

RULES AND REGULATIONS
OF THE
COUNCIL
OF THE
CITY OF NEW ORLEANS



EFFECTIVE MAY 1, 1956
AS AMENDED THROUGH JULY 6, 2009

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REGULAR MEETINGS OF COUNCIL – SCHEDULE

Rule 1. The Council of the City of New Orleans shall hold regular meetings in the Council Chamber at City Hall, which shall commence at 10:00 A.M., on the first and third Thursdays of each month. The Council may schedule a time in the evening for the meeting, or call additional regular meetings during the months of November and December by giving at least seventy-two (72) hours advance public notice of an evening or additional regular meeting. Should any of said days fall on a legal holiday, such meetings shall be held on the next succeeding business day that is not a legal holiday.

(M-96-307, Adopted 5/16/96)

MEETINGS OF COMMITTEE OF WHOLE

Rule 2. Meetings of the Committee of the Whole Council shall be held in the Council Chamber of the City Hall, which shall commence at 10:00 A.M., on the second and fourth Thursdays, and the fifth Thursday, when such occurs, during all months except December, when such meetings, if found necessary shall be held at the regular weekly meetings of the Council, unless the Council provides such Committee meeting be held on a special day. Should any of the above days fall on a legal holiday, such meetings shall be held on the next succeeding business day that is not a legal holiday. Five members of the Committee shall constitute a quorum.

SPECIAL MEETINGS OF THE COUNCIL

Rule 3. Special meetings of the Council and Committee of the Whole may be called by the Mayor or President of the Council and shall be called by the President upon petition of a majority of the members of the Council.

PRESIDING OFFICERS

Rule 4. 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, then the Council shall nominate and then elect an acting Chairperson of the Council who shall preside until the President or Vice President returns.

PRESIDING OFFICER SHALL VOTE

Rule 5. The presiding officer of the Council shall vote on all questions on which the vote is taken by yeas and nays.

DUTIES AND POWERS OF THE PRESIDENT OR PRESIDING OFFICER

Rule 6A. The President or presiding officer shall preserve decorum and order, may speak to points of order in preference to other members, and shall decide all questions of order, subject to an appeal.

Rule 6B. The President may, at any time, during debate or otherwise, declare a recess for not more than ten minutes, provided there is no objections.

Rule 6C. When the President of the Council, in the absence of the Vice President, or the Vice President, when presiding, shall desire to vacate the chair, he or she may call any member of it; but such substitution shall not continue beyond adjournment.

ORDER OF VOTING

Rule 7. Votes at final passage of all members shall be taken by yeas and nays registered on the voting machine without order of precedence, and the names of the Councilmembers voting for or against each proposed motion, resolution, ordinance or amendment shall be entered upon the Journal of Proceedings.

No vote registered on the voting machine shall be announced or entered upon the Journal of Proceedings unless the Council Member for whom the vote is registered is present in the Council Chamber or an adjacent room in the Clerk of Council's Office. No member of the Council nor any other person shall vote another Member's voting machine unless the Member has authorized the vote and is present in the Chamber or an adjacent room. (M-89-222, Adopted 6/1/89)

ELECTION OF COUNCIL PRESIDENT AND VICE PRESIDENT

Rule 8. Beginning at its organizational meeting in May, 2006, the Council's Presidency and Vice-Presidency shall be rotated annually between the two Councilmembers-at-Large. (M-03-228, Adopted 4/16/03); (M-06-214, Adopted 6/1/06)

JOURNAL OF PROCEEDINGS

Rule 9. The Journal of Proceedings shall record all the transactions of the Council, but shall not be considered a verbatim transcript of Council meetings.

QUORUM: AGENDA, ORDER OF BUSINESS, PUBLIC HEARINGS

Rule 10. A quorum of the City Council, for the transaction of business, shall

consist of five members. When a quorum is present, the Council shall proceed to the business before it, which shall be conducted in the following order, subject to Rule 25. Notwithstanding the provisions of this Rule or Rule 1, the Council may provide for the issuance of proclamations and/or other special recognitions at 9:00 A.M. or at any other designated time, prior to convening of any regular meeting or the Council may convene special meetings dedicated exclusively to non-legislative matters, where a quorum is not required, for the purpose of issuance of proclamations, special recognitions, and other non-legislative ceremonial matters. Such Special Recognitions meetings of the Council are scheduled once monthly on a Friday between the hours of 9:00 A.M. and 12:00 noon but only if one or more Councilmembers have notified Council staff of the proposed agenda items at least 48 hours prior to the meeting date. The scheduling of a Special Recognitions meeting does not change the provision in the Council Rules for conducting special recognitions immediately prior to any regular Council meeting. However, any such proceedings at a regular Council meeting must occur between 9:00 A.M. and 9:55 A.M., to end no later than 9:55 A.M., so that the Council's business meeting may begin promptly at 10:00 A.M. **(M-01-328, Adopted 6/7/01); (M-06-258, Adopted, As Amended, 6/22/06) ; (M-09-269, Adopted, 6/18/09)**

1. Mayor and/or President's Call - Roll call - Invocation - Presentation of Colors – Pledge of Allegiance to the Flag - Playing of the National Anthem, reading by the Clerk of Regulations 3, 4, and 5 pertaining to communications from the public and time limitations on speakers. **(M-96-521, Adopted 8/15/96); (M-07-277, Adopted, As Amended, 7/26/07)**
2. The reading of the Journal of Proceedings of the last preceding meeting or meetings, and correction and approval of the same unless dispensed with by the Council and correction of the Journal of Proceedings of previous meetings.

3. Special Orders Of Business. (M-07-277, Adopted, As Amended, 7/26/07)

- Special Orders of Business are intended to provide a brief opportunity for Council members to address areas of concern.
- Special Orders of Business are limited to 3 per council meeting.

