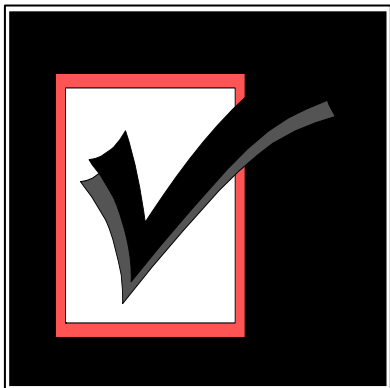
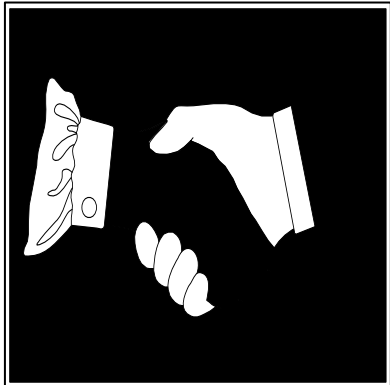
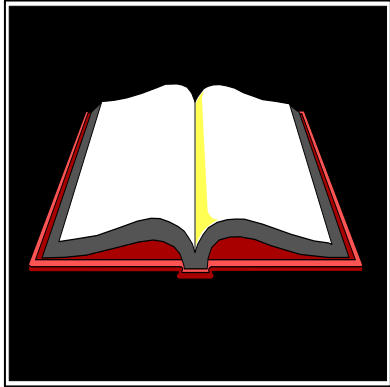




**CITY OF NEW YORK  
MICHAEL R. BLOOMBERG, MAYOR**



**A GUIDE TO  
PARLIAMENTARY  
PROCEDURE  
FOR NEW YORK CITY  
COMMUNITY BOARDS**

**Mayor's Community Assistance Unit  
Patrick J. Brennan, Commissioner**

*r. 2003/6.16.2006*

## INTRODUCTION

"The holding of assemblies of the elders, fighting men, or people of a tribe, community, or city to make decisions or render opinion on important matters is doubtless a custom older than history," notes Robert's Rules of Order, Newly Revised. This led to the need for rules of procedures to organize those assemblies.

Throughout history, the writers of parliamentary procedure recognized that a membership meeting should be a place where different people of a community gather to debate openly and resolve issues of common concerns, the importance of conducting meetings in a democratic manner, and the need to protect the rights of individuals, groups, and the entire assembly. Parliamentary procedure originally referred to the customs and rules used by the English Parliament to conduct its meetings and to dispose of its issues. Some of the unusual terms used today attest to that connection -- such terms as "Lay On The Table" or "I Call The Previous Question."

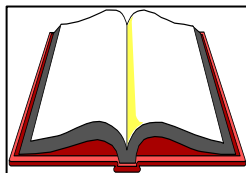
In America, General Henry Martyn Robert (1837-1923), a U.S. Army engineering officer was active in civic and educational works and church organizations. After presiding over a meeting, he wrote "But with the plunge went the determination that I would never attend another meeting until I knew something of... parliamentary law." After many years of study and work, the first edition of Robert's manual was published on February 19, 1876 under the title, Robert's Rules of Order.

Today, Community Boards throughout New York City use parliamentary procedure to conduct their general meetings. They can formally adopt written rules of procedures which confirm, add to, or deviate from parliamentary law itself. Why? Because Robert's Rules are meant to be a means to an end and not an end in themselves. Even General Robert realized this need. Since Community Boards are governmental and public bodies, Robert's Rules are superseded by a Community Board's by-laws, New York City Charter, and the New York State Open Meetings and Freedom of Information Laws.

This guide is dedicated to all past, present and future Community Board members who give of their time to attend and participate at their Community Board and committee meetings. Their participation makes it possible for community issues to be discussed at the local level of government. Finally, as your Community Board uses parliamentary procedure to conduct its meetings, it carries forward a much honored tradition of public democracy which assures a voice to every Board member.

