution or other matter shall be entered on the minutes the name of the member shall also be entered on the minutes.

RULE X EXPENDITURES

1. All legislation requiring the expenditure of money shall be referred to the Committee on Finance/Economic Development to report, and if the same be reported favorably such report shall contain an estimate of the total expenditure and basis of such estimate, which report shall be referred to the Standing Committee having subject of such expenditure in charge. The total sum appropriated by such legislation shall be limited to the total sum of the estimate of the Finance Committee.

RULE XI PRIVILEGE TO THE COMMON COUNCIL ROOMS

1. No person shall be permitted on the floor of the Chamber of the Common Council inside the railing, other than members and ex-members of the Common Council, the heads of the several departments of the City government, and the reporters of the press, unless by written permission obtained from a member of the Common Council, and countersigned by the Mayor or presiding officer, nor shall any such permission extend beyond the day for which it is given.
2. It is the duty of the Sergeant-at-Arms to enforce this rule.

RULE XII QUORUM - HOW OBTAINED

1. In all cases of the absence of a quorum during the session of the Common Council the members present may take such measures as they deem necessary to secure the presence of a quorum, and may inflict such censure of penalty, as they may deem just, on those who, on being called on for that purpose, shall render no sufficient excuse for their absence.

RULE XIII ENFORCEMENT OF RULES

1. If any member in speaking, transgress the rules of the Common Council, the presiding officer, or any members, may call to order, in which case the member so called to order shall immediately sit down, and shall not rise unless to explain or to proceed in order.
2. The Superintendent of the City Hall shall be in attendance at all meetings of the Common Council and shall act as Sergeant-at-Arms.
3. Whenever any person shall be brought before the bar of the Common Council for adjudged breach of its provisions, no debate shall be in order, but the presiding officer shall proceed to execute the judgement of the Common Council without delay or debate.

RULE XIV CHANGES AND SUSPENSIONS OF RULES

1. No standing rule or order of the Common Council shall be changed, suspended or rescinded except by the affirmative vote of at least two-thirds (2/3) of the members elected to the Common Council.

RULE XV MANUAL TO DECIDE

1. When any of the provisions of the foregoing rules are in question, it shall be referred to the Clerk's Manual governing the Assembly of the State of New York for final decision. And all questions arising, not herein provided for, shall be so referred and decided.

RULE XVI DECORUM

1. While the Council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Council or its presiding officer. The presiding officer may enforce this rule, if necessary, by causing the ejection of the offending member from the meeting.

RULE XVII DEBATE

1. No member of the Common Council shall speak more than twice on any question nor shall any member speak for more than fifteen minutes at a time unless permission to do so shall have been granted by the presiding officer.

RULE XVIII STATE OF THE CITY ADDRESS

1. With unanimous consent of the majority party, the Majority Leader may deliver a State of the City Address at the regularly scheduled February Common Council meeting each year.
2. With unanimous consent of the minority party, the Minority Leader may deliver a State of the City address at the regularly scheduled February Common Council meeting each year.

State of New York
County of Ulster
City of Kingston

I, Arlene Rion, City Clerk of the City of Kingston, New York, do hereby certify that the foregoing Council Rules for Government of the Common Council of the City of Kingston, New York, were duly adopted the 1st day of January, 2010.

**ARLENE RION
CITY CLERK**