Special Orders of Business are limited to 15 minutes in total, including but not limited to, presentations by witnesses, public comment, and questions and comments from Council members. Council members requesting a Special Order of Business shall determine how said 15 minutes is allotted and shall facilitate the Special Order of Business.

- Council members requesting a Special Order of Business shall forward their request to the President of the Council with a copy to the Clerk of Council. Special Orders of Business are placed on the agenda on a first come, first served basis.
- Cancellation of a Special Order of Business and substitution with a new topic is prohibited.

4. Communications.

5. Consent Agenda (See Note A.).

6. Reports. (M-07-277, Adopted, As Amended, 7/26/07)

a. General reports.

b. Special reports.

- The Council Recovery Committee shall give a monthly report to the full Council on recovery matters.
- Each District Councilmember shall give a District Report to the full Council on a rotating basis, beginning with District A. A District Report shall be scheduled for every Council meeting.
- During these special reports, public comments will not be received.

7. Zoning and Planning matters and appeals relating to land use or property, if any, to be scheduled to commence at 11:00 A.M. or thereafter. The Clerk of Council shall group ordinances, motions, resolutions, reports, or

communications relating to a specific land use item. (M-96-449, Adopted 7/18/96); (M-07-277, Adopted, As Amended, 7/26/07)

8. Ordinances On Final Passage.
9. Unfinished Business.
10. New Business.
11. Motions/Resolutions.
12. Ordinances On First Reading.
13. Adjournment. (M-93-563, Adopted 12/30/93)

Note A. Consent Agenda - The consent agenda is intended to promote the efficiency of Council proceedings by allowing for the adoption of routine or non-controversial matters with one vote thus saving the time of Council Members, other Government employees and citizens attending Council Meetings. Matters which may be placed on the consent agenda shall include but not be limited to reports or communications on which no action is required by the Council other than receipt of zoning ordinances which have previously been heard by the Council. Judgmental decisions as to which items are appropriate for inclusion on the consent agenda shall be made by the Clerk of Council in consultation with the Council President.

An individual Council Member may require discussion and/or an individual vote on any item appearing on the consent agenda by request without a vote of the Council.

Any person wishing to address the Council on a matter contained on the consent agenda shall be permitted to do so in accordance with the Rules of the Council.

A vote cast in the affirmative for the consent agenda shall constitute a vote in the affirmative for each ordinance, motion, or resolution on the consent agenda or as a vote

to receive any report or communication appearing on the consent agenda.

PUBLIC HEARING

Rule 10.1. Notwithstanding the provisions of Regulation #1 of the Rules and Regulations to the contrary, no item shall appear on the agenda for a Council meeting if a public hearing is to be held in connection with the item, unless the item is requested in the form of a motion and is approved by a majority vote of the Council at a Council meeting.

COUNCIL'S CONSIDERATION OF ZONING DOCKETS

Rule 10.2A. Upon receipt of a report from the City Planning Commission concerning a Zoning Docket, the Council shall either set a hearing for consideration of the matter or place the matter on the consent agenda in motion form for the next Council meeting. If the matter has been recommended "for approval" by the City Planning Commission and no written or verbal opposition to the proposal has been submitted to the City Planning Commission in connection with the Zoning Docket, the matter shall be placed on the consent agenda unless a member of the Council provides reasons for setting the matter for a hearing. Approval of any Zoning Docket may be placed on the consent agenda at the discretion of the Council. If the matter is scheduled for hearing, the hearing shall be scheduled at least one Council meeting prior to the last regularly scheduled Council meeting in advance of the deadline for action of the Zoning Docket. If a Zoning Docket is set for a hearing, the Clerk of Council shall, prior to the hearing, mail notice of said hearing to anyone who appeared and signed in to speak at the City Planning

Commission's public hearing on the matter. (M-98-558, Adopted 9/24/98)

Rule 10.2B. At a hearing scheduled for consideration of a Zoning Docket, no more than three speakers shall be allowed on each side of the issue. Each speaker shall be limited to five minutes for making his or her presentation. Following the conclusion of the hearing on the Zoning Docket, the matter may be deferred to the next regular or special Council meeting for a final decision on the matter. No public speakers shall be allowed when the Council is considering a Zoning Docket for decision only. In the event the Council defers its final decision on the matter to the next regular or special Council meeting as provided herein above, the time intervening between the hearing on the Zoning Docket and the decision is intended to allow all parties, individual Members of the Council, the City Planning Commission Staff, and the Law Department to discuss and resolve issues relating to the design of the project or provisos relating to the Zoning Docket so that a motion in written form can be prepared for inclusion on the agenda for the meeting at which the matter is to be decided. Resolution of issues relating to design and provisos may be accomplished through formal or informal means including private meetings between individual Council Members and staff or parties to the agreement or public meetings or committee meetings involving the affected parties.

(M-90-642, Adopted 12/27/90)

Rule 10.2C. Technical aspects of zoning proposals and provisos relating thereto shall be referred to the staff of the City Planning Commission for final review and approval following the Council's hearing. Such technical aspects shall include but not be limited to landscaping, signs, color and design of structures, fencing and screening, and other matters relating to the design of the project.

Rule 10.2D. Ordinances relating to zoning matters may be placed on the consent agenda and shall be considered in accordance with the Rules of the Council and the City Charter. **(M-89-334, Adopted, As Amended 8/3/89)**

Rule 10.3. Any legislative instrument appearing as an agenda item on the Council's Agenda shall be accompanied by a written explanation of the purpose/intent of such legislative instrument. **(M-93-375, Adopted 9/2/93)**

GERMANE AMENDMENTS

Rule 11. No amendment to an ordinance, motion or resolution shall be discussed or considered until an opening statement and explanation of the ordinance, motion or resolution as introduced has been made by the lead author of the legislative instrument or a person or persons designated by the lead author.

