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78-6

ORDINANCE NO. 68-2

"AN ORDINANCE ESTABLISHING BY-LAWS GOVERNING  
THE COMMON COUNCIL OF THE CITY OF PORTAGE,  
INDIANA"

Be it and it hereby is ordained by the Common Council of  
the City of Portage, Indiana, as follows:

1. Council meetings - Regular.

The regular, stated and fixed meetings of  
the Common Council of the City shall be held at the  
Council Chamber on the 1st Tuesday of each month at  
7:30 o'clock p.m.

2. Same - Special; Notice.

The call of a special meeting shall be in  
writing, and specify therein the particular purpose  
for which such meeting is called. Such call shall  
be signed by the Mayor, when made by him, and when  
made by the Council, by them and sealed with the  
seal of the City, and countersigned by the Clerk.

3. Same - Special; Certified Copies, Service of; Transaction  
of Business; Contents of Minute Record.

Certified copies thereof shall by the Chief  
of Police or his deputy, be personally served, if  
practicable, upon every member entitled to be present  
at such special meeting. No business shall be trans-  
acted at such special meeting unless the subject there-  
of is named in the call. The minute record shall show  
the issuance of the call and the service of such notice  
for which purpose the Chief of Police or his deputy  
shall return copies of such notices to the Clerk at  
such special meeting. Written notice and the return  
thereof shall be waived by the presence of all Council-  
men at such specially called meeting.

4. Same - Special; Call of by Councilmen; When.

Special meetings may be called in the manner  
hereinbefore stated by four Councilmen in case the  
Mayor is unable or refuses to call such meeting and  
the call in such cases shall state the Mayor's inability  
or refusal.

5. Council Meetings - Quorum.

Four councilmen shall make a quorum; but  
a smaller number may meet, adjourn from time to time,  
and compel the attendance of members.

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3. Same - Special; Certified Copies; Service of Transaction or Business; Copies of Minute Record.

Certified copies thereof shall be by the Chief of Police or his deputy, be personally served, if practicable, upon every member entitled to be present at such special meeting. No business shall be transacted at such special meeting unless the subject thereof is named in the call. The minute record shall show the issuance of the call and the service of such notice for which purpose the Chief of Police or his deputy shall return copies of such notices to the Clerk at such special meeting. Written notice and the return receipt shall be waived by the presence of all Councilmen at such specially called meeting.

4. Same - Special; Call of by Councilmen When.

Special meetings may be called in the manner hereinbefore stated by four Councilmen in case the Mayor is unable or refuses to call such meeting and the call in such cases shall state the Mayor's inability or refusal.

5. Council meetings - Quorum.

Four councilmen shall make a quorum; but a smaller number may meet, adjourn from time to time, and compel the attendance of members.

Officer shall have the right to call a recess at any time.

7. Mayor - Right and Duties; Appeal of ruling to Council; Form of Question.

The Mayor shall preserve order and decorum; may speak to points of order, in preference to members, rising from his seat for that purpose; and shall decide questions or order, subject to an appeal by any member, on which appeal no member shall speak more than twice, unless by leave of the Council. The question on an appeal shall be put thus: "Shall the decision of the Chair stand as the decision of the Council."

8. Same - To examine minutes; Voting when ties; When signature required.

The Mayor shall examine and correct the minutes before they are read; shall have a casting vote in the event of a tie, but not otherwise; shall sign all ordinances, commissions, deeds, contracts, licenses, permits, and all other papers ordered by the Council.

9. Mayor - Appointing another to chair.

At the hour appointed for the meeting, the Presiding Officer shall call the meeting to order. If the Presiding Officer be not present at such meeting, the Council shall proceed to elect from among its members a Temporary Chairman, who shall act as Presiding Officer, to preside at such meeting.

10. Council Meetings - Presence of Members; Required to vote; Exception.

Every member shall be present within the Council room during the sitting of the Council, unless excused or necessarily prevented, and shall vote on each question put unless he has a personal or pecuniary interest in the event of such question.

11. Council members, etc. - Not to become surety on certain Bonds.

No member of the Common Council of the City or other city officer shall become surety on the bond of any city officer, contractor, appointee, or other person required by law to give a bond payable to said City for the faithful performance of any duty, office or trust.

