

**RULES AND REGULATIONS**  
for the **Government of the**  
**Mayor and City Council of Cumberland**

*The following rules and regulations are hereby prescribed for the government of the City Council:*

**RULE 1: Regular Meetings**

The City Council shall meet on a regular bi-weekly basis on such day and at such time as may be prescribed by order of the City Council, unless the same be a public holiday, in which event they shall meet the next day at such time as may be prescribed by order of the City Council; provided, however, that such bi-weekly meeting may, by a majority vote of the City Council, be postponed when said City Council considers such postponement necessary to another day, at such time as the City Council shall, by order, determine.

**RULE 2: Meeting Place**

The place of meeting of the City Council shall be Room 212, Council Chambers, City Hall, and no meetings of said body shall be held elsewhere except by a majority vote of all the members elected.

**RULE 3: Call to Order**

Precisely at the time designated by order, the President of the City Council shall take the chair and call the Council to order.

**RULE 4: Order of Business**

- I. Roll Call
- II. Proclamations
- III. Certificates , Awards and Presentations
- IV. City Administrator's Report
- V. Directors' Reports
- VI. Approval of Minutes
- VII. Public Hearings
- VIII. Unfinished Business
- IX. New Business
- X. Public Comments
- XI. Adjournment

#### **RULE 5: Special Meetings**

Special Meetings of the City Council may be held at any time on the call of the President or two members, upon forty-eight (48) hours notice to every member of the Council; provided, however, that the requirement of a notice shall not be binding in any special meeting at which all members of the Council are present, nor where special circumstances so require.

#### **RULE 6: President of City Council**

The Mayor of the City of Cumberland shall act as President of the City Council; he shall preside at all meetings when present and preserve order and decorum; provided, however, in the absence of the President, the members present shall elect a president *pro tem*. He may designate what other member shall take the chair when he may desire temporarily to relinquish the same. He may speak on all questions before the City Council and shall have the right to vote upon all questions before the Council, except in the cases of appeal from his decisions; provided, however, that he shall not have the authority to move or second a matter for consideration or action by the Council. He shall appoint all committees unless otherwise directed by the City Council.

#### **RULE 7: Motions – when reduced to writing**

Every motion or proposition shall be reduced to writing on the call of any member, and a motion made and seconded shall be deemed in possession of the City Council and shall be stated by the President or read by the City Clerk previous to debate, and may be withdrawn at any time previous to a vote being taken.

#### **RULE 8: Discussion of pending question**

After the previous question has been seconded and the main questions ordered, the member who has introduced, or the City Administrator who has reported the matter under consideration, shall have one-half hour in which to discuss the proposition pending, at the close of which the vote shall be taken.

#### **RULE 9: Appropriation or expenditure of monies**

The passage of all ordinances, resolution or orders appropriating money shall be by “yeas” and “nays,” and the vote shall be recorded in the journal; and any order, ordinance, resolution, or motion for the expenditure of any sum of money in excess of Twenty-five Thousand Dollars (\$25,000.00) shall go to the next meeting before action can be taken thereon, except by unanimous consent, and shall then be taken up under its proper head in the regular order of business.

#### **RULE 10: Readings of Ordinances / Charter Amendment Resolutions**

Every ordinance and charter amendment resolution shall be read three times by title before a vote is taken upon its passage; and no ordinances or charter amendment resolution shall be amended except upon its second reading, and the second reading can only be dispensed with by unanimous consent. Every ordinance and charter amendment resolution shall be read the first time at the meeting at which it shall be introduced, and shall then lie on the table until the next regular meeting, when it shall be read the second time, and it may then be read the third time and final action taken thereon; provided that by unanimous consent, any ordinance or charter amendment resolution may be passed at the meeting of its first reading. After an ordinance or charter amendment resolution has been read a third time, the only business in order is the call of the role upon its final passage.

#### **RULE 11: Amending Ordinances**

It shall be the duty of the City Council, in amending any part of an ordinance previously passed or of a code of ordinances, to ordain the same as the chapter, section, and subsection would read when amended.

