

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION DAY**

RESOLUTION NO. 87-2013

Title of Resolution: Amendment - Policies and Procedures of Cecil County Council

Synopsis: A Resolution to amend the Council's Policies and Procedures, to add section 2-8 Discipline of Members, pursuant to Section 303(e) of the Charter of Cecil County.

Introduced by: Council President on behalf of the Council members

Introduced and ordered posted on: October 1, 2013

Public hearing scheduled on: November 5, 2013 **at:** 7:00 p.m.

Consideration scheduled on: November 19, 2013

PUBLIC HEARING

Notice of time and place of public hearing and title of Resolution having been posted by October 4, 2013 at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published Charter on October 23 and 30, 2013, a public hearing was held on November 5, 2013, and concluded on November 5, 2013.

By: _____
Council Manager

Explanation: CAPITALS INDICATE MATTER ADDED TO EXISTING ORDINANCE.
[Brackets] indicate matter deleted from existing Ordinance.
Underlining indicates language added to an Ordinance by amendment.
~~Strike through~~ indicates language stricken out of an Ordinance by amendment.

1 **WHEREAS**, the Charter of Cecil County, Maryland, provides for the Legislative Branch of
2 government as the County Council of Cecil County, and

3 **WHEREAS**, the legislative powers and procedures are outlined in the Charter of Cecil County;
4 and

5 **WHEREAS**, the Charter allows the County Council to adopt and publish additional rules of
6 legislative procedure that may be desirable and not in conflict with this Charter; and

7 **WHEREAS**, the County Council has determined that additional policies and procedures are
8 necessary to support the legislative process in order to operate in a consistent and efficient manner; and

9 **WHEREAS**, the Policies and Procedures of the Cecil County Council may be amended by the County
10 Council according to the legislative procedures in Sections 303-304 of the Charter of Cecil County,
11 Maryland.

12 **NOW, THEREFORE, BE IT HEREBY RESOLVED** by the County Council of Cecil County, Maryland that
13 the proposed changes to the Policy and Procedures of the Cecil County Council is hereby approved as
14 follows:

15 CHAPTER 2: MEETINGS GENERALLY

16 SECTION 2-8 DISCIPLINE OF MEMBERS

17 A. PROGRESSION OF DISCIPLINARY ACTION; THREE STEP PROCESS

18 1. GAVELED BY PRESIDING OFFICER OR POINT OF ORDER CALLED BY MEMBER

19 A. ORAL WARNING THAT MEMBER IS OUT OF ORDER FOR FIRST, SECOND AND THIRD
20 INCIDENTS

21 B. CHAIR OR MEMBER CAN CALL MEMBER OUT OF ORDER

22 C. NO VOTE TAKEN

23 2. MOVE TO CENSURE

24 A. IF MEMBER CONTINUES TO BE OUT OF ORDER OR FOR ~~SECOND~~ THREE INCIDENTS
25 DURING SAME MEETING

26 B. CHAIR OR MEMBER CAN MAKE A MOTION TO CENSURE

27 C. "MEMBER HAS BEEN ASKED TO COME TO ORDER, BUT HAS CONTINUED TO BE
28 OUT OF ORDER"

29 D. VOTE MUST BE TAKEN, MAJORITY RULE; DISORDERLY MEMBER SHALL NOT VOTE

30 E. IF MOTION PASSES, ACTION IS RECORDED IN MINUTES OF MEETING RECORD

- 31 3. MOVE TO SUSPEND
- 32 A. IF MEMBER CONTINUES TO BE OUT OF ORDER AFTER CENSURE DURING SAME
- 33 MEETING.
- 34 B. CHAIR OR MEMBER CAN MAKE A MOTION TO SUSPEND MEMBER WHO IS
- 35 OUT OF ORDER.
- 36 C. VOTE MUST BE TAKEN, MAJORITY RULE; DISORDERLY MEMBER SHALL NOT VOTE.
- 37 D. IF MOTION PASSES, ACTION IS RECORDED IN MINUTES OF MEETING RECORD.
- 38 E. THE OFFENDING MEMBER HAS THE RIGHT TO STATE THEIR OBJECTION, WHICH
- 39 WILL BECOME A PART OF THE RECORD IN THE MINUTES.
- 40 F. CHAIR WILL ASK DISORDERLY MEMBER TO LEAVE THE CHAMBER FOR THE
- 41 REMAINDER OF THE MEETING.
- 42 G. IF DISORDERLY MEMBER REFUSES, CHAIR WILL RECESS MEETING AND ALL
- 43 OTHER MEMBERS WILL LEAVE WHILE SERGEANT-AT-ARMS IS CALLED TO ESCORT
- 44 DISORDERLY MEMBER FROM CHAMBER.
- 45 B. EXAMPLES OF DISORDERLY BEHAVIOR
- 46 1. INTERRUPTING THE SPEAKER WHO HAS THE FLOOR.
- 47 2. SPEAKING WITHOUT BEING RECOGNIZED BY THE PRESIDING OFFICER.
- 48 3. ADDRESS ANOTHER MEMBER INSTEAD OF THE CHAIR IN DEBATE.
- 49 4. SPEAKING ON COMPLETELY IRRELEVANT MATTERS OR FAILING TO CONFINE REMARKS TO
- 50 MERITS OF QUESTION.
- 51 5. QUESTIONING THE MOTIVES OF OTHER COUNCIL MEMBERS, STAFF OR
- 52 ATTENDING CITIZENS BY NAME.
- 53 6. SHOWING DISRESPECT TO PRESIDING OFFICER, OTHER MEMBERS, STAFF OR PUBLIC.
- 54 C. GENERAL
- 55 1. ONLY THE COUNCIL BY MAJORITY VOTE HAS THE POWER TO REMOVE A DISORDERLY
- 56 MEMBER.
- 57 2. MOTIONS FOR CENSURE OR SUSPEND A DISORDERLY MEMBER ARE NOT DEBATABLE OR
- 58 AMENDABLE.
- 59 3. THE PROGRESSION OF DISCIPLINE WILL APPLY TO ALL MEETINGS OF THE COUNCIL
- 60 INCLUDING CITIZENS CORNER, WORK SESSIONS, AND LEGISLATIVE SESSIONS.

61 D. PUBLIC ATTENDEES

- 62 1. NO PERSON IN THE AUDIENCE SHALL ENGAGE IN DISORDERLY CONDUCT SUCH AS
63 HANDCLAPPING, STAMPING OF FEET, WHISTLING, USING PROFANE LANGUAGE, SHOUTING
64 OR OTHER SIMILAR DEMONSTRATIONS WHICH MAY DISTURB THE PEACE AND ORDER OF
65 THE MEETING.
- 66 2. ALL PERSONS IN THE AUDIENCE, AT THE REQUEST OF THE PRESIDING OFFICER, SHALL BE
67 SILENT. IF, AFTER RECEIVING A WARNING FROM THE PRESIDING OFFICER, A PERSON
68 PERSISTS IN DISTURBING THE MEETING, THE PRESIDING OFFICER MAY ORDER THAT
69 PERSON TO LEAVE THE MEETING. IF HE DOES NOT REMOVE HIMSELF, THE PRESIDING
70 OFFICER MAY ORDER THE SERGEANT AT ARMS TO REMOVE HIM.

71 **BE IT FURTHER RESOLVED** by the County Council of Cecil County that all provisions of Resolution 87-
72 2013 shall take effect on the date the Resolution is adopted by the Council.

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74 INTRODUCED: October 1, 2013

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76 ADOPTED: November 19, 2013

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President of the Council

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ATTEST:

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Council Manager

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