12. Council Members - Interest in City Business; Purchase of City Obligations.

No member shall directly or indirectly, be financially interested in any contract or agreement with the City for any matter, cause or thing by which liability or indebtedness is created against the City; or shall purchase any bond, order, claim, or demand;

Officers shall have the right to call a recess at any time.

7. Mayor - Right and Duties; Appeal of Action to Council; Form of Question.

The Mayor shall preserve order and decorum; may speak to points of order, in preference to members, raising from his seat for that purpose; and shall decide questions of order, subject to an appeal by any member, on which appeal no member shall speak more than twice, unless by leave of the Council. The question on an appeal shall be put thus: "Shall the decision of the Chair stand as the decision of the Council."

8. 2a. - To examine minutes; Voting when tied; When signature required.

The Mayor shall examine and correct the minutes before they are read; shall have a casting vote in the event of a tie, but not otherwise; shall sign all ordinances, commissions, deeds, contracts, licenses, permits, and all other papers ordered by the Council.

9. Mayor - Appointing another to chair.

At the hour appointed for the meeting, the Presiding Officer shall call the meeting to order. If the Presiding Officer be not present at such meeting, the Council shall proceed to elect from among its members a Temporary Chairman, who shall act as Presiding Officer, to preside at such meeting.

10. Council Meetings - Presence of Members; Revoked to vote; Exception.

Every member shall be present within the Council room during the sitting of the Council, unless excused or necessarily prevented, and shall vote on each question but unless he has a personal or pecuniary interest in the event of such question.

11. Council members, etc. - Not to become surety on certain bonds.

No member of the Common Council of the City or other city officer shall become surety on the bond of any city officer, contractor, appointee, or other person required by law to give a bond payable to said City for the faithful performance of any duty, office or trust.

12. Council members - Interest in City Business; Purchase of City Collections.

No member shall directly or indirectly, be financially interested in any contract or agreement with the City for any matter, cause or thing by which liability or indebtedness is created against the City;

*repealed  
by 78-6(3-b)*

14. Mayor - Appointment of Standing Committees.

Unless otherwise specially ordered by the Council, the Mayor shall annually appoint at the first meeting in January the following Standing Committees each to consist of not less than three members:

- |     |   |     |   |
|-----|---|-----|---|
| a.) | Traffic Committee                         | g.) | Ordinance Committee                                 |
| b.) | Street Committee                          | h.) | Printing Committee                                  |
| c.) | Sewage and Drainage Comm.                 | i.) | Elections and Public Re-<br>lations Committee       |
| d.) | Fire Department Comm.                     | j.) | Public Improvements and<br>Building & Grounds Comm. |
| e.) | Lights and Fire Hydrants Comm.            | k.) | Budget and Finance Comm.                            |
| f.) | Litigation and Council Rules<br>Committee |     |   |

15. Same - Special Committees; Appointment of; Order of Council.

The Mayor shall appoint all special committees which may be ordered by the Council from time to time.

16. Committees - Chairman; Appointment; Procedure in Absence; Death.

The first-named member of each committee shall be the chairman, and in his absence, or being excused by the Council, the next named member, and so on, as often as the case may happen, unless the committee, by a majority of its members, elect a chairman; in case of the death of the chairman, the Mayor shall appoint another.

17. Committees - Meeting when chairman absent, etc.

It shall be the duty of a committee to meet on the call of any two of its members in case the chairman is absent or declines to appoint such meeting.

18. Special Committees - When dissolved; Revived.

A special committee, when its report (if made) is disposed of and it has no other business, stands dissolved without a motion; but an affirmative vote on recommitment has the effect of reviving such committee.

19. Council meeting - Order of Business.

Business shall be taken up in the following order unless the Council by a two-thirds vote shall suspend the rules:

- (a) Pledge of Alligance
- (b) Calling the Roll
- (c) Reading or suspending the reading of the minutes of the last meeting

*repealed*

Mayor - Appointment of Standing Committees.