At the discretion of the President of the Council, co-authors of the Legislative instrument may be allowed to speak on the instruments as introduced prior to consideration of proposed amendments to the legislation.

No motion or proposition of a subject different from that under consideration shall be admitted under color of amendment.

REDUNDANT ACTS

Rule 11A. Any ordinance, motion or resolution which accomplishes the same purpose as a previously adopted legislative instrument or instruments may be ruled out of order by the presiding officer. This rule shall not apply to instruments ratifying, confirming or re-adopting previously adopted acts of the Council upon the recommendation of the City Attorney. (M-90-641, Adopted 12/27/90)

ROLL CALL VOTES: RECUSAL

Rule 12A. While the presiding officer is putting the question, no member shall leave his or her seat until the roll call is completed.

Rule 12B. Every member who shall be present when a question is stated from the Chair shall vote thereon, 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 Council Member may suggest that another Council Member should recuse himself or herself and the Council shall be the first judge as to whether a Council Member shall recuse himself or herself.

RECOGNITION OF MEMBERS BY CHAIR

Rule 13. Every member, previous to his or her speaking, making a motion or seconding the same, shall address himself or herself of the presiding officer, and say,

"Mr. President" or "Madame President" and shall not proceed with his or her remarks until recognized and named by the Chair. The member shall confine remarks to the question under debate, avoiding personalities and refrain from impugning the motives of any other member's argument or vote.

CHAIR TO DESIGNATE SPEAKER IN CERTAIN CASES

Rule 14. When two or more members request the floor at the same time, the presiding officer shall name the member who is first to speak.

APPROVAL OF CERTAIN APPOINTMENTS

Rule 15. All appointments made by the Council or in which Council approval or concurrence is necessary shall lie over until a statement of the nominee's qualifications has been submitted to the Council on forms provided by the Council. Upon receipt of the statement of qualifications, the Clerk of Council shall advise the Council of such receipt at a Regular or Special Meeting. Following receipt of the forms required herein, the Council Research Staff shall review the forms and provide the forms and any pertinent information to the Mayor and each member of the Council.

Communications informing the Council as to appointments which do not require approval or concurrence by the Council shall be received and placed on file, unless other action is taken thereon. (M-92-428, Adopted 11/5/92)

ROBERT'S RULES OF ORDER

Rule 16. 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 in which they are not inconsistent with the special rules of this Council.

SUSPENSION OF COUNCIL RULES; INTRODUCTION OF MOTIONS OR RESOLUTIONS

RULE 17. Except as otherwise provided herein, these rules and regulations which have been adopted by this Council may be temporarily suspended by a vote of two-thirds of all Council Members present. Before a vote is taken on whether these rules shall be suspended, the President shall state the purpose for which these rules are to be suspended. If said purpose is to take up a matter not on the Council's agenda, a unanimous vote of the Councilmembers present shall be required pursuant to R.S. 42:7(A). Any such matter shall be identified in the motion with reasonable specificity, including the purpose for the addition to the agenda. If said purpose is to introduce any motion or resolution, a brief caption of such motion or resolution shall be read by the Clerk prior to the vote on the motion to suspend these rules. For each such motion or resolution a separate vote on a motion to suspend these rules shall be taken. These rules may be repealed, altered, or amended by concurrence of a majority of all Councilmembers, but motion for this purpose must be in writing, and must lie over for at least one week after introduction before final passage. (M-77-140, Adopted, As Amended 6/9/77); (M-08-379, Adopted 7/24/08)

RIGHT OF COUNCIL MEMBERS TO SPEAK; TIME LIMIT

Rule 18. Other than for the purpose of asking a question, no member shall speak more than once on the same question, except by unanimous consent, 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 Chairperson 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 one 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.

Any member of the Council may yield his or her allotted time to any other member of the Council. (M-09-269, Adopted, 6/18/09)

Rule 18A. The President of the Council may, only prior to commencement of consideration of any issue, establish uniform time limits for members of the Council on the time allotted to members of the Council for asking questions and receiving responses to those questions. In specifying such time limits, the President of the Council shall consider the hour of the day, the number and nature of matters which remain on the Council's agenda, whether or not the matter under discussion constitutes final action by the Council, and other relevant factors. In no event, however, shall the time limit imposed by the President for asking questions and receiving responses be less than fifteen (15) minutes per Councilmember. (M-90-399, Adopted 9/6/90)

CALL OF MEMBER TO ORDER

Rule 19. A member when called to order by the Chair shall there upon immediately comply with the ruling, subject only to the right of appeals.

APPEALS FROM DECISIONS OF THE CHAIR

Rule 20. Any member may appeal to the Council from a ruling of the Chair, and if the appeal is seconded, the member making the appeal may briefly state the reason for the same, and the Chair may briefly explain his or her 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.

QUESTION OF PERSONAL PRIVILEGE

Rule 21. The right of a member to address the Council on a question of personal privilege shall be limited to cases which the integrity, character, or motives of the member are assailed, questioned or impugned; or to cases in which a topic or question is one of a personal nature to a Council member who wishes to communicate said topic or question for the benefit of the community affected.

SPECIAL ORDER OF BUSINESS

Rule 22. Any matter before the Council may be considered at any time without regard to the order of business, provided a majority of the Councilmembers present vote in the affirmative, but not otherwise.

NUMBER OF VOTES REQUIRED TO ADOPT MOTIONS OR RESOLUTIONS

Rule 23. No proposed motion or resolution shall be adopted except by the affirmative vote of a majority of all members of the Council. If a greater majority is required by applicable law, then the majority stipulated by the applicable law shall be required for adoption of the motion or resolution. (M-87-375, Adopted 10/1/87)

SECONDING OF MOTIONS REQUIRED: WRITTEN MOTIONS

Rule 24. No motion shall be put or debated in the Council or in a committee unless it be seconded. When a motion is seconded, it shall be stated by the presiding officer before debate, and every motion in the Council, except motions of procedure, shall be reduced to writing, if required by a member, and the proposer of the motion shall be entitled to the floor.

