

# *City of Kenner* *Office of the Council*



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## Rules of Organization, Business, Order & Procedure of the Council

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Revised in accordance with Resolution No. B-16941 adopted September 6, 2018

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## THE COUNCIL

RULE 1. The Council shall consist of seven (7) members; two (2) Councilmembers-at-Large designated as Division A and Division B, who are elected city-wide, and five (5) District Councilmembers designated as District 1, District 2, District 3, District 4 and District 5, who are elected from their respective council districts.

## PRESIDING OFFICER

RULE 2. The President of the Council shall be the presiding officer of the Council. The Vice-President of the Council shall preside in the absence of the President. If both the President and Vice-President are absent or cannot act as presiding officer, then the order of succession shall be: (1) Councilmember-at-Large not serving as the Council President; and (2) the District Councilmember having the most consecutive years of service as Councilmember, who shall preside until the President or Vice-President returns.

## ELECTION OF COUNCIL PRESIDENT AND VICE-PRESIDENT

RULE 3. At the first regular meeting of a newly elected Council, a President and a Vice-President shall be elected, both from the entire authorized membership of the Council. These officers shall serve at the pleasure of the Council, but they may resign their offices by giving written notice thereof to the Clerk of the Council. The President shall preside at meetings of the Council, except when he shall be Acting-Mayor. In the absence or disability of the President, the Vice-President shall assume his duties. Upon resignation or disqualification of the President or Vice-President, the Council shall elect their successors at the next regular or special Council meeting. (Special Election held April 1, 2006 -- Effective July 1, 2006)

## COUNCIL PRESIDENT'S DUTIES

RULE 4. The duties of the President shall be as follows:

1. Preside at meetings of the Council.
2. Serve as the Chief Executive Officer of the Council, making final decisions relative to the efficient operation of the integral units of the office.
3. Work with the members of the Council in discussion and preparation of the Annual Budget; thereafter, work with the Clerk in the final preparation of the Council's Annual Budget.
4. (a) Have the authority to create Council Sub-Committees consisting of one (1) Councilmember, each appointed by the Council President or a majority of the membership of the Council.  
(b) With respect to committees formed by the Council, the Council President shall have the authority to appoint a Chairman thereto from the membership of the Council.
5. Preserve decorum and order, speak to points of order in preference to other members, and decide all questions of order, subject to an appeal.
6. Declare a recess for not more than ten (10) minutes upon motion duly passed by vote of at least four (4) Councilmembers, at any time, during debate or otherwise.
7. Should the President desire to vacate the chair, the Vice-President shall be first appointed to accept the chair and, thereafter, the order of succession shall be: (1) Councilmember-at-Large not serving as Council President; and (2) the District Councilmember having the most consecutive years of service as Councilmember.
8. Authenticate all actions of the Council.
9. Authenticate maps presented in ordinances from the Planning Department, as necessary.
10. Oversee the Clerk of the Council in the execution of the Clerk's duties as set forth by Rule 5.
11. Work in concert with the Council Clerk and in the management of the Clerk's office.
12. Designate the distribution of the workload created in the absence of the Clerk.
13. Periodically monitor office operating expenses accrued, keeping these expenses within the Council's budget.
14. Approve personnel action forms; i.e., hiring, firing, reprimanding, etc., as necessary.
15. Perform any other functions authorized by the Council.

## COUNCIL CLERK'S DUTIES

RULE 5. The duties of the Clerk of the Council shall be as follows:

### A. GENERAL

1. Give notice of meetings, both Regular and Special.
2. Prepare material for Council's consideration at said meetings and distribute to all Councilmembers and all other proper authorities.
3. Keep records of proceedings by recording all meetings and maintaining the minutes of same.
4. Record and authenticate actions of the Council.
5. Publish all Ordinances and Resolutions adopted by the Council at any such meeting in the City's Official Journal within the appropriate time specified by law.
6. Perform all other actions required by applicable State Law, the Charter of the City of Kenner and Council direction.
7. Perform any and all other duties enumerated by the Council President.