Unless otherwise specially ordered by the Council, the Mayor shall annually at or at the first meeting in January the following Standing Committees each to consist of not less than three members:

- a. Finance Committee
- b. Street Committee
- c. Sewage and Drainage Comm.
- d. Fire Department Comm.
- e. Light and Fire Hydrants Comm.
- f. Litigation and Council Rules Committee
- g. Budget and Finance Comm.
- h. Building & Grounds Comm.
- i. Public Improvements and
- j. Parks and Recreation Comm.
- k. Elections and Public Re-
- l. Printing Committee
- m. Ordinance Committee

10. Same - Special Committees; Appointment of Order of Council.

The Mayor shall appoint all special committees which may be ordered by the Council from time to time.

11. Committees - Chairman; Appointment; Procedure in Absence; Death.

The first-named member of each committee shall be the chairman, and in his absence, or being excused by the Council, the next named member, and so on, as often as the case may happen, unless the committee, by a majority of its members, elect a chairman; in case of the death of the chairman, the Mayor shall appoint another.

12. Committees - Meeting when chairman absent, etc.

It shall be the duty of a committee to meet on the call of any two of its members in case the chairman is absent or declines to appoint such meeting.

13. Special Committees - When dissolved; Revived.

A special committee, when its report (if made) is disposed of and it has no other business stands dissolved without a motion; but an affirmative vote of recommitment has the effect of reviving such committee.

14. Council meeting - Order of business.

Business shall be taken up in the following order unless the Council by a two-thirds vote shall suspend the order:

- (a) Pledge of Allegiance
- (b) Calling the Roll
- (c) Reading or suspending the reading of the minutes of the last meeting

1. Traffic Committee
2. Budget and Finance Committee
3. Street Committee
4. Sewage and Drainage Committee
5. Fire Department Committee
6. Lights and Fire Hydrants Committee
7. Litigation and Council Rules Committee
8. Ordinance Committee
9. Printing Committee
10. Elections and Public Relations Committee
11. Public Improvements and Building & Grounds Committee

- (i) Report from Special Committees
- (j) Report of City Officers

1. Mayor
2. Clerk-Treasurer
3. City Engineer
4. City Attorney
5. Chief of Police
6. Chief of Fire Department

- (k) Introduction of Ordinances
- (l) Resolutions
- (m) Unfinished Business
- (n) New Business
- (o) Adjournment

20. Robert's Rules of Order - When Controlling.

The rules and practice laid down in Robert's Rule of Order Revised shall govern the Council in all cases to which they are applicable and not inconsistent with the standing rules and orders of the Council.

21. Date - Effective.

This ordinance shall be in full force and effect from and after its passage.

Passed and adopted by the Common Council of the City of Portage, this 2<sup>nd</sup> day of January, 1968.

Arthur Olson Mayor  
PRESIDING OFFICER

ATTEST:

Dorinda L. Thomas  
CLERK-TREASURER

Presentation: 2<sup>nd</sup> day of January, 1968, at 7:55

Approved by the Mayor of the City of Portage this 3<sup>rd</sup> day of January, 1968.

Arthur Olson  
ARTHUR OLSON

- 1. Traffic Committee
- 2. Budget and Finance Committee
- 3. Street Committee
- 4. Sewage and Drainage Committee
- 5. Fire Department Committee
- 6. Lights and Fire Hydrant Committee
- 7. Legislation and Council Rules Committee
- 8. Ordinance Committee
- 9. Printing Committee
- 10. Elections and Public Relations Committee
- 11. Public Improvements and Building Committee

- (1) Report from Special Committees
- (2) Report of City Officers

- 1. Mayor
- 2. Clerk-Treasurer
- 3. City Engineer
- 4. City Attorney
- 5. Chief of Police
- 6. Chief of Fire Department

- (a) Adjournment
- (b) New Business
- (c) Unfinished Business
- (d) Resolutions
- (e) Introduction of Ordinances

20. Robert's Rules of Order - When Controlling.

The rules and practice laid down in Robert's Rules of Order Revised shall govern the Council in all cases to which they are applicable and not inconsistent with the standing rules and orders of the Council.

21. Vote - Effective.

This ordinance shall be in full force and effect from and after its passage.

Passed and adopted by the Common Council of the City of \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 1988.

RESIDING OFFICER

TEST:

*[Signature]*

\_\_\_\_\_ day of \_\_\_\_\_, 1988, at \_\_\_\_\_

Approved by the Mayor of the City of \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 1988.