DIVISION OF QUESTIONS

Rule 25. If any question under consideration contains several distinct propositions, the Council, by a majority vote of the members present, may divide such questions. If division is voted for an ordinance, the resulting ordinances shall lie over one week as provided for newly-introduced ordinances.

RECORD OF MOTIONS

Rule 26. In all cases where a resolution or motion is entered in the Journal, the name of the member moving the same shall be entered also.

TAKING AND ENTERING OF VOTES: EXPLANATIONS OF VOTES NOT PERMITTED

Rule 27. The yeas and nays upon any question shall be taken and entered into the Journal.

When the roll has been called on 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 or her vote. (M-90-509, Adopted 11/8/90)

ANNOUNCEMENT AND CHANGES OF VOTES

Rule 28. The result of all votes by yeas and nays shall not be announced by the Clerk. No vote shall be changed after the Chair has announced the vote.

PRECEDENCE OF MOTIONS

Rule 29. When a question is under debate, the following motion 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. the previous questions;

6. to refer;
7. to amend;
8. to defer or postpone to a time certain;
9. to defer or postpone (without reference to time);
10. to defer or postpone indefinitely.

Numbers 2, 4, and 5 to be decided with debate.

MOTION TO ADJOURN

Rule 30. A motion to adjourn the Council 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; and
4. when it has been decided that the previous question shall be taken.

AUTOMATIC RECESS

Rule 31. If the Council has not concluded its business at a Council Meeting by 10:00 P.M. of the day on which the meeting was convened, the Council Meeting shall be recessed until 9:00 A.M. the following morning provided that a matter under consideration at 10:00 P.M. shall be concluded prior to the recess.

The provisions of this rule may be waived by a 2/3 vote of the Councilmembers present. (M-87-329, Adopted, As Amended 8/11/87)

PREVIOUS QUESTION

Rule 32. When the previous question is moved on the main question, and seconded, it shall be put in this form: "Shall the main question now be put?" If such motion be carried, all further amendment and all further motions and debate shall be excluded, and the question put without delay, upon the pending amendments in proper order and then upon the main question.

MOTIONS TO LAY ON THE TABLE AND TO TAKE FROM THE TABLE

Rule 33A. A motion simply to lay a question on the table shall not be debatable.

A motion to take any motion or other proposition from the table shall require a majority vote of Council Members present except that it may be proposed at the same meeting at which such motion or proposition was laid upon the table, and in that case, a two-thirds vote of the Council Members present shall be required.

Rule 33B. A motion to lay any particular motion or proposition on the table shall apply to that motion or proposition only. An amendment to the main questions or other pending questions may be laid on the table and neither the main question nor such other pending question shall be affected thereby.

AUTOMATIC POSTPONEMENT OF ORDINANCES, MOTIONS, OR RESOLUTIONS

Rule 34. If the Council has not acted on any ordinance, motion, or resolution within sixty (60) days following its introduction, the ordinance, motion, or resolution shall

automatically be postponed indefinitely unless set for hearing as provided herein. At each Council meeting, under the agenda item "**REPORTS**", the Clerk of Council shall provide a list of all ordinances, motions, and resolutions which have not been acted upon within the aforementioned time period and those items shall be postponed indefinitely unless a member of the Council sets a specific date for hearing of the legislation or withdraws the legislation.

Additionally, the Clerk of Council shall quarterly provide a report to the Council listing all ordinances, motions, and resolutions which have been postponed indefinitely.

Matters which have been postponed indefinitely may be considered at any regular or special meeting of the Council provided that the matter appears on the agenda for the meeting. Any member of the Council may request that a matter continued indefinitely be placed on the Council agenda and the Clerk of Council shall place the matter on the agenda. (M-86-171, Adopted 6/19/86)

**INDEFINITE POSTPONEMENT:
MOTION TO DEFER OR POSTPONE WITHOUT
ANY REFERENCE TO TIME**

Rule 35. When consideration of a motion or other proposition is postponed indefinitely, it shall not be again taken up at the same meeting.

A motion to postpone, without any reference to time, shall not be construed as a motion to postpone indefinitely, but shall be considered to be of the same general nature, and to possess the same general attributes so far as applicable under these rules as a motion to postpone definitely or to a time certain.

MOTION TO AMEND

Rule 36A. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be entertained.

Rule 36B. An amendment modifying the intention of a motion shall be in order; but, an amendment relating to a different subject shall not be in order.

On an amendment to "Strike out and insert", the paragraph to be amended shall first be read as it stands, then the words proposed to be stricken out, then those to be inserted, and finally the paragraph as it will stand if so amended shall be read.

Rule 36C. 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.

MOTION FOR RECONSIDERATION

Rule 37A. A vote or question may be reconsidered at any time during the same meeting, or at the first regular or special meeting held thereafter.

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.

Rule 37B. A motion to reconsider must be made and seconded by members who voted on the prevailing side of the question to be reconsidered, unless otherwise provided by law, provided, however, that where a motion has received a majority vote in the affirmative, but is declared lost solely on the ground that a greater number of

affirmative votes is required by statute for the passage or adoption of such motion, then in such case a motion to reconsider may be made and seconded only by those who voted in the affirmative on such question to be reconsidered.