### B. OFFICE MANAGEMENT

1. Assist the Council President with matters specifically pertaining to the performance of the President's duties.
2. Supervise the office personnel daily with their respective duties as assigned by their designated Councilmembers.
3. Distribute the workload as deemed necessary in the temporary absence of office personnel.
4. Purchase office supplies, equipment and services for same, as necessary.
5. Maintain Council Chamber equipment; i.e., voting machine and recording devices.

### C. PERSONNEL

1. Keep daily personnel attendance records of Council office personnel.
2. Prepare time sheets on properly designated dates to effect personnel payroll.
3. Coordinate personnel vacation time and maintain records of all sick leave time of Council office personnel.
4. Assist Council President or Councilmembers with the interview of any prospective employee.



## COMMITTEES OF THE COUNCIL

RULE 6. There is hereby created a Committee of the Council as a Whole to discuss, on the day of regularly scheduled Council Meetings, from 4:00 p.m. to 5:00 p.m., various activities and reports of Council Committees and any other City-related activities. (Resolution No. B-15150 adopted 07/20/2006)

The Council may, from time to time, authorize the appointment of special committees by the President of the Council upon motion adopted at a meeting of the Council. The President of the Council shall name the Councilmember who is to act as Chairman of said special committee. Such Committee shall terminate when it shall have accomplished the purpose for which it was created, or until abolished by a majority vote of the Councilmembers present.

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## REGULAR MEETINGS OF THE COUNCIL

RULE 7. The Council of the City of Kenner shall hold regular meetings in the Council Chamber of the City Hall, which shall commence at 6:00 o'clock PM on the first Thursday of each month and 11:00 o'clock AM on the third Friday of each month. Should any of said days fall on a legal holiday, such meeting shall be re-scheduled to another day and time by the Council President in accordance with the consent of the majority of the Kenner City Council. (Resolution No. B-15941 adopted 9/6/2018)

## SPECIAL MEETINGS OF THE COUNCIL

RULE 8. Special meetings of the Council may be called by the Mayor or President of the Council, and shall be called by the Clerk of the Council upon written request of a majority of the Members of the Council, as provided in the City Charter.

## NOTICE OF PUBLICATION FOR SPECIAL MEETINGS

RULE 9. Notice of all special meetings shall be published in the Official Journal, provided, however, if the next edition of the Official Journal will be subsequent to such special meeting, then the notice shall be published in any newspaper of general circulation.

## MINUTES OF THE MEETINGS

RULE 10. The minutes of the meetings shall record all the transactions of the Council, but shall not be considered a verbatim transcript of Council meetings.

## AGENDA PROCEDURES

RULE 11. The necessary copies of every proposed Ordinance or Resolution shall be furnished to the Clerk of the Council by 12:00 noon on the Monday before the date of a Council Meeting. The Clerk of the Council shall distribute, to the following, copies of the Agenda to be considered at the Council Meeting:

1. The Mayor
2. Each Member of the Council
3. The Chief of Police
4. The Chief Administrative Officer
5. The Director of Each Department
6. The City Attorney

## SUPPLEMENTAL AGENDA

RULE 12. If any member of the Council presents to the Clerk of the Council a proposed Ordinance or Resolution after 12:00 noon on Monday before the day of a Council Meeting, and before 12:00 noon on Wednesday before the day of a Council Meeting, with a request that the said matter be placed on the Agenda for the forthcoming Council Meeting, the Clerk of the Council shall receive the matter and proceed to place such matter on the Agenda for consideration at the forthcoming meeting. The Clerk shall include such matter in a Supplemental Agenda distributed in accordance with Rule 11, as soon as possible.

## AGENDA CUTOFF

RULE 13.1 The Clerk of the Council shall not accept any Ordinance, Resolution, or other item or topic for inclusion on the Agenda after 12:00 noon on Wednesday before the day of the Council Meeting. Such matter may only be considered at the Council Meeting if, at the time of the meeting, a Motion to Suspend the Rules to include the matter is approved in accordance with Rule 39.