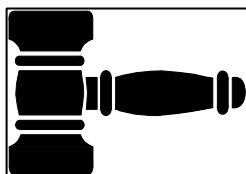
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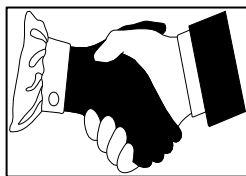
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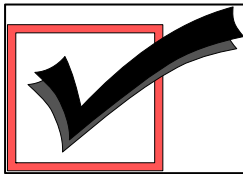
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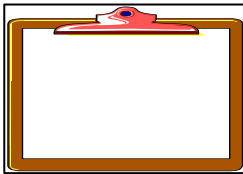
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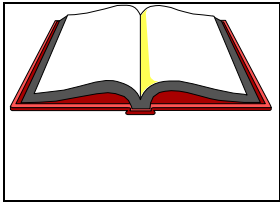


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## PART 1. PARLIAMENTARY PROCEDURE

### PURPOSE OF A MEETING

A meeting is a gathering of equals representing different interests. Its purpose is for the participants to discuss, openly debate and resolve issues of common concern. Thus arise the need to safeguard the status of Community Board members and to organize the flow of the discussions.

### PURPOSE OF PARLIAMENTARY PROCEDURE

Parliamentary procedure fulfills various goals: 1) to protect the rights of individuals, minorities, the majority, absentees and all the Community Board members as a single body, 2) to dispose of issues in a quick and orderly fashion, 3) to enable the majority to make official determinations, and 4) to prevent Community Board members from discussing more than one motion at a time. It should always be remembered that parliamentary procedure is a means to an end and not an end in itself.

### BASIC PARLIAMENTARY PROCEDURE

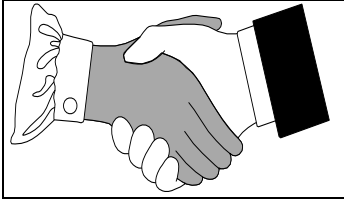
- A quorum must be present to conduct business. The City Charter states that a quorum shall constitute a majority of the appointed members of a Community Board.
- The Chair calls the meeting to order.
- Board members address only the Chair or each other through the Chair.
- Board members must first be recognized by the Chair before speaking.
- The traditional order of business at a meeting is:
  - Reports of Officers
  - Reports of Standing Committees
  - Reports of Special Committees
  - Special Orders (issues of special priority)
  - Unfinished Business
  - New Business
- Any Board member obtaining the floor can introduce any legitimate matter.
- Business brought before the Board should be in the form of a motion.
- Board members should allow others to speak before they speak again.
- The Chairperson should insure that all sides of an issue are heard.

## GENERAL PRINCIPLES OF DEBATING

- **Recognition:** Most of the time a member must first be recognized by the Chair before speaking.
- **Interruption:** Most of the time a member cannot interrupt another speaker.
- **Second:** Most motions must be seconded.
- **Debate:** Most motions are not debatable.
- **Amend:** Most motions are not amendable.
- **Voting:** All motions require a majority vote as required by the City Charter (Section 2801-b)

## THIRTEEN STEPS OF THE DEBATING PROCESS

- 1) **Address:** Board member addresses the Chairperson.
- 2) **Recognition:** Chairperson recognizes the Board member.
- 3) **Obtain The Floor:** Board member has the floor.
- 4) **Motion:** Board member introduces a motion.
- 5) **Second:** Another Board member seconds the motion.
- 6) **Informal Discussion:** At this step, the Chairperson and introducer of the motion can discuss modifications or withdrawal of the motion.
- 7) **Statement Of The Question:** The Chairperson states the question (motion) to the Board members for their consideration.
- 8) **Debate:** The Board members debate the merits of the motion. Amendments maybe submitted and acted on.
- 9) **Closing Of Debate:** The Chair or a Board member initiates the closing of the debate (e.g., I call the previous question).
- 10) **Debate Decision:** Board members vote whether to end the debate and start the voting process.
- 11) **Restatement Of The Question:** Before the voting process actually begins, the Chairperson will again clearly state the exact question (motion) that the members will be voting on.
- 12) **Voting:** Voting and disposition process takes place.
- 13) **Results Of Vote:** The Chairperson announces the results of the vote (in favor, or opposition, etc.).