SPECIAL COMMITTEES

Rule 38. The Council may, by a majority vote, or the President, with the approval of a majority of the Council Members, may, from time to time, authorize the appointment of Special Committees, and shall name the Council Member who is to act as Chairperson of said special committee, the term of which committee shall end when it shall accomplish the special purpose for which it is created or until abolished by a majority of the Council Members present. The Clerk of Council shall reduce the verbal motion to writing and provide copies to each Council Member, Council Research, Council Fiscal, Council Utilities, the Chief Administrative Officer, and any affected departments or agencies. **(M-98-285, Adopted 5/21/98); (M-00-656, Adopted 10/27/00)**

STANDING COMMITTEES

Rule 39. The following standing committees shall be appointed by the President of the Council, subject to Council confirmation by motion:

1. Budget, Audit, and Board of Review Committee
(M-02-364, Adopted 6/6/02); (M-06-215, Adopted, As Amended, 6/1/06)
2. Utility Committee **(M-06-215, Adopted, As Amended, 6/1/06)**
3. Cable and Telecommunications Committee **(M-06-215, Adopted, As Amended, 6/1/06)**
4. Housing and Human Needs Committee
5. Special Development Projects and Economic Development

Committee (M-02-364, Adopted 6/6/02)

6. Sanitation and Environmental Enforcement Committee
7. Ground Transportation and Parking Committee
8. Election Code and Reapportionment Committee
9. Education Committee (M-02-364, Adopted 6/6/02)
10. Youth and Recreation Committee (M-02-364, Adopted 6/6/02); (M-06-215, Adopted, As Amended, 6/1/06)
11. Governmental Affairs Committee (M-02-364, Adopted 6/6/02)
12. Public Works Committee (M-02-364, Adopted 6/6/02)
13. Criminal Justice Committee (M-07-82, Adopted 3/1/07); (M-07-386, Adopted, As Corrected, 9/6/07)
14. Women's Committee (M-08-294, Adopted 6/19/08)
15. Airport Committee (M-08-294, Adopted 6/19/08)

Except as otherwise provided by this rule, each committee shall consist of three members and one alternate. The alternate shall serve on the committee in the absence of one of the members. (M-98-285, Adopted 5/21/98); (M-00-656, Adopted 10/27/00); (M-02-308, Adopted 6/6/02); (M-06-215, Adopted, As Amended 6/1/06); (M-07-82, Adopted 3/1/07); (M-07-90, Adopted 3/1/07) (M-08-294, Adopted 6/18/08)

The following rules shall apply to the Standing Committees:

Rule 39A.

1. **COMMITTEE ASSIGNMENTS.** Designation of Council committees, responsibilities, committee chairpersons and members, shall be accomplished, if necessary, by no later than the first regular meeting of

June each year. The President of the Council shall make all such designations, subject to Council confirmation by Motion, provided, however, that a majority vote of the members of the Council may, at any regular or special meeting of the Council, redesignate or change any or all such designations. (M-99-569, Adopted, As Amended 10/7/99); (M-00-656, Adopted 10/27/00)

2. **DUTIES OF COMMITTEES.** The committees shall acquaint themselves with the interests of the City specifically represented by the Committee, and shall make recommendations to the full Council on Council Ordinances, Motions, Resolutions, other matters, and such other reports as in their judgment will advance the interests and promote the welfare of the people of the City of New Orleans. (M-99-569, Adopted, As Amended 10/7/99)

3. **REFERRAL OF MATTERS TO COMMITTEES.** Proposed Ordinances, Motions, Resolutions, or other matters may be referred to the appropriate Council committee in any of the following ways:
 - a. Prior to or during any Regular or Special Council meeting, the President, in his/her discretion, or Council by vote, may refer any proposed ordinances, motions, resolutions, or other matters, to the appropriate Standing Committee or Special Committee for further review. (M-07-277, Adopted, As Amended, 7/26/07)

 - b. In the interest of efficiency, draft Ordinances, Motions, Resolutions, or other matters may be considered by the appropriate Standing or Special Committee upon request of the author or authors of such matters or upon request of the committee chairperson.

4. DUTIES OF THE CHAIRPERSON. The Chairperson of the standing committee shall have the following duties:

- a. Schedule and call the meeting after consultation with other committee members; cause an agenda to be prepared after soliciting input from other committee members who may wish to include items on the committee agenda; publish an agenda no later than 12:00 noon three (3) working days prior to the date of scheduled meeting; call the meeting to order at the appropriate time; record the beginning and ending time of the meeting; and cause minutes of the meeting to be prepared and distributed to the full Council within a reasonable time period. (M-07-277, Adopted, As Amended, 7/26/07)
- b. Determine and state the amount of time allowed for speakers, and announce instructions to the speakers at the start of the meeting.
- c. Recognize Councilmembers and others who wish to speak.
- d. Keep to the time schedule.
- e. Stop testimony when repetitive or irrelevant.
- f. Suspend the rules upon concurrence of a majority of committee members.
- g. Preserve order and decorum. (M-99-569 Adopted, As Amended 10/7/99)

5. COMMITTEE REPORTS. Reports of committees shall be forwarded to the Clerk of Council and each member of the Council.

6. DIVIDED REPORTS. A divided report shall be prepared and filed when there is not unanimity on a recommendation. The divided report will contain the different positions of the committee members subscribing thereto and the position of the majority of the committee shall be listed

first. (M-99-569, Adopted, As Amended 10/7/99)

7. ACTION REQUIRED. The Clerk of Council shall place on the Regular Council Agenda any Ordinance, Motion, Resolution, or other matter not reported out of a committee within thirty (30) days from the date of assignment to the committee or a date specified and the Council may then act upon the matter. (M-07-277, Adopted, As Amended, 7/26/07)

8. ASSIGNMENT TO ENTIRE COUNCIL. The President or a majority of the Councilmembers may assign any matter which otherwise would be assigned to a committee to the full Council for appropriate review and action when the subject to be considered contains many items and related to diverse subjects, or is of significant concern to all the Councilmembers. (M-99-569, Adopted, As Amended 10/7/99)

Rule 39B. When practical or in the interest of improving efficiency, matters coming before the Council may be referred to the appropriate committee for consideration and recommendation(s) prior to consideration by the full Council. (M-09-269, Adopted, 6/18/09)

COMMUNICATIONS ATTACHED TO ORDINANCES

Rule 40. Any communications which is pertinent to a pending ordinance shall be attached by the Clerk to that ordinance and read before voting thereon.