RULE 13.2 Provided that upon unanimous approval of the members present at a meeting of a Council, the Council may take up a matter not on the agenda. Any such matter shall be identified in the motion to take up the matter not on the agenda with reasonable specificity, including the purpose for the addition to the agenda, and entered into the minutes of the meeting. Prior to any vote on the motion to take up a matter not on the agenda by the Council, there shall be an opportunity for public comment on any such motion at such meeting, subject to reasonable rules, regulations, and restrictions as adopted by the Council, in accordance with R.S. 42:5 or 5.1. The Council shall not use its authority to take up a matter on the agenda as subterfuge to defeat the purposes of R.S. 42:4.1 through 8. (Amended by Resolution No. B-15693, adopted September 11, 2008)

## COMMUNICATIONS ATTACHED TO ORDINANCES

RULE 14. Any communication which is pertinent to a pending Ordinance or Resolution shall be attached by the submitting party to that Ordinance or Resolution and read before voting thereon, if requested.

## REQUEST FOR PUBLIC HEARINGS

- RULE 15.1 In addition to those Public Hearings required by law, any person shall be entitled to a reasonable hearing on any proposed Ordinance, or relating to any such petition or application presented to the Council. Such persons shall request the hearings, in writing, addressed to the Clerk of the Council in sufficient time to permit the notice required herein.
- 15.2 The hearing will be conducted by the Committee of the Whole Council, unless the Council provides such hearings at a Regular or Special Meeting of the Council. Four (4) members of the Committee shall constitute a quorum.

## REQUEST FOR PUBLIC HEARINGS (CONTINUED)

- 15.3 Notice required. Before a hearing is held, all interested parties, including proponents, opponents, the Mayor or the Chief Administrative Officer, and Members of the Council shall be notified at least twenty-four (24) hours prior to the hearing.
- 15.4 On any matter either before the full Council or a Committee thereof, no more than five (5) persons on each side of the question shall be heard and each speaker shall be limited to three (3) minutes, provided, however, the number of speakers and time allocated may be extended by a majority vote of the Councilmembers present.

## SUSPENSION OR REVOCATION HEARING ON ALCOHOL BEVERAGE OUTLET PERMIT

- RULE 16. Suspension or revocation hearing on ABO permit provided for in the Code of Ordinances shall be conducted by the Committee of the Whole Council, who shall report their recommendations at the next Council Meeting. The provisions of Rule 15.4 shall not apply, and the Chairman of the Committee of the Whole shall determine the order of witnesses and presentation of evidence. After receipt of the Committee of the Whole's report, the Council shall take whatever action they deem appropriate on the ABO permit.

## MOTION FOR CONTINUANCE OF HEARING ON ALCOHOL BEVERAGE OUTLET PERMIT

RULE 17. Whenever any defendant in an alcohol beverage hearing moves for a continuance of said hearing prior to the Council Meeting, at which said hearing has been set to be heard, the Presiding Officer of the Council shall have the authority to approve or disapprove such continuance based upon the facts presented. Provided, however, when there is a Regular or Special Meeting of the Council in the intervening time between the request for a continuance and the hearing date, such authority to grant such continuance shall be vested in the Council as a Whole.

## VOTING

RULE 18. Every member who shall be present when a question is stated from the Chair shall vote thereon or abstain, unless excused by the Council, or unless he asks to be recused because of a personal interest in the question, in which case he shall not vote. Any Councilmember may suggest that another Councilmember should recuse himself and the Council shall be the first judge as to whether a Councilmember shall recuse himself.

## RECORD OF MOTIONS

RULE 19. In all cases where an Ordinance, Resolution, or procedural Motion relating thereto is entered in the minutes of the meetings, the name of the member moving the same shall be entered also.

III. COUNCIL RULES OF ORDER AND PROCEDURE

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## ROBERT'S RULES OF ORDER

RULE 20. The rules of parliamentary procedure comprised in the latest published edition of Robert's "Rules of Order Revised" shall govern the Council in all cases to which they are applicable and which they are not inconsistent with the special rules for this Council.