## **PART 2. RESPONSIBILITIES OF THE CHAIRPERSON AND BOARD MEMBERS**

### **DUTIES OF THE CHAIRPERSON**

By electing a Chairperson, the Board delegates to the Chair the authority to make necessary ruling on questions of parliamentary law, and the duty to assure that meetings are conducted in an effective and orderly manner. The Chairperson's duties are to:

- open general meetings.
- announce the issues before the Board members.
- recognize a Board member.
- state and put to vote all legitimate questions.
- protect Board members from obviously frivolous or dilatory motions.
- enforce the rules of debate.
- keep the floor open for debate.
- expedite matters.
- decide all questions of order.
- respond to parliamentary inquiries.
- authenticate all acts of the Board.
- declare the meeting adjourned.

### **EXPECTATIONS OF THE CHAIRPERSON**

The Chairperson of a Community Board should:

- be fair, yet firm.
- never engage in debate or take sides without first relinquishing the chair
- be knowledgeable of issues on the floor.
- be aware of which motions are "In Order" or "Out of Order."
- be aware of which motions are debatable and non-debatable.
- be aware of which motions are pending.
- remember the "First is Last" principle of parliamentary procedure during the disposition of motions (see page 25 for the Chart of the Disposition Process).
- prevent the abuse of parliamentary procedure.



## **RIGHTS OF BOARD MEMBERS**

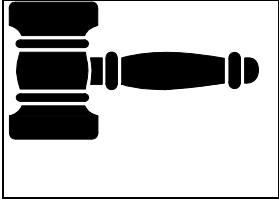
All members have the same rights to:

- obtain the floor, introduce motions, enter discussions, oppose, amend, and vote on motions.
- inquire about which issue is being voted on.
- call the Chair's attention to breaches of procedure.
- appeal the Chair's decisions.
- call for order.
- call for the order (agenda) of the day.

## **OBLIGATIONS OF BOARD MEMBERS DURING A DEBATE**

All Board members have the right to speak, but should:

- first be recognized by the Chairperson.
- allow other members to speak before you speak again.
- speak only to the motion on the floor.
- refrain from using inflammatory language or making personal attacks.
- address all remarks to the Chairperson.
- remember that not all motions are debatable.



## PART 3. PARLIAMENTARY MOTIONS

### FUNDAMENTAL PRINCIPLE OF PARLIAMENTARY MOTIONS

According to Robert's Rules, "Only one question can be considered at a time; once a motion is before the assembly, it must be adopted or rejected by a vote, or the assembly must take action disposing of the question in some other way, before any other business (except certain matters called 'privileged questions') can be brought up."

### GENERAL CHARACTERISTICS OF PARLIAMENTARY MOTIONS

- Issues to be disposed of should be brought to the attention of Community Board members in the form of a motion.
- A main motion is an official request to the assembly of Board members that something should be done, or to express that something is the opinion or wish of the Board.
- The purpose of other motions is to propose an action or to affect either another motion or the proceedings.
- If a motion is pending, it is on the floor and has not yet been disposed of. If several motions (main motion and several secondary motions) are on the floor, they are to be disposed of in their order of precedence (see page 25, Chart of Disposition Process in Order of Precedence).
- Disposition of a motion occurs either by a decision of the Chairperson or by the vote of the Board members.
- A motion should be stated in its proper form, for example, "I move the previous question." If it is not, but its intent is clear, the Chairperson should define it properly and allow the motion onto the floor.
- A motion is not a commentary, report or personal attack.

### ROBERT'S RULES OF ORDER AND THE NEW YORK CITY CHARTER

Although, Robert's Rules specifies a two-third (2/3) vote for passage of some motions, the City Charter supersedes this requirement. The City Charter states that any act, determination or decision made by any Community Board shall be made by the **MAJORITY** of the members present and entitled to vote during the presence of a quorum (Section 2801-b).