COUNCIL AGENDA DEADLINE

Rule 41. Any item, including but not limited to, any ordinance, motion, resolution, report or communication, which is to be placed on the agenda for any meeting of the Council must be delivered to the Clerk of Council by 12:00 noon three working days prior to the date of the Council meeting. At least thirty-five (35) copies of every proposed ordinance, motion or resolution shall be furnished to the Clerk of Council. (M-91-313, Adopted, As Amended 7/3/91)

ORDINANCES DISAPPROVED BY MAYOR

Rule 42. Ordinances returned with the disapproval of the Mayor shall immediately stand as reconsidered. The Clerk shall enter the objections of the Mayor thereto at large upon the Journal 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 yeas and nays and entered upon the Journal. If two-thirds of all the members vote to pass the ordinance, the presiding officer shall certify the fact thereon over his or her signature.

LIE-OVER PERIOD FOR CERTAIN MOTIONS OR RESOLUTIONS

RE: TRANSFERRING, LEASING OR SELLING PROPERTY

Rule 43. Any motion or resolution, having for its purpose the transfer, sale, or leasing of any land, shall lie over for three weeks after introduction before final adoption or action thereon. (Motion adopted, 7/25/63)

TAG LINES FOR MOTIONS, RESOLUTIONS AND ORDINANCES

Rule 44. Any legislative instrument presented to the Clerk of Council's Office for introduction or consideration by the Council shall have a tag line at the end of the document identifying the party, entity or department responsible for drafting such legislative instrument. (M-98-169, Adopted 4/2/98)

COMPETITIVE SELECTION PROCESS FOR PROFESSIONAL SERVICES CONTRACTS

Rule 45. Pursuant to Section 6-308 (5) (c) of the City Charter, contracts for professional services to be administered by the Council shall include but not be limited to the following professions:

- Accountants
- Appraisers
- Architects
- Auditors
- Attorneys
- Economists
- Management Consultants
- Public Relations/Media Consultants
- Real Estate Consultants
- Telecommunications Consultants
- Utilities Regulatory Consultants

The following process shall be followed for retention of consultants with expertise in a field as required by the Council for all contracts at or above the threshold amount established by Section 2-7 of the City Code:

1. Upon determination by a majority vote of the entire membership of the City Council that the services of a professional are needed, a Request for Qualifications (RFQ) or Request for Proposals (RFP), as appropriate based on the scope of work to be performed, shall be issued. The Request shall include the deadline for submission of responses. The RFQ or RFP shall additionally require that the person or entity responding to the RFP or RFQ (the respondent) provide the following information:
 - A sworn affidavit listing all persons with an ownership interest in the respondent. An “ownership interest” shall not be deemed to include ownership of stock in a publicly traded corporation or ownership of an interest in a mutual fund or trust that holds an interest in a publicly traded corporation. This affidavit is a public record.
 - A sworn affidavit stating that no other person holds an ownership interest in the respondent via a counter letter.
 - A list of all persons, natural or artificial, who are retained by the respondent at the time of the application and who are expected to perform work as sub-contractors in connection with the respondent’s work for the City Council. The Council may require information on employees or sub-contractors of or ownership interests in the sub-contractor. This list is a public record.

The RFQ or RFP shall additionally advise the respondent that the contract with the City Council shall contain a provision that in regard to any sub-contractor proposed to be retained by the respondent to perform work on the contract with the City Council, the respondent must provide notice to the appropriate Council Committee within thirty (30) days of retaining said sub-contractor. The Council may require information on ownership interests in the sub-contractor.

2. The **Request for Qualifications or Request for Proposals** shall be published at least three times in a 10 day period in the Official Journal by the **Clerk of Council**. The publication may be in brief, if the Request is lengthy, and may be supplemented by letters of inquiry and/or placement of the request in appropriate additional publications.
3. Interested professionals who respond by the deadline date shall be evaluated by the **Selection Review Committee**. If more than five (5) responses are received, the Selection Review Committee shall review all responses but is authorized to eliminate from consideration, if it deems doing so appropriate, all but the five (5) most qualified and responsive respondents.
4. The committee shall establish appropriate evaluation criteria, which may include but not be limited to the following:
 - (a) training and experience with type of task required;
 - (b) appropriateness of plan submitted;
 - (c) capability of contractor to provide staffing and support;
 - (d) knowledge of local conditions;
 - (e) ability to provide the work in the time period required, as evidenced by past performance and current workload;
 - (f) involvement of members of disadvantaged groups at the professional level;
 - (g) participation by persons living and/or working in New Orleans at a professional level;

- (h) the need for continuity of services and/or specialized and institutional experience and knowledge.
- (i) For RFP's, cost of services to be provided. (M-07-277, Adopted, As Amended, 7/26/07); (M-07-413, Adopted, 10/4/07)

5. **The Selection Review Committee** shall forward to the Council Committee under whose jurisdiction the subject matter of the contract falls, if any, a list of up to five top respondents, with an analysis of each respondent's compliance with each criterion. If there is no such Council Committee, the list shall be forwarded to the entire Council.
6. **The Council Committee**, or the Council, if there is no specific committee, may choose one of these respondents and negotiate a proposed contract, including a scope of work to be performed. If a proposed contract cannot be negotiated with the firm/individual initially chosen, one of the other firms/individuals submitted by the Selection Review Committee may be chosen; and a proposed contract negotiated.
7. **The Council Committee** may recommend to the City Council its choice of the firm/individual. The Council, by a majority vote of its entire membership and by motion, may accept or reject the Council Committee's recommendation and choose one of the other firms/individuals submitted by the Selection Review Committee to the Council Committee. If the Council does not choose one of the firms/individuals submitted by the Selection Committee, the selection process shall begin again. In the

absence of a Council Committee, this same process shall be followed by the City Council. (M-96-106)

