

**RULES OF ORDER
FOR THE CITY COUNCIL
OF THE CITY OF OMAHA**

The following rules of order shall, upon their adoption, govern the procedure of this City Council and the conduct of its members during their current term of Office and all rules of order heretofore adopted by resolution shall be, and the same are hereby, repealed.

RULE I MEETINGS

The regular meetings of the City Council shall be held at such times as the Council may designate, but not less often than twice each month, in the Legislative Chambers of the Omaha/Douglas Civic Center, or such place in the Omaha/Douglas Civic Center that the Council shall designate, provided that the Council may recess any meeting to any day and hour preceding the following regular meeting and at any regular meeting may change the time and date of the next following regular meeting to any other day in the week. Four members shall constitute a quorum for the transaction of business, but a smaller number may recess from time to time, and the City Clerk shall inform all absent members of the time to which the meeting shall be recessed.

A special meeting may be called as provided for in the Home Rule Charter. Any member by his or her attendance shall be deemed to have waived all objections as to notice. Any objection by any absent member based on lack of timely notice shall be deemed to have been waived if he or she fails to move for reconsideration of the action taken before the end of the next regular meeting. No notice need be served upon any member of the City Council present at any meeting of the Council at which the Council President or City Clerk may give oral notice of the time of a special meeting, which shall be noted in the Journal.

RULE II ORDER OF BUSINESS

The Council President shall call the members to order and the City Clerk shall call the roll. If a quorum is present, the Council President shall call for the invocation or opening remarks and Pledge of Allegiance after which the Council shall proceed with the business as contained in the agenda.

RULE III THE CITY CLERK

The City Clerk shall keep the Journal of Council proceedings, and place appropriate endorsements upon all papers presented to the City Council, index, make such record of them in his or her office as may be necessary, send certified copies of all notices and other matter required by law or by the Council to be printed in a newspaper to the publisher and send such original papers to persons, offices, or departments as referred to them by the City Council. The City Clerk shall certify as to the correctness of minutes of the City Council on the Journal Record.

The City Clerk shall provide written notice to the office of each Councilmember whenever the Mayor, acting under Section 2.16 of the Home Rule Charter of the City of Omaha, elects to include written comments on ordinances or resolutions or returns unsigned any ordinances or resolutions adopted by the City Council. The written notice shall be provided within three (3) working days of the Mayor's action and shall include a copy of the appropriate ordinance or resolution.

The City Clerk shall serve as the Parliamentarian at all meetings comprised of the City Council. However, final rulings on parliamentary matters shall be determined by the City Attorney.

**RULE IV
SERGEANT-AT-ARMS**

The City Clerk shall act as the Sergeant-at-Arms until such time as the Council President may appoint some other person to so act.

**RULE V
MEMBERS, ATTENDANCE, VOTING**

A. Every member shall be present within the Legislative Chambers of the Omaha/Douglas Civic Center, or such other place in the Omaha/Douglas Civic Center as the Council shall designate, during its sittings, whether at a regular or special meeting or as a Board of Equalization, unless excused or necessarily prevented, and shall vote on all questions put, unless he or she shall be excused, or unless he or she has a direct personal or pecuniary interest in the question which shall be noted in the Journal as the reason for his or her failure to vote. No member of the City Council shall leave any meeting without advising the Council President, who shall immediately report the fact to the City Clerk.

B. Upon a roll call or count of the City Council, no member not within the Legislative Chamber of the Omaha/Douglas Civic Center shall be counted.

C. Votes shall be taken by roll call in the following manner. The Clerk shall commence calling the roll in alphabetical order and shall rotate the roll call by dropping down one name on the roll on each succeeding meeting, except that the President of the Council shall always be called last. The roll call shall not be interrupted for any reason, except to repeat the proposition to be voted on at the request of a member about to vote. The City Clerk's inadvertent failure to call the roll as prescribed shall not be construed as a violation of this requirement.

Each member shall vote "yes", "no" or "pass". If a member passes, that member's name shall be called again at the end of the roll call. If the member passes a second time, a brief reason for passing may be given. The reason for passing, if given, shall be noted in the Journal. If the member fails to state a reason for passing, that fact shall be noted in the Journal. If the member passes due to a conflict of interest, the member shall state what the specific conflict is, and shall state the opinion or position, if any, of the Nebraska Accountability and Disclosure Commission on the specific conflict.

