

RESOLUTION NO. 1

2022

ADOPTING THE RULES AND ORDER OF BUSINESS OF THE SCRANTON CITY COUNCIL, SCRANTON, PENNSYLVANIA.

WHEREAS, Section 405 of the Home Rule Charter of the City of Scranton provides that the Council, by Resolution, shall determine its own rules and order of business.

NOW, THEREFORE, BE IT RESOLVED THAT SCRANTON CITY COUNCIL hereby adopts the Amended Rules, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference as if fully set forth at length.

SECTION 1. If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decisions shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution of any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Resolution, and the effective administration thereof.

SECTION 2. This Resolution shall become effective immediately upon approval.

SECTION 3. This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State and Pennsylvania.

Passed by the Council

January 3, 2022

Receiving the Affirmative votes of Council Persons

King, Schuster, Rothechild, McAndrew, Donahue

Negative NONE

[Signature]
President

CERTIFIED COPY

[Signature] City Clerk

Introduced in Council on above date and referred to Committee on RULES

January 3, 2022

[Signature]
City Clerk

Scranton, Pa., January 3, 2022
Committee on Rules reports favorably on the within resolution.

[Signature]
Chair

Rules of Council
Resolution No. 1 of 2022
Meetings

Stated Meetings of the Council of the City of Scranton as described in Section 6-3(C) of City's Administrative Code (hereinafter "Public Meetings") shall be held on Tuesday of each week at 6:30 P.M.; with Public Caucuses of Council to be held at 5:45 P.M. preceding each Public Meeting. Public Meetings will be held in Council Chambers, 2nd Floor, Municipal Building. Special Public Meetings of Council and Public Hearings shall be held at the call of the Council President, or upon request of a majority of the members of the entire Council. Council President may schedule Public Hearings and other public proceedings of City Council during the time reserved for Public Caucus.

In the event of a public health or weather emergency, the Council President shall have the authority to conduct all or a portions of Public Meetings, Public Caucus and Public Hearings remotely by providing a reasonably accessible method for the public to view, participate and comment pursuant to Section 710.1 of the Pennsylvania Sunshine Act, 65 Pa. C.S. §§701-716. The method for public participation will be announced to the public in advance of the approaching Council meeting, caucus or hearing.

Council shall recess for the month of August unless a majority of the members of the entire Council vote to conduct weekly or biweekly meetings as per Section 6-3(c)(4) of the City Administrative Code.

Article I
The Presiding Officer

Section 1. The President, or in their absence the Vice President, shall take the chair and call Council's public proceedings to order at the hour fixed for said proceeding. At the beginning of a Public Meeting, the President shall request a roll call to be

conducted and, if a quorum is present, the Public Meeting shall proceed.

Section 2. The President shall preserve order and decorum during the sessions of Council, confine the members to the question under consideration, enforce the rules and shall authenticate by signature the passage, approval or adoption of any and all ordinances and resolutions.

Article II
The City Clerk

At the opening of each Public Meeting of Council, the President shall request a roll call to be conducted. The City Clerk shall keep an accurate record of the proceedings of the Council.

Article III
Committees

Section 1. All Standing Committees shall be appointed by the Council President.

Section 2. Standing Committees of the Council shall be named and designated as follows:

- a. Committee on Rules
- b. Committee on Finance
- c. Committee on Public Works
- d. Committee on Public Safety
- e. Committee on Community Development

Section 3. The following members shall serve as Chair and Vice Chair of the Standing Committees.

Committee	Chair	Vice Chair
<u>Rules</u>	Kyle Donahue	Mark McAndrew
<u>Finance</u>	Thomas S. Schuster	William F. King
<u>Public Works</u>	William F. King	Thomas S. Schuster
<u>Public Safety</u>	Mark McAndrew	Jessica Rothchild, DPT
<u>Community Development</u>	Jessica Rothchild	Mark McAndrew

Section 4. All business requiring examination by Council shall be referred to the Standing Committee as follows:

- a. Committee on Rules. The following subjects shall be referred to the Committee on Rules:
 - i. Office of the Mayor;
 - ii. Law Department;
 - iii. appointments, resignations and leaves of absence;
 - iv. Rules of the Council;
 - v. procedural issues relating to adoption/repeal of legislation; and
 - vi. scheduling of public meetings, hearings and caucuses.