---

## MAIN MOTION

**A main motion introduces a subject to the assembly of Community Board members for their consideration.**

**During the disposition process, a main motion yields to privileged, subsidiary and incidental motions (see page 25, Chart of Disposition Process in Order of Precedence).**

---

- **Main Motion** - This motion introduces any legitimate subject to the Community Board members for their consideration, debate and vote. "If a main motion is adopted," notes Robert's Rules, "it becomes the officially recorded statement of an action taken by the assembly. A motion should therefore be worded in concise, unambiguous, and complete form appropriate to such a purpose." Main motions are debatable and amendable.

*Example: I move that the Community Board approve the Department of Sanitation's District-Wide Service Delivery Plan concerning vacant lots.*

NOTE: Committee Resolutions - A committee's resolution is the same as a main motion, but it need not be seconded and it immediately has the floor upon being proposed.

*Example: The Uniform Committee recommends that the Community Board approve the Department of Sanitation's District-Wide Service Delivery Plan concerning vacant lots.*

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## SUBSIDIARY MOTIONS

**All subsidiary motions modify or affect other motions, usually the main motion, in some way. During the disposition process, subsidiary motions yield to incidental and privileged motions.**

**The individual subsidiary motions described below are ranked in higher to lower order of precedence for disposition.**

---

- **Lay on the Table** (Rank No. 6) - This motion is used to defer an action or motion temporarily. There is no set time limit for taking the matter up again unless there is a specific expiration date specified by a Community Board, for example, until the next meeting. If not removed from the table, it may be considered defeated. Then, the issue will have to return as new business. This motion, therefore, can be used to oppose the motion it is affecting. The motion To Lay on the Table is not debatable or amendable.

*Example: I move that we table the motion because of the crowded agenda before us tonight.*

- **Previous Question** (Rank No. 7) - Usually stated as "I call the previous question." This motion is meant to limit or close a debate, and to start the voting process on the highest ranked pending motion. This motion is not debatable or amendable.

*Example: I call the previous question (or I request that we close debate and vote) on the main motion.*

- **Limit or Extend Debate** (Rank No. 8) - This motion allows a Community Board to exercise control over a debate. It can limit or extend the amount of time allowed for each speaker or for the entire debate. This motion is not debatable or amendable.

*Example: I move that each speaker have only 2 minutes to speak on the motion (or I move that the debate on the Sanitation Plan should be limited to 30 minutes).*

- **Postpone to a Definite Time** (Rank No. 9) - This motion is similar to the motion Lay on the Table except it postpones a pending motion to a definite day, meeting, hour, or certain event. This motion is debatable and amendable.

*Example: I move that the discussion of the Sanitation Plan should be postponed until 9:00 p.m. (or to the next general meeting).*

- **Refer to Committee** (Rank No. 10) - When a motion requires additional study or needs to

be put into a better form for consideration, the motion To Refer to Committee is used. It can also be proposed as a tactic to delay the immediate debate of a motion. This motion is debatable and amendable.

*Example: I move that Sanitation's District-Wide Plan should be referred to our Uniformed Services Committee.*

- **Amend the Main Motion, or Primary Amendment** (Rank No. 12) - The primary amendment is introduced to modify the wording of a pending main motion before it is disposed of by the Community Board. No more than two amendments (primary and secondary) can be pending "on the floor." Usually, amendments are used by members who generally agree with, but differ with some point of, the pending motion. Primary amendments are debatable and amendable.

The following types of amendments are considered improper and out of order:

- An amendment that is not germane.
- One that is the equivalent to a rejection of the original motion. Generally, the mere insertion of the words "no" or "not" is considered a hostile amendment.
- An amendment that is contrary to a previous vote.
- A frivolous or absurd amendment.
- Incoherent wording.

To amend a pending motion there are three different actions that are available to Community Board members. They are to:

- 1) insert words or a paragraph.
- 2) strike out words or a paragraph.
- 3) strike out and insert words or to substitute a paragraph.

*Example: I move that the main motion should be amended to read "approve parts A and B only of the Department of Sanitation District-Wide Service Delivery Plan."*

**"Friendly Amendment"** - During a debate of a main motion, a Board member may introduce what is sometimes called a "friendly amendment." This type of amendment is not mentioned in any literature, but can be used by Community Boards by common agreement to eliminate voting twice, e.g., once for an amendment and once for a main motion. If the introducer of a main motion agrees, and there is a general consensus, the friendly amendment is incorporated into the main motion without a vote.