D. All motions shall require a second to be considered.

**RULE VI
COMMITTEES AND REPORTS**

The Council President shall appoint such Committees from the members of the City Council as are necessary from time to time to conduct the business of the City Council.

RULE VII
ORDINANCES, RESOLUTIONS, AGENDA ITEMS AND PUBLICATIONS

A. Ordinances shall be processed by the City Council as directed in the Home Rule Charter. All items placed on file shall be noted on the agenda, along with the destination of where the item is to be filed. The City Clerk shall distribute a copy of any items placed on file to all Councilmembers and shall also link the document to the agenda for the public. The placing of any matter on file shall be treated as unfavorable and final disposition of it for appeal and other purposes, provided that any proposed ordinance (or other measure or document) having been placed on file may be brought up from file upon any member's motion approved by a majority. Thereafter, the procedure shall be the same as if it were a new ordinance or measure. Any ordinance not of a legislative character may become effective from and after its passage by so providing in the ordinance.

B. All ordinances proposing to amend any existing section, chapter or title of the Omaha Municipal Code shall be submitted with the entire section, chapter or title set forth with new material or language underlined and deleted material or language lined out.

C. The City Clerk shall cause the title of every ordinance to be published on the printed agenda which shall satisfy the reading requirement imposed by the Home Rule Charter; provided, that at the time of public hearing and final reading the City Clerk shall, except for any ordinance in the Consent Agenda, in addition to the foregoing, cause to be read aloud the agenda item number and a brief summary of the subject matter, including all amendments.

The City Clerk shall cause the title of all resolutions and other items to be published on the printed agenda which shall satisfy any reading requirement imposed by the Home Rule Charter; provided that at the time of public hearing and final reading, the City Clerk shall, except as to any resolution in the Consent Agenda, in addition to the foregoing, cause to be read aloud the agenda item number and a brief summary of the subject matter, including all amendments.

D. Non-Action Items:

The agenda shall contain a section of non-action items. This section shall include any item that does not require a public hearing or council consideration at the present meeting, but will be placed on a future agenda for a public hearing and council consideration. The reason for non-action shall be noted after the item on the agenda as well as the date the item is expected to appear on an agenda for council consideration. These items shall include, but are not limited to the following:

The first and second ordinance readings for planning related items including: (The public hearing for these items will be held on the third reading and that shall be noted next to the item.)

1. Ordinances creating sewer, sidewalk or street improvement districts;
2. Zoning ordinances;
3. Amendments to Master Plan, etc.
4. Such other ordinances as may be designated.

Planning related items that need to be laid over for publication and notification purposes:

1. Approval of plats with exception of those without zoning and outside city;
2. Approval of plat and dedications with the exception of those outside city;
3. Approval of subdivision agreements with zoning or plats and inside city;
4. Approval of after hour dance permits;
5. Award of special permits, including, but not limited to:
 - a. Auto salvage;
 - b. Automotive sales;
 - c. Broadcast towers;
 - d. Convenient storage;
 - e. Custom manufacturing;
 - f. Gasoline filling stations;
 - g. General day care;
 - h. Group care facilities;
 - i. Large project;
 - j. Outdoor sports and recreation;
 - k. Scrap and salvage services;
6. Approval of floodplain and/or floodway variances;
7. Such other matters as may be designated.

8. Except as otherwise directed by the City Council or any member thereof, any resolution authorizing the execution of applications for federal grants or approving redevelopment plans that require publication shall automatically be laid over for three weeks from the date it first appears on the agenda.

Note: Should council not meet on one of the weeks an item is laid over, the item shall be laid over an extra week which shall be noted next to the agenda item.

E. There shall exist a Consent Agenda. The following described items shall be placed upon the Consent Agenda and shall remain upon the Consent Agenda except as otherwise provided below. The items which will be placed upon the Consent Agenda may include but are not limited to:

1. Resolutions approving any purchase, agreement, contract or setting policies or procedures;
2. The approval of appointments to boards, commissions or authorities;
3. The final reading of ordinances including street vacations, necessity, code amendments and approving any purchase, agreements or contract;
4. Special levy ordinances; and,
5. Miscellaneous documents as deemed appropriate by the City Clerk.