- b. Committee on Finance. The following subjects shall be referred to the Committee on Finance:
 - i. Department of Business Administration;
 - ii. Department of Human Resources;
 - iii. Department of Information Technology;
 - iv. Office of the Treasurer;
 - v. Single Tax Office;
 - vi. revenue for the support of the city government;
 - vii. claims against the City,;
 - viii. taxation;
 - ix. collections to City Treasurer's accounts;
 - x. tax and refuse fee delinquencies;

- xi. exonerations; and
- xii. finance and budgetary transfers.

c. Committee on Public Works. The following subjects shall be referred to the Committee on Public Works:

- i. Department of Public Works;
- ii. Department of Parks & Recreation;
- iii. paving of streets and highways;
- iv. bridges;
- v. sewers and drains;
- vi. parks;
- vii. city garages and buildings (except such as are now or hereafter may be used for police purposes or fire engine houses);
- viii. refuse and recycling; and
- ix. public utilities

d. Committee on Public Safety. The following subjects shall be referred to the Committee on Public Safety:

- i. Bureau of Fire;
- ii. Police Department;
- iii. Parking and parking meters;;
- iv. Public health and sanitation; and
- v. traffic control and maintenance.

e. Committee on Community Development. The following subjects shall be referred to the Committee on Community Development:

- i. Office of Community and Economic Development;
- ii. Bureau of Inspections and Licensing;
- iii. City planning and zoning;
- iv. Licensing and permitting;
- v. Animal Control;
- vi. urban renewal and redevelopment; and

vii. housing.

Article IV
Passage of Ordinances and Resolutions

Section 1. All acts of Council requiring the signature of the Mayor shall be by Ordinance or Resolution. No Ordinance or Resolution shall be passed finally on the day of its introduction except in case of public emergencies, and then only when requested by the Mayor and City Controller and approved by the affirmative votes of a majority of the Council present.

Section 2. No Ordinance or Resolution shall be considered unless referred to the proper Committee and returned.

Section 3. Ordinances on Third Reading may be amended, but only by a majority vote of the members of Council present. Said amendment shall be in writing.

Section 4. No Ordinance or Resolution, except an Appropriation Ordinance, shall be passed containing more than one subject which shall be clearly expressed in its title.

Section 5. On the final passage of all Ordinances or Resolutions the vote shall be taken by Roll Call with the name of the members voting for or against shall be entered upon the journal. No Ordinance or Resolution shall become a law unless a majority of the members of Council present shall be recorded on the journal as voting in its favor.

Section 6. All Ordinances and Resolutions shall be in writing. All amendments shall be in writing. After its passage, such Ordinance or Resolution, as adopted, shall be filed and preserved by the City Clerk among the City Records.

Section 7. An Ordinance or Resolution may be “tabled” at any time by a majority vote of the members present. For purposes of this section, “tabled” shall mean that

the Ordinance or Resolution is suspended from further consideration by Council. An Ordinance or Resolution which has been “tabled” shall be placed in 8th Order under the heading of “Old Business”. An Ordinance or Resolution which has been “tabled” may only be removed from 8th Order and eligible for further consideration by Council through a motion approved by a majority of the members present at the Public Meeting.

Article V
Regulations in Council

Section 1. Any person (or persons) authorized by the Pennsylvania Sunshine Act, 65 Pa.C.S. §§701-716, who wishes to address Council may do so only in Fourth Order which is designated as Citizens' Participation. Any person authorized to address Council shall be encouraged to limit their comments to matters of concern to the Council that are contained in Third, Fifth, Sixth, Seventh or Eighth Order of the meeting agenda and non-agenda items relating to City business.

No person shall address Council for more than five (5) minutes unless extended by the Council President. Persons addressing Council shall state their name for the record and shall direct their comments to the Chair. Council members may respond to citizen questions and/or comments during Fifth Order or during Citizens' Participation. The five-minute time limit shall include any time that Council members may speak in response to citizen questions or comments if an immediate response is requested by a citizen. No person, including members of Council, shall use their time during Citizens' Participation to personally insult or attack any individual. Name-calling, profanity, racial or ethnic slurs, discriminatory remarks based on race, color, religion, national origin, ancestry or place of birth, sex, gender identity, sexual orientation, disability, marital status or age and any other behavior that is inconsistent with the purpose and intent of conducting official business shall not be permitted. The Council President shall have sole discretion in determining if and when any person violates this Section. Any person in violation of this Section shall be ruled out of order by the

Council President and may be removed from the podium and/or meeting at the Council President's request.

Section 2. Every motion shall be entered on the minutes together with the names of the members making and seconding the same unless the motion should be withdrawn.

Section 3. When a motion is made and seconded it shall be stated by the Council President before debate upon it.

Section 4. No Amendment shall be entertained which destroys the general sense or intent of the original motion, or that tends to negate the same.

Section 5. The yeas and nays on any question shall be called on the demand of one member. Any member may change their vote before the result is declared, but no member shall be allowed to change their vote after the result is declared if the ultimate passage or rejection of the pending matter would be changed thereby.

