

**RULES AND REGULATIONS  
ALLENTOWN CITY COUNCIL  
RULE I - MEETINGS OF COUNCIL**

**A. Regular Meetings:** Regular meetings will be held on the first and third Wednesday of each month at 7:30 P.M. in Council Chambers or at other such locations as agreed by Council. Council may, by resolution, cancel a meeting in the advent it is deemed not necessary due to lack of business. (25892 3/2/88; 26216 3/21/90 Art. II, §212; 13910-Charter Referendum)

**B. Organizational Meeting:** On the first Monday of January in every year following a regular municipal election and on the date of the first regular meeting in all other years, the Members of Council will assemble and organize and elect a President and vice-president of Council from among its members. If the first Monday of January in a year following a municipal election is a legal holiday, the meeting will be held on the first day following. All newly elected members will take the oath of office at the organizational meeting. (27728 12/5/01)

**C. Special Meetings:** The President of Council may and upon receiving a written request from a majority of Council Members, call a special meeting of the Council. (Art. II, §212) The call will specify if the special meeting be for general or special business. If called for special business, no other business will be considered. Each member will have at least 24 hours' notice of special meetings or may waive the same.

**D. Citizens' Right to Be Heard:** The Council must provide reasonable opportunity for interested citizens and taxpayers to address the Council on matters of general or special concern. Citizens' right to be heard will be the first order of business at all public meetings and before a vote on any Council business. The public will be granted the opportunity to comment at Council meetings without time limitations, except when the Council President, imposes a reasonable time limitation deemed necessary. Council members, by a vote of a majority plus one (1), may override the Council President's time limitation. (Art. II, §213)

**RULE II - CALL TO ORDER**

**A. Call:** The presiding officer will call the meetings to order.

**B. Quorum:** A Quorum of Council will consist of a majority plus one of qualified Council members. If there is no quorum, the members present may adjourn. (Art. II, §214)

**RULE III  
ORDER OF BUSINESS**

The order of business will be as follows:

- Invocation
- Pledge to the Flag
- Roll Call
- Courtesy of the Floor
- Minutes of Previous Meeting
- Old Business
- Communications
- Reports
- Ordinances for Final Passage
- New Ordinances
- Consent Agenda
- Resolutions on Second Reading
- New Resolutions
- New Business

#### RULE IV - AGENDA

**A. Submitting Agenda Items:** Any Resolution, Ordinance, or other agenda items, upon introduction and signature of two (2) Members of Council or after consideration by Committee, will be considered by Council, if it is submitted in written form to the City Clerk's Office no later than 4:00 P.M., eight days, preceding the day of the Council meeting, except in the case of special meetings.

**B. Repetitive Legislation:** Signatures of three members of Council will be required when the proposed legislative agenda item is substantially the same as an item which has been acted on within a two-year time period. The President of Council will make the determination as to whether the legislation is substantially the same before the item is placed on Council's agenda. Four (4) members of Council may overrule the President's determination at the next regularly scheduled Council meeting.

**C. Preparation of Agenda:** Under the direction of the President, the City Clerk will prepare and make available to the Mayor, all Members of Council, and any interested person, no later than the day preceding the Council meeting, an agenda which includes copies of all Resolutions and Ordinances submitted in accordance with Section A and B of this Rule. (26941 9/21/94)

#### RULE V - LEGISLATION

**A. General:** All legislation of Council will be by Resolution or Ordinance. Every Ordinance passed by Council will be signed by the President of Council and attested to by the City Clerk.

**B. Numbered:** All proposed Ordinances and Resolutions presented to Council will be written or typewritten and numbered serially for the calendar year.

**C. Introduction:** A Resolution or Ordinance will be discussed by Council only after it is signed by a mover and seconder. Every Resolution, unless it appears on the Consent Agenda, will be read at length when introduced and on Final Passage. Only the title of every Bill and Resolution on the Consent Agenda will be read when introduced and on Final Passage. A majority vote of Council can, however, direct a Bill or Resolution to be read at length. A complete copy of every Bill or Resolution introduced will be available for public inspection at the City Clerk's Office during regular office hours. (26383 2/20/91; Article II, §217)

**D. Form of an Ordinance:** Every ordinance will have a title clearly expressing its subject and every ordinance will contain only one subject. (Art. II, §216).