## QUORUM

RULE 21. A quorum of the Council for the transaction of business shall consist of four (4) members. When a quorum is present, the Council shall proceed to the business before it, subject to the provisions of Rule 23.

## AGENDA FORMAT

RULE 22. The Agenda for the Council will be prepared as follows:

MEETING CALLED TO ORDER  
INVOCATION / PLEDGE OF ALLEGIANCE  
ROLL CALL - COUNCILMEMBERS

RESOLUTIONS, MOTIONS, AND OTHER ITEMS FROM THE FLOOR

### CONSENT AGENDA

1. APPROVAL OF MINUTES
2. APPROVAL OF ALCOHOLIC BEVERAGE PERMIT APPLICATIONS
3. APPROVAL OF BINGO AND PUBLIC GATHERING APPLICATIONS
4. CORRESPONDENCE: REPORTS FROM MAYOR, CAO, OR DEPARTMENT HEADS
5. ACCEPTANCE/REJECTION OF BIDS REQUIRING AN EXPENDITURE OF LESS THAN FIVE THOUSAND DOLLARS (\$5,000)
6. CHANGE ORDERS REQUIRING AN EXPENDITURE OF LESS THAN FIVE THOUSAND DOLLARS (\$5,000)
7. ACCEPTANCE OF COMMITTEE FINDINGS (FINAL PASSAGE)

8. RESUBDIVISION ORDINANCES (FINAL PASSAGE)  
PUBLIC APPEARANCE AGENDA
9. PUBLIC HEARINGS (FINAL PASSAGE)
10. OPENING OF BIDS
11. RECLASSIFICATION OF ZONING (FINAL PASSAGE)
12. OTHER ORDINANCES (FINAL PASSAGE)
13. RESOLUTIONS AND MOTIONS BY COUNCILMEMBERS
14. ITEMS REMOVED FROM THE CONSENT AGENDA
15. ACCEPTANCE OF CONTRACTS AND SIMILAR MATTERS APPROVED BY THE MAYOR
16. ORDINANCES/RESOLUTIONS IN SUMMARY (FIRST READING)
17. REPORTS FROM THE COUNCIL AND/OR SPECIAL COMMITTEES
18. NEW BUSINESS
19. UNFINISHED BUSINESS AND/OR MOTIONS TO RECONSIDER OR REMOVE FROM A TABLED POSITION
20. PERSONS WISHING TO ADDRESS THE COUNCIL ON SPECIAL SUBJECT MATTERS
21. MOTION TO ADJOURN

Any item under new business must be described in sufficient detail so that the Council and Administration, as appropriate, can be properly prepared to discuss the item.

(Amended by Resolution No. B-16834, adopted October 19, 2017)

#### SPECIAL AWARDS/PRESENTATIONS

RULE 22A. Any appropriate awards or presentations shall be made prior to the start of the regular meeting of the council as set forth in Rule 7.

Any such presentations shall be completed in time so that the regular meeting shall commence as scheduled. In the event there should be a committee meeting of the whole scheduled for the same day, then the special awards/presentations shall be done after the committee meeting of the whole. (Amended by Resolution No. B-13580 on December 3, 1998)

### CHANGE IN THE ORDER OF BUSINESS

RULE 23. Any matter before the Council may be considered at any time without regard to the order of business if a Motion to take the matter out of its regular order is made, seconded, and adopted by a majority of the Councilmembers present.

### INTRODUCTION OF ORDINANCES AND RESOLUTIONS ON FIRST READING

RULE 24. Ordinances and Resolutions appearing on the agenda for first reading shall be read by the Clerk of the Council. The Clerk of the Council shall read the Summary thereof or the entire proposed Ordinance and Resolution if requested to do so by a Councilmember. Discussion on Ordinances and Resolutions introduced for first reading shall be limited to Councilmembers stating their position on the subject matter of said Ordinance or Resolution introduced for first reading. Councilmembers may also ask specific questions at this time. Responses shall be limited to a direct response to the question.