Section 6. Members speaking shall address the President (or Vice President in the President's absence). When presenting a paper members shall first state its import. No member shall be interrupted while speaking except by a call to order by the President, or by a member through the President, or by a member to make an explanation, or by a call for the previous question.

Section 7. When a question is under consideration no motion shall be received except for adjournment, for the previous question, for postponement, for amendment or for reference. These questions shall have precedence in the order stated and the first two shall be decided without debate. A postponement greater than one (1) year shall be equivalent to a rejection.

Section 8. A motion to adjourn shall be decided without debate. This motion is always in order except when the previous questions shall have been ordered, when a vote is being taken or when a motion to adjourn was the last preceding motion.

Section 9. A call for the previous question shall be seconded and the votes taken upon such a call shall decide only the question: "Shall the main question be put?" If this be decided in the affirmative the vote shall be taken on the main question without debate or amendment. If it be decided in the negative consideration of the main question shall be postponed until the next meeting, but the main question shall not be put until amendments previously offered be decided in their order, but all such amendments shall be decided without debate.

Section 10. A motion to reconsider shall not be entertained after the next regular Public Meeting of Council, unless by consent of a majority of the entire Council.

Section 11. On the call of yeas and nays, no member shall be excused from voting, unless by consent of a majority of the members of Council present or on account of valid grounds for abstention-.

Section 12. All Committees shall meet at the call of the Chair who shall be the first person named on such Committee. In case of absence or sickness of the Chair, the Vice Chair may call the Committee together.

Section 13. No Ordinance, Resolution or Communication not properly belonging to the business of the Council shall be received or considered except by consent of the majority of the entire Council. No Ordinance or Resolution which is in substance, in nature or in intent and purpose the same as one rejected by the Council shall be introduced and considered again during the same fiscal year except by consent of a majority of the entire Council.

Section 14. Application or reference to the City Solicitor by Council or Committee for information of law and their reply(ies) shall be in writing and shall be filed by the City Clerk.

Section 15. No rules shall be suspended except by a majority of the members of

Council present.

Section 16. No nominations by the Mayor for an appointment as head or director of a departments or to a commission, authority or board shall be considered without reference to a Committee unless by consent of a majority of the entire Council. No Committee shall report on such nominations sooner than the next regular meeting after they have been presented to the Council unless by consent of the majority of the entire Council. No motion to move a nomination from a Committee for consideration by the entire Council shall be entertained until the next regular meeting.

Section 17. All motions requesting investigation into any and all charges against any member of Council shall be in writing and shall contain the nature of the charge, the name(s) of the Councilperson(s) so charged, and the name of the parties so making the charges. No written motion shall be entertained unless the foregoing requisites be embodied therein and unless by a majority of the entire Council.

Section 18. The Rule of Parliamentary practice contained in "Robert's Rules of Order, 12th Edition" shall govern this body in all matters to which they are applicable, and which are not expressly addressed in the within Rules of Council.

Section 19. Any person who requests information from Council during Citizens' Participation shall do so in writing and shall include the name of the person making the request. All requests for stop signs, streetlights, street signs, safety signs and traffic signs shall be made in writing and signed by the requesting party. Any member of Council may request that a request submitted pursuant to this section be acted upon by Council. A majority of the Council, in its sole and absolute discretion, shall determine whether to place such requests on the Council agenda.

Section 20. All persons wishing to lodge complaints to Council shall do so in writing by stating the nature of the complaint, all facts including the time and place of the event, all names and addresses of individuals with knowledge of the event, and the

name, address and telephone number of the complaining party. All complaints must be signed by the complaining party.

Section 21. All videotaping, recording, photographing or broadcasting of Council meetings shall be done from the rear of Council Chambers.

Section 22. During the Covid-19 pandemic and other public health emergencies, the Council President shall be authorized to implement temporary policies, procedures and protocols to ensure the health and safety of attendees of the Council meetings, including the following:

- a. Requiring all persons who attend Council's Public Meetings and other public proceedings to wear facial masks;
- b. Limiting the number of persons who may attend Council's Public Meetings and other public proceedings in order to ensure appropriate social distancing;
- c. Requiring all persons who wish to attend Council's Public Meetings and other public proceedings to maintain appropriate social distancing while in Council Chambers; and
- d. Requiring all persons who wish to attend Council's Public Meetings and other public proceedings to have their body temperature read prior to entering Council Chambers.

These temporary policies, procedures and protocols set forth in this Section will be announced by the Council President at the time that the upcoming meeting agenda is posted and will be based on directives/recommendations from the Centers for Disease Control and Prevention and the Pennsylvania Department of Health.

Approved by Council vote on _____.