Any member of the City Council may cause any item placed on the Consent Agenda to be removed there from. Such removal may be directed at any time in writing by delivery of the same to the City Clerk prior to the commencement of the meeting for which the Consent Agenda is designated. Such removal can also occur by oral declaration at the meeting for which the Consent Agenda is designated. Items removed from the Consent Agenda shall be taken up by the City Council immediately following the Consent Agenda in the order in which they were removed unless otherwise taken out of order as otherwise provided by these rules. Items on the Consent Agenda shall appear on the Council printed Agenda as being on the Consent Agenda but shall otherwise be described to the same extent and in the same fashion as other Agenda items. Items on the Consent Agenda may be passed or approved as a single item. Prior to the

vote being taken on the Consent Agenda, members of the public in attendance at the meeting will be given an opportunity to address the Council on specific items upon the Consent Agenda.

**RULE VIII
SUSPENSION OF RULES**

- A. A motion to suspend the rules is not debatable, nor is it amendable.
- B. These rules shall not be suspended except by a vote of five (5) members.

**RULE IX
AMENDMENT OF RULES**

A. These rules may be amended at any meeting of the City Council by a unanimous vote of the whole Council.

B. A majority of the whole Council may amend these rules at any regular meeting or special meeting called for the purpose after the meeting at which the amendment may be offered.

**RULE X
AGENDA ITEMS AND MOTIONS**

A. Reconsideration

When a motion has been made and carried or lost, it shall be in order for any member who voted with the prevailing side, or any member who was absent at the time, or one who voted in the negative in case of a tie to move for reconsideration thereof and the motion to reconsider shall take precedence over all other questions and shall not be withdrawn without the consent of the Council. It shall not be submitted for a vote prior to the first regular meeting following the one at which it was made. Then and thereafter, any member may call it up at any time until it is decided. When a motion to reconsider has been once decided, it is not in order to repeat the motion.

A reconsideration moved at the same or next succeeding regular meeting shall require only a majority vote regardless of when the vote shall be taken. A motion for reconsideration made at any later meeting shall require the favorable vote of five (5) members to carry.

B. Renewal of a motion

The City Clerk shall not place an item previously disposed of without being adopted, on an agenda for sixty days, after the meeting at which it was first considered. After sixty days, the City Clerk, at the request of a Councilmember, the Mayor or staff, shall place the item on the agenda of the next regular City Council meeting. This rule shall only apply to items that are presented to Council in the exact manner in which they first appeared.

C. Amendment of the Whole

A member of the Council may during consideration of any item, make a motion to substitute an entire motion for another. This action requires a second. An affirmative vote of an Amendment of the Whole shall constitute approval of the item and does not require further votes or actions.

**RULE XI
APPEARANCES BEFORE COUNCIL**

A. A person shall not be allowed to address the Council during meetings unless those interested in the proposition are invited to speak or unless said person has caused the subject matter to be placed on the Agenda by the City Clerk with the approval of a majority vote of the City Council.

B. Whenever any person is invited to speak or asks the privilege of speaking before the Council, his or her name, address and the organization, interest, or person he or she represents shall be announced before he or she shall be allowed to speak.

C. Whenever any person has been invited to speak, or has been granted the opportunity of speaking before the Council during a hearing, each person will be requested to be brief and to limit his or her presentation to ten minutes. When more than one person desires to be heard on the same subject matter, each side, those in favor of, and those opposed to, shall be limited to 20 minutes to make their presentation. The opponents of the question will be given the opportunity to speak after the proponents' presentation. The proponents will be given a brief period for rebuttal of any new material introduced during the opponents' presentation, after which the public hearing will be concluded. Only one speaker will be allowed at the lectern at one time. Those waiting to speak will remain seated.

D. When any person speaking before the Council is, in the opinion of the presiding officer, out of order, the presiding officer may declare said speaker out of order and may direct said speaker to cease and desist addressing the Council on the subject in question. Any Councilmember may challenge the ruling of the presiding officer and request a roll call vote on the presiding officer's ruling. The vote of four members shall be required to overrule the presiding officer.

E. No person shall be permitted to address the Council at any single session in excess of twenty minutes in total, provided that this rule shall not be construed to contravene any other provision within the rules, and provided further an individual practicing attorney shall be permitted to address the Council at any single session for the maximum time allowed hereunder for each separate client he or she represents having a different and unrelated item before the Council.