### PRECEDENCE OF MOTIONS

RULE 25. When a question is under debate, the following motions shall be in order and shall have precedence over each other in order, as listed:

1. To adjourn to a day certain.
2. To adjourn.
3. To take a recess.
4. To lay on the table.
5. To defer or postpone to a time certain.
6. The previous question.
7. To refer.
8. To amend.
9. To defer or postpone indefinitely.

The motions to adjourn, lay on the table, and previous questions are non-debatable.

The motion for previous question shall be adopted by a majority vote of the Council.

## PRECEDENCE OF MOTIONS (CONTINUED)

The motion to defer to a time certain is debatable only as to defer or postpone to a time certain. It allows very limited debate; such debate, however, must not delve into the merits of the subject anymore than is necessary for the Council to make a judgment about postponement.

## SECONDING OF MOTION REQUIRED

RULE 26. No motion shall be put or debated in the Council or in a Committee unless it is seconded. When a motion is seconded, it shall be stated by the Presiding Officer before debate.

## MOTION TO ADJOURN

RULE 27. A motion to adjourn, or to adjourn to a day certain, shall always be in order, except:

1. When a member is in possession of the floor.
2. When the members are voting.
3. When adjournment was the last preceding motion.
4. When it has been decided that the previous question shall be taken.
5. A motion to adjourn to a day certain will take precedence over a motion to adjourn. Neither motion is debatable.

## MOTION TO LAY ON THE TABLE AND TO TAKE FROM THE TABLE

RULE 28.1 A motion to lay a question on the table is non-debatable and requires a majority vote.

28.2 A motion to lay on the table shall apply only to that question. An amendment to the main question or other pending questions may be laid on the table and neither the main question nor such other pending question shall be affected thereby.

28.3 A motion to take from the table, made at the same meeting that the matter was laid on the table, shall require a two-thirds (2/3) vote of the Councilmembers present. If the motion to take from the table is made at any subsequent meeting, it shall require a majority vote of the Councilmembers present.

## PREVIOUS QUESTION

RULE 29. The object of the motion for the Previous Question is to end debate on the subject which is being considered and bring it to an immediate vote. The motion must be seconded and adopted by a majority vote of the Councilmembers. If the motion for the Previous Question passes, all further amendments and all further motions and debate shall be excluded, and the vote taken upon the pending amendments in proper order and then upon the main question (original subject). If the motion fails, debate continues.

## MOTION TO AMEND

RULE 30.1 An amendment modifying the intention of an Ordinance or Resolution shall be in order and must be in writing, if required by the Presiding Officer; but, an amendment relating to a different subject shall not be in order. The motion to amend must be seconded and adopted by a majority of the Councilmembers.

30.2 An amendment to an Ordinance or Resolution must be germane. It must not be amended so as to nullify its original purpose or to accomplish an object not related to its original purpose.

30.3 A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be entertained.

30.4 An amendment to the main question or other pending question may be referred to a Committee and neither the main question nor such other pending question shall be affected thereby.

30.5 An amendment to a motion can be made to substitute a different motion on the same subject for the one currently before the assembly. This is referred to as a "substitute" motion.

## DIVISION OF QUESTION

RULE 31. If any question under consideration contains several distinct propositions, the Council, by a majority vote of the members present, may divide such question. If division is voted for an Ordinance, the resulting ordinances shall lie over one (1) week as provided for newly introduced ordinances.

POSTPONEMENT MOTION: MOTION TO POSTPONE TO A TIME CERTAIN AND INDEFINITE POSTPONEMENT

RULE 32.1 A Motion to Postpone to a certain time is a motion on a pending question that can be put off to a later time in the meeting or the next two meetings. No question can be postponed beyond the next two meetings. The item being postponed shall appear on the agenda as unfinished business. (Amended by Resolution No. B-15255 adopted on December 7, 2006)

32.2 A Motion to Postpone Indefinitely is a motion where the council declines to take a position on the question. To indefinitely postpone means to drop or kill the motion without a direct vote. (Amended by Resolution No. B-15255 adopted on December 7, 2006)

RECONSIDERATION

RULE 33.1 A vote or question on the main issue may be reconsidered at any time during the same meeting. A motion to reconsider must be made and seconded by members who voted on the prevailing side of the question to be reconsidered. Upon motion so made and seconded, a vote shall be taken without debate. If the motion passes, debate shall be reopened on the main issue. A motion for reconsideration, having been once made and decided in the negative, shall not be renewed, nor shall a motion to reconsider be reconsidered.