8. The **Selection Review Committee** shall consist of the **Council Chief of Staff, the Council Research Officer and either the Council Fiscal Officer or the Director of Council Utilities**, depending on the type of professional service to be performed. The Council, responsible committee, or Chief of Staff may invite additional knowledgeable persons to participate as member(s) of the Selection Review Committee when particular expertise would be helpful in the evaluation process. The Selection Review Committee shall conduct its meetings in accordance with the Louisiana Public Meetings Law, R.S. 42:4.1, *et seq.* (M-07-413, Adopted, 10/4/07); (M-08-380, Adopted, 2/5/09)

9. **Exceptions** from this Competitive Selection process shall be made for:
 - (a) Professional services contracts for an individual Councilmember's Office.
 - (b) Annual Audit, for which requests for qualifications shall be sent to "Big Four" accounting firms with local offices. (M-07-413, Adopted, 10/4/07)
 - (c) Emergency situations in which a majority of the entire membership of the Council by motions determines that there is an immediate need for a specific contract and that there is not sufficient time to go through the Competitive Selection Process. Emergency situations may include, but are not limited to, legal actions to which action or response is needed or required in 30 days or less or emergency situations as defined in LA. R.S. 38:2211 A (6). (M-96-105) In those emergency instances, where there are available at least 10 working days but not the 30-35 days required for an RFQ/RFP process, an informal process consisting of solicitation of firms/individuals and a shortened review process shall be followed.

- (d) Any contracts in existence prior to January 1, 1996 for:
- Renewal or extension of the contract, when continuity of service is essential;
 - Amendments to such contracts that may expand but do not materially alter the scope of services and for which specialized and institutional experience and knowledge are required. (M-07-413, Adopted, 10/4/07)

The Council, by majority vote of its entire membership, shall determine

which contracts are eligible for **exemption** under this sub-paragraph. (Substitute M-96-29, Adopted, As Amended 2/15/96); (M-07-413, Adopted, 10/4/07)

- (e) The Council may by motion authorize the amendment of a contract that was under the monetary threshold for use of the competitive selection process to increase the maximum compensation or modify the scope of services if justified by a need to ensure continuity of services for the performance of work related to the original scope of services if the proposed amendment satisfies one or more of the following criteria: (M-07-413, Adopted, 10/4/07)
- 1) the increase in scope of work adds a task which can best and most efficiently be performed in a timely and effective manner by a contractor having knowledge and experience gained during performance of the scope of the existing contract;
 - 2) the increase in scope of work adds a task which is essential to completion of the original scope of work but could not reasonably have been anticipated when the original scope was developed;
 - 3) the increase in compensation is needed because the time required to complete the original scope of work exceeded the original estimate, which was reasonable based upon the information available to the Council and its consultant at the time the compensation was agreed upon.
 - 4) the Council may authorize no more than three such amendments to any individual contract. (M-04-236, As Amended, As Corrected, 5/20/04)

ASSIGNMENT OF WORK TO CERTAIN SPECIAL COUNSEL

Rule 45.1.

1. This rule applies only to work assigned to special counsel to the Council retained pursuant to Council Motion M-07-586.
2. Work of special counsel shall be assigned in accordance with the procedure detailed herein below in connection with legal and policy matters pertinent to the Council's independent role as a separate branch of government, when it is determined a) that there are conflicts or potential conflicts between the executive branch and the City Council and/or b) the Council's best interest will be served through the Council's receipt of advice and guidance of special counsel. The assignments to special counsel shall not be in conflict with any powers or functions that are provided exclusively to the City Attorney or the Law Department under the City Charter.
3. At the direction and under the supervision of the Council's Chief of Staff (COS), the contractor will provide services to the Council as a whole and its Committees. Services of special counsel shall be provided pursuant to the following process: a) by Council motion; or b) upon the request of one or more Councilmembers with the approval of the Council President, or if the Council President makes the request, with the approval of the Council Vice President, subject, however, to disapproval by a majority of all members of the Council at its next regular or special meeting.
4. A Councilmember requesting services from special counsel shall submit a form prepared by the COS to the COS indicating the nature of the services and the estimated cost. The COS shall immediately transmit the form to all Councilmembers. (M-08-258, Adopted 6/19/08)

LEGISLATIVE SUMMARY AND AGENDA

Rule 46. The City Council shall establish its policy priorities at an annual Council Retreat to be held in October of each year. Upon completion of the Retreat and in consultation with Council members and the Council Communications Consultant, the Council Chief of Staff shall develop, on or before February 15th of the following year, an

agenda of action items that reflect the policy decisions established at the Retreat. Further, on or before February 15th of every year the Council Chief of Staff, in consultation with City Council members and the Council Communications Consultant, shall prepare and distribute to the public, a summary of accomplishments, including legislative action and projects completed during the preceding year by the Council as a whole and by individual Council offices. (M-07-277, Adopted, As Amended 7/26/07)

EMERGENCY PREPAREDNESS

Rule 47. The City Council shall establish an Emergency Preparedness Plan. A draft of such Emergency Preparedness Plan shall be developed by the Council Chief of Staff, in coordination with the Office of Emergency Preparedness of the City's Office of Homeland Security, on or before April 15th of each calendar year. The draft Emergency Preparedness Plan shall be submitted by the Council Chief of Staff to the City Council for its review and approval on or before May 1st of each calendar year. (M-08-523, Adopted, As Amended 11/6/08)