#### **RULE 12: Consent Agenda**

Every Council order shall be placed on a consent agenda; provided, however, that any member of the Mayor and City Council may request to have an order removed from the consent agenda and voted on separately.

#### **RULE 13: Protests**

It shall be matter of right and privilege to have received and entered in the journal a protest of a member against any action taken by the City Council.

#### **RULE 14: Reports**

All reports to the City Council shall be in writing, signed by the individual making the report, and shall specify at the close of the report such action as the individual may recommend as proper for the City Council to take.

#### **RULE 15: Charges**

Charges against an officer of the City or member of the City Council shall always be preferred in writing, and such proceedings had thereon as are provided by the City Charter.

**RULE 16: Destroying Quorum**

No member shall retire from a meeting of the City Council or remain away for the purpose of destroying a quorum. Any member violating this rule may be arraigned before the City Council and if found guilty may be fined or expelled in the discretion of the City Council. Proceedings for the violation of this rule shall be in the manner and form provided by the City Charter.

**RULE 17: Public Comment**

Any person desiring to address the Mayor and City Council shall first secure permission from the presiding officer. Upon securing said permission, such person must approach a microphone and state his or her name and address. Remarks must be directed to the matter being considered except during the portion of the agenda for requests to be heard.

Each person desiring to address the Mayor and City Council shall be allotted five (5) minutes to do so as to each agenda item, as well as during requests to be heard.

**RULE 18: Decorum**

During public meetings of the Mayor and City Council, all persons shall preserve order and decorum. Any person making personal attacks, impertinent, slanderous, offensive or threatening remarks, or becoming boisterous, shall be barred from further attendance at the meeting by the presiding officer unless permission for continued attendance is granted by a majority vote of the City Council.

Meetings of the Mayor and City Council shall be conducted in a courteous manner. Members of the public shall be permitted to state their position subject to the time restrictions set forth in Rule 17 and the restrictions set forth in the preceding paragraph.

The Chief of the Cumberland City Police Department shall, upon request of the presiding officer, designate one of the officers of the said Police Department to serve as sergeant-at-arms at the meetings. Upon the direction of the presiding officer, the sergeant-at-arms shall eject such persons from the meetings who violate these rules and regulations, unless such person's continued attendance is permitted by majority vote of the City Council.

**RULE 19: Presentation**

Any presentation made to the City Council under Item III of the Order of Business (*Certificates, Awards and Presentations*), shall be made in writing and presented to the City Clerk at least five (5) days before the date of the meeting at which the item presented will be considered.

**RULE 20: Closed Meetings**

Meetings of the Mayor and City Council shall be open to the public; provided, however, that the Mayor and City Council may meet in closed session or may adjourn an open meeting into a closed session for any of those purposes enumerated in Section 10-508 of the State Government Article of the *Annotated Code of Maryland*. Written minutes shall be kept of all closed meetings held by the Mayor and City Council. These minutes shall be prepared as soon as practicable under the circumstances and shall be open to public inspection during normal business hours; provided, however, that minutes of a meeting lawfully held in closed session may not be open to public inspection except for the reasons provided in Section 10-509(c)(4) of the State Government Article of the *Annotated Code of Maryland*. A statement of the time, place, and purpose of any closed meeting, the record of the vote of each member by which any meeting was closed, a citation of the statutory authority for closing the meeting, and a listing of the topics of discussion, persons present, and each action taken during the closed meeting, shall be included in the minutes of the next regular meeting of the Council.

**RULE 21: Suspension of Rules**

The Rules of Order, other than those prescribed by law, may be suspended at any time by consent of a majority of the members present at any meeting.

**RULE 22: Robert's Rules of Order**

Except when in conflict with the foregoing provisions, "Robert's Rules of Order" shall govern the deliberations of the City Council.

*Amended:*

- 2007-01-09     Order 24,496
- 2007-09-04     Order 24,617
- 2013-03-13     Ordinance 3735

