

An Ordinance of the Haines Borough amending Haines Borough Code Title 2 Sections 2.10.040(D), 2.10.050, 2.10.060(D-E), and 2.12.110 to modify assembly procedures.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Section 2.10.030 Section 2.10.030 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

2.10.030 Agenda.

A. Regular and Special Assembly Meetings. All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the assembly shall be delivered to the clerk ~~by Tuesday the week before the meeting (one week plus one day prior)~~ **by the deadlines stipulated in the current assembly-approved agenda preparation schedule** ~~whereupon~~ ~~The~~ ~~mayor~~, with assistance from the clerk shall arrange a list of such matters according to the order of business and the clerk shall furnish each member of the assembly, the mayor, manager and chief fiscal officer with a copy of the same in packet form five **calendar** days in advance of the assembly meeting, ~~including Saturdays, Sundays and holidays~~. Packets may also be prepared as necessary for other officers, department heads, and members of the press or other interested parties ~~as directed by the mayor~~.

Section 5. Amendment of Section 2.10.050. Section 2.10.050 of the Haines Borough Code is hereby amended as follows:

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2.10.050 Assembly rules – Amendment, suspension and violation.

~~A. A proposed amendment to, or repeal of, any rule of the assembly shall be submitted in writing, be laid on the table at the meeting to which it is submitted and shall become the first item of unfinished business at the next regular meeting.~~

~~B.~~ **A.** In all matters of parliamentary procedure not covered in the rules of the assembly, Robert's Rules of Order shall be applicable and govern.

~~C.~~ **B.** The borough assembly rules and order of business shall be observed in all cases, unless suspended temporarily for a special purpose ~~of an emergency nature~~ by a vote of the majority of assembly members present. Any member may move at any time for the suspension of any rule, and such motion must be seconded to entitle it to consideration.

~~D.~~ **C.** If any member, in speaking or otherwise, transgresses the rules of the assembly, the presiding officer shall, or any member can, call that member to order; in which case the member

so called to order shall immediately cease discussion unless permitted by the presiding officer to explain; and the assembly, if appealed to, shall decide the question without debate. If the decision be in favor of the member so called to order, the member shall be at liberty to proceed; if otherwise, the member shall not proceed without leave of the assembly to proceed in order.

Section 6. Amendment of Section 2.10.060(D-E). Section 2.10.060(D-E) of the Haines Borough Code is hereby amended as follows:

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2.10.060 Assembly Rules – Speaking, Rules of Conduct

~~D. No member shall speak more than twice or for more than 10 minutes continuously to any one question, except that one or more additional periods of 10 minutes may be granted by unanimous consent.~~ **A member or the borough manager may speak more than once to the same question at the same stage of proceedings provided that priority of access to the floor shall be given to members who have not spoken on the question. Members shall endeavor to provide the body with relevant facts and arguments and shall strive to avoid redundancy.** ~~The reading of papers desired by any member shall be read by the member or by the clerk, within the member's time limitation unless permission for the clerk to read such paper outside the time limitation is unanimously granted.~~

E. Asking Questions. After obtaining recognition from the chair, a member may ask direct questions of another member of the assembly or to a person appearing before the assembly. The questions may not be argumentative.

~~F.~~ **F.** No appeal from any decision of the presiding officer shall be entertained unless it is seconded, and no other business shall be in order until the question on appeal has been decided. The question on the appeal is not debatable and shall be put as follows: "Shall the decision of the presiding officer stand as the judgment of the assembly?" It shall be deemed to be decided in the affirmative unless a majority of the votes given are to the contrary.

Section 7. Amendment of Section 2.12.110. Section 2.12.110 of the Haines Borough Code is hereby amended as follows:

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2.12.110 Resolutions – Reading – Hearing – Final passage – Posting.

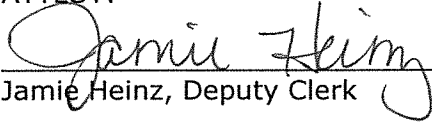
A. Every resolution shall be introduced in writing, **and** shall be noticed with the posted agenda ~~and shall be orally read before any vote for passage thereof is taken.~~

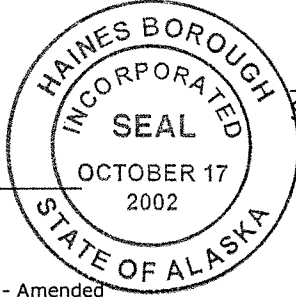
B. On any vote for passage of the resolution, all persons interested who appear shall be given an opportunity to be heard. After such hearing, the assembly may finally pass such resolution with or without amendments. First reading **hearing** of any resolution shall be final and no further passage shall be required.

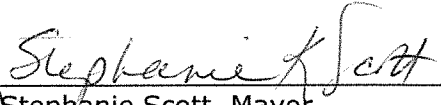
C. After final passage, every resolution shall be posted in full on the borough office bulletin board ~~for at least 14 days~~ **website and a printed reference copy shall be permanently maintained in the clerk's office.** Every resolution, unless it shall specify a later date, shall become effective following final passage, or, if the resolution be submitted at a referendum election when state law or Borough Charter so requires, then upon a favorable vote of the requisite number of those voting thereon.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 10th
DAY OF JANUARY, 2012.

ATTEST:


Jamie Heinz, Deputy Clerk




Stephanie Scott, Mayor

Date Introduced:	11/15/11	- Amended
Date of First Public Hearing:	12/13/11	- Amended
Date of Second Public Hearing:	01/10/12	- Amended and Adopted