REGULATIONS

HEARINGS ON MATTERS INVOLVING POSSIBLE COUNCIL ACTION

Regulation 1. Any person shall be entitled to a reasonable hearing on a) any proposed ordinance, motion or resolution or b) any petition, application, or communication presented to the Council as long as the subject matter is one upon which the Council has legislative and regulatory authority. Persons desiring such a hearing must request same in writing from the Clerk of Council in sufficient time to permit the notice required by Regulation Number 2. The Clerk shall refer all such matters for hearing to the Council committee having jurisdiction over the particular subject matter. In the event the topic is not one over which an existing Council committee has jurisdiction, the request shall be referred to the Council President who shall, in consultation with the Chief of Staff, determine the manner in which the request shall be handled. In each case, the Clerk shall advise in writing the party requesting the hearing of the disposition of his/her request. (M-96-461, Adopted 7/18/96)

NOTICE PERTAINING TO HEARINGS

Regulation 2. 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 by the Clerk of Council at least twenty-four (24) hours prior to the hearing. (M-96-461, Adopted 7/18/96)

COMMUNICATIONS ON OTHER MATTERS

Regulation 3. Any communication submitted to the Clerk of Council that does not pertain to a matter which the Council will decide during the meeting at which the communication is requested, shall be referred by the Clerk, after consultation with the Council Chief of Staff, to an appropriate agency, entity, or committee for consideration. In each case, the Clerk shall advise in writing the party submitting the communication of the disposition of his/her request. In the event the rules are suspended and/or the presiding officer otherwise allows a citizen to speak on issues unrelated to matters coming before the Council for decision during that meeting, such opportunity to speak shall be limited to the "Communications" portion of the Council Agenda, shall be limited to a maximum of three minutes, and shall be limited to one speaker. Speakers on the speaker's communication shall not be allowed. **((M-96-461, Adopted 7/18/96); (Substitute M-06-384, Adopted, As Amended 9/21/06)**

TIME LIMITS FOR SPEAKERS

Regulation 4. Subject to Rule 10.4(b), on any matter that is up for a vote or consideration either before the full Council or a committee thereof, no more than three people on each side of the question shall be heard and each speaker shall be limited to five minutes. If the matter is not one upon which the Council or Committee will decide, but is related to a presentation made to the Council or Committee, no more than three people shall be heard and each speaker shall be limited to five minutes. Notwithstanding this rule, the number of speakers and time allotted may be extended by a majority vote of the Councilmembers present.

Each speaker requesting to be heard must submit a card to the clerk. Said card must be signed by author and time-stamped in a manner directed by the clerk. At the appropriate time, the Presiding Officer will call the speaker to address the council, in the chronological order indicated by the time stamp. (Substitute M-06-384, Adopted, As Amended 9/21/06); ((M-07-277, Adopted, As Amended 7/26/07)

DISTURBANCES IN COUNCIL CHAMBER

Regulation 5. Any person who fails to comply with the provisions of this regulation may be subject to penalties as per the Code of the City of New Orleans, Sec. 54-408. In case of any disturbance or disorderly conduct, the Presiding Officer of the Council shall have the power to require the Council Chamber to be cleared and/or to issue orders which shall ensure compliance with the aforesaid regulations. (M-07-277, Adopted, As Amended 7/26/07)

SOLICITATION OF VOTERS

Regulation 6. No person shall at any session or meeting of the Council privately solicit any Councilmember to vote for or against any person or proposition.

USE OF COUNCIL CHAMBER

Regulation 7. The use of the Council Chamber shall be restricted to public agencies of the **U.S. Government, the State of Louisiana, and the City of New Orleans, and to organizations and associations whose membership consists exclusively of employees of the City of New Orleans.**

Any organization listed in the first paragraph of the Regulation that seeks the use of the Council Chamber and intends to invite a member or members of the City Council to the meeting, shall obtain the prior written approval of at least four members of the City Council. The request shall be in writing and shall contain an explanation of the subject matter of the meeting. (M-79-231, Adopted 10/4/79)

FLAGS TO BE DISPLAYED

Regulation 8. The only flags to be permanently stationed in the Council Chamber of City Hall shall be the flags of the United States, the State of Louisiana, and the City of New Orleans. (Motion adopted 5/28/81)

TELEPHONES IN COUNCIL CHAMBER

Regulation 9. With the sole exception of a telephone (outgoing calls only), for exclusive use by the City Attorney and/or council support staff, to be installed at the City Attorney's position at the dais, no telephones shall be installed at the dais in the Council Chamber. No mobile or portable phones shall be used at the Council dais. (M-94-500, Adopted 5/5/94)

STANDARDS FOR ELECTRONIC COVERAGE

Regulation 10. Any individual who intends to make a video or sonic recording of or broadcast live the proceedings of the City Council is required to register his/her identity and affiliation with the Clerk of Council prior to or during the proceedings intended to be covered for the purpose of being assigned a position or positions within the Council Chamber. No positions will be assigned by the Clerk that will result either in

unreasonable obstruction of the view of Councilmembers, staff, other individuals making video or sonic recording or members of the live audience in attendance at the Council proceedings or in an unreasonable intrusion or blockage of any routes of passage throughout the Council Chamber. The provisions of this regulation shall not apply to any individual seated in the audience section of the Council Chamber, possessing a hand-held sonic or video recording device so long as that individual's actions do not interfere with either the orderly conduct of the Council's proceedings or an unreasonable interference with audience members viewing of or participation in the Council's proceedings. Non-compliance with this regulation may result in the non-complying individual being given the choice by the President of the Council to either come in to compliance or immediately remove himself/herself and his/her equipment from the Council Chamber. (M-93-75, Adopted, As Amended 3/4/93)

OFFICE SPACE

Regulation 11. In the event two sitting district Councilmembers are elected simultaneously to the offices of Councilmember-At-Large, the sitting district Councilmember with seniority on the Council shall have the right to choose the location of his/her physical office space from the two existing office spaces allocated to Councilmember-At-Large within City Hall. (M-94-336, Adopted 3/17/94)