**E. Amendments:** Ordinances will not be altered or amended on their passage so as to change their original purpose.

**F. Final Passage of Ordinances:** A minimum of fourteen (14) days must intervene between introduction and passage of an ordinance unless Council finds and declares a public emergency posing a sudden, clear and present danger to life or property. However, Council may, by the affirmative vote of six (6) of its seven (7) members, reduce or eliminate the fourteen (14) day period between introduction and passage of any ordinance. (Art. II, §218)

**G. Effective Date of Legislation:** Subject to the provisions of Section 221, Submission to Mayor and Veto Power, every adopted ordinance, except emergency legislation, will become effective at the expiration of

thirty (30) days after passage by Council and approval by the Mayor, or repassage by Council over the Mayor's veto, or at a date specified therein, but not less than ten (10) days after adoption. (Art. II, §219)

**H. Emergency Ordinance:** An emergency ordinance may be adopted to meet a public emergency posing a sudden, clear and present danger to life or property. An emergency ordinance will be introduced in the form and manner prescribed for an ordinance generally, except that it will be plainly designated as an emergency ordinance and will describe in clear and specific terms the nature of the emergency. Every emergency ordinance will automatically stand repealed as of the ninety-first (s) day following the date on which it was adopted, but this will not prevent reenactment of the ordinance if the emergency still exists. (Art. II, §220)

**I. Submission to Mayor and Veto Power:**

1. Before any ordinance takes effect, it must first be submitted, to the Mayor, for approval. The Mayor will sign the ordinance within ten (10) days if approved (except in the case of budget or levy ordinances which shall be five days), but if not, will return it to Council stating objections in a written message. Council may, at its next meeting, reconsider the ordinance and may pass it over the Mayor's veto by the affirmative vote of five (5) members of City Council. (Art. II, §221)

2. If the Mayor fails, within ten (10) days after any ordinance is submitted to him, to sign the ordinance and/or return it to Council, such ordinances will be considered adopted at the expiration of the ten (10) day period. (Art. II, §221)

3. The veto power of the Mayor will not apply to ordinances adopted by initiative or referendum. (Art. II, §221)

**RULE VI  
ELECTION AND REMOVAL OF  
PRESIDENT AND VICE PRESIDENT**

**A. Election:** Council will elect a President and Vice-President at its organizational meeting. The President (or Acting President) will be first take nominations from other Council members for the nomination of President. Each Council member can offer only one nomination at a time when recognized by the Council President. After nominations have been made by Council members, the President may offer a nomination. The potential candidates will be voted on in the order they were nominated. The first candidate to receive a majority vote will become the President. The procedures will be the same for the election of the Vice President. (26643 10/21/92)

**B. Removal:** The Council may call for a vote to remove a President or Vice-President and elect a new President or Vice-President by a Resolution passed at a regular Council meeting, declaring that such a removal and election will be voted upon at the next regular Council meeting and if passed by the affirmative vote of five (5) members of Council. The Resolution will take effect immediately. (25576 12/18/85)

**RULE VII - PRESIDING OFFICER**

**A. President:** The Presiding Officer will be the President. The Vice-President will be the Presiding Officer in the absence of the President.

**B. Questions of Procedure:** The Presiding Officer will have general supervision of the meeting and decide all questions of procedure, subject to appeal by any two (2) Members. If such an appeal is made, a vote is required and the President's decision may be overruled by a majority vote of the Councilpersons present.

**C. Privilege of the Floor:** Members and others given the privilege of the floor will address the

Presiding Officer. The Presiding Officer will extend the courtesy to the Councilperson(s) responsible for introducing legislation the opportunity to speak first. Each member will have the right to speak twice on any subject. No Member will be allowed to speak more than twice on any subject without permission of the Presiding Officer. No Member will speak more than three (3) times on the question without the unanimous consent of all the Members present. (26980 12/21/94)

Privilege of the Floor will not be extended for personal insults or personal attacks on any individual, name calling or other behavior that is inconsistent with the purpose and intent of conducting official business. (27472 2/17/99)

**D. Referral to Committee:** At the meeting in which any Ordinance first appears upon the agenda, after discussion as set forth heretofore, the Presiding Officer will commit said Ordinance to the appropriate committee. At the meeting in which any Resolution or other matter first appears upon the agenda it will be acted upon by Council at that meeting unless the Presiding Officer or the Council by a majority vote commits such matters to the appropriate committee.

**E. Debate:** The Presiding Officer may participate in debate without leaving his chair.

**F. Candidate Participation:** Persons running for office in a primary or general election will not be allowed to speak to "new issues" under Good and Welfare or Courtesy of the Floor. This prohibition will apply as soon as the candidate's nominating petition is filed and until after the General Election in that same year (unless a candidate is unsuccessful in the primary). The Presiding Officer will enforce this rule.