33.2 A motion to reconsider can be made at the first regular or special meeting held after the meeting at which the matter was adopted or defeated. If, however, an Ordinance or Resolution has become effective in accordance with § 2.18 of the City of Kenner Charter, it cannot, thereafter, be reconsidered.

ANNOUNCEMENT AND CHANGE OF VOTE

RULE 34. The result of all roll call votes by yeas, nays, and abstentions or recusals shall be announced by the Clerk, and no vote shall be changed after the Clerk has announced the vote.

## ORDER OF VOTING

- RULE 35.1 Voting shall be by electronic device with all votes to be cast simultaneously by Yeas and Nays. If the electronic device does not have a provision for signifying an abstention or recusal, any Councilmember desiring to abstain or recuse (himself) from voting shall so state his intention prior to the casting of votes.
- 35.2 The Presiding Officer shall vote on all questions on which a vote is taken.
- 35.3 In case of a malfunction in the electronic system, voice votes shall be cast by Yeas and Nays. Abstentions shall be noted prior to the casting of votes.
- 35.4 When the Clerk has commenced to call the roll of the Council for the taking of a vote, all debate on the question shall be deemed concluded, and during the taking of the vote, no member shall be permitted to explain his vote, but shall respond to the calling of his name by the Clerk by answering "Yea" or "Nay," unless he has previously indicated his intent to abstain or recuse (himself).
- 35.5 The Yeas, Nays and Abstentions upon any question shall be taken and entered in the minutes of the meetings.

## ROLL CALL VOTE

- RULE 36. Any Councilmember may request a roll call vote, for any reason. After an electronic vote has been cast, a roll call vote may be requested if there has been a machine error in the electronic vote. Roll call votes shall be held on a rotation basis and shall begin in the order of Council Districts (1 through 5), then Councilmember-at-Large Division A, then Councilmember-at-Large Division B. The second such request shall begin with District 2, with District 1 to vote last. Each subsequent request shall begin with the next Councilmember (including the at-Large Councilmember and Council President) in sequence with the Councilmember voting first on the previous roll call vote taking the last position. This rotation shall be continued, in order, on each subsequent roll call vote.

### CALL OF MEMBER TO ORDER

RULE 37. A member, when called to order by the Chair, shall thereupon, immediately comply with the ruling, subject only to the right of appeal.

The Presiding Officer must enforce the rules and orders of the assembly without debate or delay. A member may, in fact, insist on it by raising a point of order. A question on a point of order has to be decided by the Presiding Officer without debate.

### APPEAL DECISION BY THE CHAIR

RULE 38. Any member may appeal, to the Council, a ruling by the Chair at the time the ruling is made. If the appeal is seconded, the member making the appeal may briefly state the reasons for same, and the Chair may briefly explain his ruling; but, there shall be no debate on the appeal and no other member shall participate in the discussion. The Chair shall then put the question; "Shall the decision of the Chair be sustained?" If a majority of the members present vote "No," the decision of the Chair shall be overruled; otherwise, it shall be sustained.

### SUSPENSION OF COUNCIL RULES

RULE 39. These rules which have been adopted by this Council may be temporarily suspended by a two-thirds (2/3) vote of the Council.

### AMENDMENT OF COUNCIL RULES OF ORGANIZATION, BUSINESS, ORDER, AND PROCEDURE

RULE 40. These rules of organization, business, order, and procedure may be repealed, altered or amended, or a new rule adopted, by a concurrence of the majority of all Councilmembers; however, motion for this purpose must be in writing and lie over for at least one (1) week after introduction before final passage.

### QUESTION OF PERSONAL PRIVILEGE

RULE 41. The right of a member to address the Council on a question of personal privilege shall be limited to cases in which his integrity, character or motives are assailed, questioned or impugned. The right of a member to address the Council on a question of personal privilege, as herein defined, shall not be limited by Rule 37.