F. No document shall be read before the City Council unless the person reading the same shall be willing to submit the same to the City Clerk to become part of the Journal Record.

G. No person shall be permitted to address the Council at any single session on more than three unrelated agenda items; provided, however, that this rule shall not be construed to preclude an individual practicing attorney, engineer, architect or professional planner from addressing the Council at any single session on a greater number of agenda items allowed hereunder for each separate client represented who has a different and unrelated item before the Council; and further provided, that this rule shall not be construed to contravene any other provision within these rules. The President of the Council may waive the limitation set forth herein, as may be requested, upon a showing of a special requirement or unique and unusual circumstances.

RULE XII
ROBERT'S RULES OF ORDER

Robert's Rules of Order, Revised, shall govern the proceedings of the City Council in all cases in which they are not inconsistent with the Charter, City ordinances, other laws or these rules.

RULE XIII
BOARD OF EQUALIZATION HEARING DATE

Pursuant to the authority vested in the City Council to establish the date, time and place of hearing for the Board of Equalization of the City of Omaha by Section §14-547, Reissue Revised Statutes of Nebraska, 943, the date, time and place of hearing for the Board of Equalization of the City of Omaha shall be as follows: The first Tuesday of each month, which Tuesday has a scheduled City Council Meeting, 1:00 P.M. to be the opening hour and 2:00 P.M. to be the closing hour, said hearings to be held in the Legislative Chamber of the Omaha/Douglas Civic Center for one or more consecutive days. If no regular City Council Meeting is scheduled on the first Tuesday of the month, the City Clerk will schedule the Board of Equalization Meeting for the second Tuesday of the month, and it will not be necessary for the City Council to take parliamentary action to accomplish the same.

INDEX TO AMENDMENTS:

<u>Date</u>	<u>Document ID</u>	<u>Action</u>	<u>Item</u>
1958-12-02	Doc. No. 2853	Amended	Rule VII
1959-09-15	Doc. No. 2887	Amended	Add Rule XIII
1964-05-12	Doc. No. 1836	Amended	Amending Rule XIJI
1970-07-21	Doc. No. 2948	Amended	Rule X
1972-02-08	Doc. No. 544	Amended	Rule XI
1972-12-26	Doc. Nos. 5750, 5157, 5752, 5753, 5754	Amended	-Rule I -Rule II -Rule III -Rule V - Motion to adopt Rule V as amended by Doc. No. 5747 -Rule XI - Motion to adopt Rule XI as amended by Doc. No. 5748 and No. 5749
1974-04-09	Doc. No. 1417	Amended	Rule V (C) Motion to adopt as amended by Doc. No. 1415 and No. 1416
1974-04-09	Doc. No. 1418	Amended	Rule VII (B) –Adopt
1974-04-09	Doc. No. 1421 ½	Amended	Rule XI (A), (C) & (D) - Adopted as amended by Doc. No. 1420, No. 1420 ½ and No. 1421
1975-03-18	Doc. No. 615	Amended	-Rule I -Rule V -Rule XII
1977-12-13	Doc. No. 3656	Amended	Rule XI (E) & (F) -Adopted as amended by Doc. No. 3654 and 3655
1979-12-04	Doc. No. 4489	Amended	Amending Rule XIII
1981-07-14	Doc. No. 2353	Amended	Amending Rule XIII
1983-06-06	Doc. No. 1558	Amended	Amending Rule II
1984-08-07	Res. No. 2218	Amended	Amending Rule VII
1985-04-09	Res. No. 936	Amended	Amending Rule III
1985-12-17	Res. No. 3266 – as amended	Amended	Amending Rule V, Section "C"
1987-04-07	Res. No. 668	Amended	Amending Rule VII
1992-06-16	Res. No. 1569	Amended	Amending Rule XI
2001-06-11	Doc. No. 1521	Amended	Housekeeping Changes
2005-06-06	CCID No. 663	Revised	Housekeeping Changes
2006-09-19	Res. No. 1075	Revised	Amending Rule V
2008-06-17	Res. No. 807	Revised	Amending Rule VII
2017-06-05	CCID No. 754	Revised/Amended	Amending Rule X/ Housekeeping
2017-09-26	CCID No. 1118	Amended	Rule VII, Sections A and D