1. Good and Welfare prohibition applies to members of City Council seeking election.
2. Courtesy of the Floor prohibition applies to those, not on Council, seeking election. (26179 12/6/89)

**G. The Presiding Officer** will not extend Courtesy of the Floor or Good and Welfare for personal insults or personal attacks on any individual, name calling or other behavior that is inconsistent with the purpose and intent of Courtesy of the Floor and Good and Welfare. (27472 2/17/99)

### **RULE VIII - VOTING**

The vote upon any motion, Resolution or Ordinance will be taken by roll call. The City Clerk will clarify by reading aloud the content of the parliamentary motion, amendment, ordinance or resolution before the roll call is taken. The yeas and nays of each Councilperson will be entered on the minutes. On the call of yeas and nays, no member shall be excused from voting as such, unless by the consent of the Council, or if a bonafide conflict of interest exists as defined in the City's Ethics Ordinance, or other provisions of general law. Unless a member of Council is so excused or prevented from voting, the failure to vote shall be recorded as an affirmative vote. The City Clerk will rotate the order in which the roll is called after every vote with the exception of amendments to the main question. (26643 10/23/92; 26668 1/20/93; 27682 6/20/01)

### **RULE IX - CONSENT AGENDA**

A. Consent Agenda will consist solely of Resolutions. In accordance with Rule III, the City Clerk will be first read all the titles of Resolutions on the Consent Agenda. Any Council Member may, with the concurrence of two (2) other Council Members, effect the removal of a Resolution from the Consent Agenda after it has been read by the City Clerk. Any resolution removed from the Consent Agenda in this manner must be reintroduced pursuant to Rule IV, Agenda and Rule V, Legislation. (26383 2/20/91)

B. Consistent with the provisions Voting, a vote upon the Consent Agenda will be construed as a vote upon each Resolution on the Consent Agenda, said vote being taken by roll call with the yeas and nays being entered on the minutes.

#### **RULE X - TRANSMITTAL TO MAYOR**

A. All Ordinances adopted by the Council will be submitted by the City Clerk to the Mayor within forty-eight (48) hours after Final Passage for his action.

B. All Resolutions adopted by City Council will be forwarded as a courtesy to the Mayor by the City Clerk.

#### **RULE XI – COMMITTEES**

A. **Standing Committees:** The following will be the standing committees of City Council:

**Budget and Finance:** All matters pertaining to or falling under the jurisdiction of the Finance Department inclusive of taxes, bonds, capital programs, and strategic financial plans

**Public Safety:** All matters pertaining to or falling under the jurisdiction of Police, Fire, EMS and the Communications Center

**Community and Economic Development:** All matters pertaining to or falling under the jurisdiction of Economic Development, Building Safety, Zoning, Planning, Health, Permits, Redevelopment and Human Relations

**Parks and Recreation:** All matters pertaining to or falling under the jurisdiction of Parks and Recreation and the Environmental Advisory Council

**Public Works:** All matters pertaining to or falling under the jurisdiction of Public Works inclusive of streets, sewer and water systems and plants, engineering, solid waste and maintenance of city facilities (but not including park and recreational outdoor areas)

**Human Resources, Administration and Appointments:** All matters pertaining to Human Resources, information technology, and appointments inclusive of the personnel code, wages and benefits, and appointments to Authorities, Boards and Commissions.

**Rules, Chambers, Intergovernmental Relations and Strategy:** All matters pertaining to the conduct and procedure of the Council of the City of Allentown including the Chambers, office, staff, and matters relating to intergovernmental relations and Council Strategy.

B. **Special Committees:** Special committees may be created from time to time by the president or by Resolution. The duration of a special committee will be no more than six (6) months unless reestablished by Council or the President.

C. **Members:** Members of the various committees will be appointed by the President of Council, with the requirement that every committee have exactly three members of council.

D. **The Chairperson:** The Chairs of each committee will be selected by the President of Council with

the mandate that every member of Council is required to chair a standing committee and the Council President will serve as chair of the Rules and Chambers Committee along with Vice President. The Council President shall choose the Chairperson of each committee in consultation with members of City Council. Members of Council will inform the committee chairperson in writing of any questions, complaints or other matters brought to their attention by members of the public which pertain to or fall under the jurisdiction of that committee. The Committee Chairperson shall serve as Council's liaison to the bureaus falling under the jurisdiction of the committee. (28537 1/7/2009)

E. **Recall**: Any matter referred to committee may be sent to the Council for action by the affirmative vote of a majority of the appropriate committee or at anytime by the affirmative vote of any four (4) Members of the Council.