## ORDER OF DEBATE AND DECORUM

RULE 42.1 Other than for the purpose of asking a question, no member shall speak more than once on the same question, except by unanimous consent of the Council, and then not until every other member desiring to speak shall have had an opportunity to do so; provided, however, that the proponent of the matter under consideration, or the Chairman of the Committee whose report is under consideration, as the case may be, shall have the right to open and close debate. No member shall speak longer than ten (10) minutes at any time, except by majority consent of the Councilmembers present; and, in closing debate on any question, as above provided, the speaker shall be limited to five (5) minutes, except by majority consent of the Councilmembers present. The time limit and the right to speak only once shall not apply when a Councilmember is required to answer questions.

While a member is speaking, no member shall hold any private discourse.

A Councilmember, who has not spoken on an issue and/or used all of his allotted time, may yield all or a portion of his time to another Councilmember.

42.2 Every member, previous to his speaking, making a motion or seconding the same, shall address himself to the Presiding Officer, and say, "Mr. President," and shall not proceed with his remarks until recognized and named by the Chair. He shall confine himself to the question under debate, avoiding personalities and refrain from impugning the motives of any other member's argument or vote.

Every member is also to refrain from personal attacks upon or impugning the motives or character of any citizen, employee or vendor addressing the Council. (Resolution No. B-14820 adopted October 21, 2004)

42.3 When two (2) or more members request the floor at the same time, the Presiding Officer shall name the member who is to speak first.

42.4 When any person requests a discussion on any matter under "New Business", the agenda must specifically state the subject matter to be discussed and all discussion shall be limited to the subject matter so stated or enumerated on the agenda, unless the Council Rules are suspended in accordance with Rule 39.

PERSONS WISHING TO ADDRESS THE COUNCIL

RULE 43. Anyone wishing to address the Council must sign in and shall be heard in the order they signed in; however, no one will be denied the right to address the Council. Provided further that any elected official wishing to address the Council need not sign in, and may speak without ascending the public podium. All persons addressing the Council shall be limited to three (3) minutes. No member of the public addressing the Council is allowed to yield his or her (3) minutes to any other person.

(Amended by Resolution No. B-16805, adopted July 20, 2017)

IV. MISCELLANEOUS

- RULE 44 COMMITTEE AS A WHOLE
- RULE 45 COUNCIL COMMITTEE AGENDA
- RULE 46 MEMBER LEAVING MEETING/CHAIR
- RULE 47 DISTURBANCE/DISORDERLY CONDUCT
- RULE 48 SOLICITATION/LOBBYING OF COUNCILMEMBER IN  
SESSION PROHIBITED
- RULE 49 COUNCIL CHAMBERS/FLAGS
- RULE 50 VETO BY THE MAYOR
- RULE 51 SALE OR LEASE OF LAND
- RULE 52 OFFICIAL JOURNAL

## COMMITTEE AS A WHOLE

RULE 44.1 Participation in debate and discussion of matters before the Committee as a Whole shall be limited to Members of the Council. An Agenda shall be compiled and distributed in the manner prescribed in Rule 11. The Councilmember whose discussion first appears on the Agenda shall be recognized by the Council President to report. This report need not be a final report of the Committee, but may serve as an outlet for keeping Councilmembers informed on committee activities. Upon recognition by the Council President, the Committee Chairman shall take the Council President's seat for the duration of his presentation. The Council President shall call each Council Committee member to the Chair as his turn comes on the Agenda. The Council President may re-assume the Chair in the event of loss of decorum in the Chamber or among Members of the Council. The Council President, after discussion of topics has been exhausted, shall call the meeting adjourned. Debate and consideration shall not be limited to a fixed time interval, but shall be ended by a majority vote of Councilmembers present or by the completion of the Committee Member's remarks on his topic. Time allotted to the Committee Member for presentation shall follow the same procedures.