## **RULE XII - RECONSIDERATION**

A. **Reconsideration**: A motion to reconsider an Ordinance will be entertained only at the next regular meeting following the one at which a vote was taken on that Ordinance. A Resolution may be reconsidered at the same meeting at which a vote was taken on that Resolution. No second motion to reconsider the motion will be entertained. An Ordinance or Resolution may be reconsidered only once and only at the time stated above.

A motion to reconsider may be made by a member who voted on the prevailing side of the matter to be reconsidered, or by a member who has notified the President of City Council of their intention to be absent and was not present when such a vote was taken. (27391 2/4/98)

B. **Veto**: Following a veto of an Ordinance by the Mayor, Council may reconsider the Ordinance on or after the third day following its return by the Mayor. Council may override the Mayor's veto by passing a Resolution. Said Resolution will require two-thirds votes of Council Members.

## **RULE XIII – PROCEDURE**

When a question is under consideration, no motion will be entertained except for the following motions:

- To adjourn
- The previous question
- To lay on the table
- To postpone definitely
- To postpone indefinitely
- To commit
- To amend

These questions have preference in the order given. The first three (3) must be decided without debate. A motion to adjourn is always in order except when the main question has been ordered put, when a member has the floor, or during a call for the yeas and nays.

Motions for the previous question, to postpone definitely or commit, will preclude amendment or debate upon the original subject. Motion to postpone will preclude commitment. A motion to postpone indefinitely is debatable and can go fully into the merits of the main question (27039 5/3/95)

## **RULE XIV - RECEIVING REPORTS**

The Presiding Officer at a meeting of Council will direct that a report or communication be received and that this action be noted on the minutes by the Clerk. By direction of the President or vote of Council, a report or communication may be referred to committee or other appropriate body.

## **RULE XV - ROBERT'S RULES OF ORDER**

Robert's Rules of Order will govern the proceedings of the Council on matters not specifically provided for herein.

## **RULE XVI - SUSPENSION OF RULES**

These Rules may be suspended by a majority of the Members of Council present. The suspension of rules will not extend beyond adjournment. No Rule of Council which is also the subject of legislative enactment will be suspended.

## **RULE XVII - AMENDMENTS**

A proposed amendment to these Rules may be presented in writing at a regular meeting of Council held at least two weeks prior to the date when the same is to be fully considered. It will be adopted only by the affirmative vote of four (4) Members of Council.

## **RULE XVIII - ATTENDANCE OF WITNESSES AND PRODUCTION OF BOOKS BEFORE COUNCIL OR COMMITTEE**

Council may compel the attendance of witnesses, and the production of books, papers, and other evidence, at any meeting of the body or any committee thereof. For that purpose, upon affirmative vote of a majority of Council, subpoenas may be issued, signed by the President of Council, in any pending case of inquiry or investigation. The subpoenas may be served and executed in any part of this Commonwealth. Any Member of Council or the City Clerk will have the power to administer oaths to such witnesses. No person outside of such City, subpoenaed as aforesaid, will be required to respond to the same until he has been furnished with mileage to and from said City at the mileage reimbursement rate currently in effect for City employees.

## **RULE XX - FILLING OF VACANCIES - COUNCIL, CONTROLLER AND MAYOR**

In filling a vacancy, the President (or Acting President) will be first take nominations from other Council members. Each Council member can offer only one nomination at a time when recognized by the Council President. After nominations have been made by Council members, the President may offer a nomination. The potential candidates will be voted on in the order they were nominated. The first candidate to receive a majority vote will fill the vacancy. The Mayor may cast a deciding vote only in the case of a tie. (26631 10/7/92; 25142 2/2/83; 26631 10/7/92)

## **RULE XXI - ETHICS**

The actions of all Council Members will be guided by the provisions of the Pennsylvania Ethics Act, the Ethics Ordinance of the City of Allentown and the provisions on ethics in the Charter.

No Council Member will use the services of City personnel during regular working hours or utilize, at any time, City equipment or supplies in their election or campaign efforts. (5/5/93 26739)

## **RULE XXII TRAVELING AND EXPENSES**

Any Councilperson wishing to travel at the City's expense to a seminar or conference, shall request such an expenditure from City funds, by sending a request to the President of City Council. The request should provide a detailed explanation of the purpose of the trip, location, costs, and benefit to the City. All travel is contingent upon sufficient funds being available for such expense.

An expense report must be filed within five (5) working days upon return. (27868 9/3/2004)

Codified on January 20, 2009 and certified as a true and correct copy by the City Clerk.

---

Michael P. Hanlon, City Clerk