44.2. A motion to close debate shall be duly seconded. A two-thirds (2/3) vote of Councilmembers present shall be required to suspend temporarily rules governing this Committee. In the event there are no subjects for discussion listed on the Agenda by the deadline specified in Rule 12, there shall be no meeting.

## COUNCIL COMMITTEE AGENDA

RULE 45.1 All proposed topics for discussion at a Council Committee meeting shall be submitted to the Clerk of the Council in accordance with the procedure as set forth in Rules 11 and 12 to facilitate the publication of the Council Committee Agenda along with that of the regular Council Meeting Agenda. Copies of the Council Committee Agenda shall be distributed in the same manner used in the distribution of the regular Council Meeting Agenda.

RULE 45.2 Provided that upon unanimous approval of the members present at a meeting of the Council Committee as a Whole, the Committee may take up a matter not on the agenda in accordance with Rule No. 13.2. (Amended by Resolution No. B-15693, adopted September 11, 2008)

### MEMBER LEAVING MEETING/CHAIR

RULE 46. While the Presiding Officer is putting the question, no member shall leave his seat until the roll call is completed.

If any Councilmember must leave a duly convened Council meeting prior to its adjournment, he shall notify the Council President prior to his departure from the premises wherein the meeting has been convened.

### DISTURBANCE/DISORDERLY CONDUCT

RULE 47. In case of any disturbance or disorderly conduct, the Presiding Officer of the Council shall have the power to require the removal of individuals or the Council Chamber to be cleared. The Council shall, if possible, have a policeman present.

### SOLICITATION/LOBBYING OF COUNCILMEMBER IN SESSION PROHIBITED

RULE 48. No person shall, at any session or meeting of the Council, privately solicit any Councilmember to vote for or against any person or proposition.

### COUNCIL CHAMBERS/FLAGS

RULE 49. The only Flags to be permanently stationed in the Council Chambers of City Hall shall be the Flag of the United States, State of Louisiana, and the City of Kenner, and any historical Flag that the Mayor of the City of Kenner deems necessary.

### VETO BY THE MAYOR

RULE 50. Ordinances and Resolutions returned with the disapproval of the Mayor shall immediately stand as reconsidered. The Clerk shall enter the objection of the Mayor thereto at-large in the minutes of the meeting and the Council shall proceed to consider the question: "Shall the Ordinance pass, the objection of the Mayor thereto notwithstanding?" The vote shall be taken by Yea and Nay and entered in the minutes of the meeting. If two-thirds (2/3) of all the members vote to pass the Ordinance, Resolution, or Motion, the Presiding Officer shall certify the fact thereon over his signature.

## SALE OR LEASE OF LAND

RULE 51. Any Ordinance or Resolution having for its purpose the transfer, sale, or leasing of any land shall lie over for three (3) weeks after introduction before final adoption or action thereon, "Except revocations of alleys and streets no longer needed for public use."

## OFFICIAL JOURNAL

RULE 52. The Council shall appoint the Official Journal.

## ORDER OF SEATING

RULE 53. Councilmembers shall be seated on the dais, as follows:

- A. The President shall be seated at the center, flanked by three (3) seats on his or her right and three (3) seats on his or her left.
- B. The seat on the President's immediate left shall be filled by the Councilmember-at-large for Division A, unless said member has been elected President, in which case the seat shall be filled in accordance with paragraph D, below.
- C. The seat on the President's immediate right shall be filled by the Councilmember-at-large for Division B, unless said member has been elected President, in which case the seat shall be filled in accordance with paragraph D, below.
- D. The remaining vacant seats, beginning with the seat on the President's far left and continuing sequentially to the seat on the President's far right until all vacant seats are filled, shall be filled based upon the member's Council District number, in ascending numerical order.
- E. At the first meeting of a new Council term, if neither the President nor Vice-President from the previous term is a member for the new Council term, then prior to the election of the President, members shall be seated on the dais from left to right, from the perspective of the audience, in the following order: District 5, District 4, District 3, Division B, Division A, District 2, District 1.
- F. All directional references contained in this rule, unless specifically stated otherwise, shall be interpreted from the President's perspective, as seated on the dais.