*Example: (Member A proposes original motion) I move that the Community Board approve the Department of Sanitation Plan (Main Motion).*

*(Member B proposes a friendly amendment) I would like to propose a friendly amendment. The main motion should read, "only approve "Sections A through H" of the Department of Sanitation's District-Wide Service Delivery Plan."*

- **Amend the Amendment, or Secondary Amendment** (Rank No. 11) - The rules that pertain to primary amendments also apply to secondary amendments. Action on a secondary amendment must precede action on the primary amendment. This motion is debatable, but not amendable.

*Example: I move that the primary amendment should be amended by adding "with the exception of "Section I of Part G."*

- **Postpone Indefinitely** (Rank No. 13) - The motion To Postpone Indefinitely is the lowest ranked of the Subsidiary Motions. It allows a Community Board to decline to take a position on a pending main motion by indirectly defeating it and avoiding a direct vote. Motion is debatable, but not amendable.

*Example: I move that action on the Sanitation Plan should be postponed indefinitely.*

---

## INCIDENTAL MOTIONS

**Incidental motions are "housekeeping motions" for conducting business, and must be disposed of immediately. During the disposition process, incidental motions yield only to privileged motions.**

**The specific incidental motions described below do not follow any order of precedence, therefore they are not ranked.**

---

- **Point of Parliamentary Inquiry** - This motion is used when information is needed from the Chairperson or Parliamentarian about parliamentary procedure or rules of the Community Board that bear on the business at hand. This motion should not be confused with the motion called Point of Information. The motion Point of Parliamentary Inquiry is not debatable, not amendable, no second is required, and the Chairperson rules on the inquiry.

*Example: I request information on the difference between the motions Lay On The Table and Postpone To A Definite Time. Which one should we voted on first?*

- **Point of Information** - A request directed to the Chairperson, another officer or member, for content information about the business at hand, but not related to parliamentary procedure. It should not be used to make a point, but only to gather further information about a subject. This motion is not debatable, not amendable, no second is required, and voting is not required.

*Example: Mr./Ms. Chairperson, I request further information about whether the Sanitation District-Wide Plan includes North Street.*

- **Point of Order** - When a member thinks there has been a breach of parliamentary procedure, he/she can make a Point of Order (or rise to a Question of Order). The Chairperson then rules whether the point is "well taken" or not, and briefly states the reason for the decision. The motion Point of Order is not debatable, not amendable, no second is required, and no vote is needed.

*Example: Mr./Ms. Chairperson, I rise to a point of order. The primary amendment was not seconded and it should not be on the floor for our consideration.*

- **Divide a Motion** - When an issue, resolution or motion comes in several parts, the different questions can be separated and voted on as independent motions, if each can stand alone. This motion is not debatable, but it is amendable.

*Example: I move that parts A, B, and C of the Sanitation District-Wide Plan be voted on separately.*

- **Read Paper** - The motion To Read Paper can be used when a speaker wishes that a document should be read and/or entered into the minutes. This is allowable as long as there are not any objections. The motion to Read Paper is not debatable or amendable.

*Example: If there are no objections, I would like to read aloud this survey report from the Department of Sanitation that supports my understanding that North Street is included in the Sanitation Plan.*

- **Withdraw a Motion** - Before a vote, the proposer of a motion can request of the Chairperson that the motion should be modified or withdrawn. If there is any objection, the request is then put to a Board vote. This motion is not debatable or amendable, and a second is required.

The principle, as stated by Robert's Rules, is as follows: "Before a motion has been stated by the Chairperson, it is the property of the mover who can withdraw or modify it without asking the consent of anyone." However, "After a motion has been stated by the Chair, it belongs to the meeting as a whole and the maker must request the assembly's permission to withdraw or modify the motion."

*Example: (Member A to Chairperson) I wish to withdraw my motion to approve the Department of Sanitation Plan.*

*(Chairperson to membership) If there are no objections (pause), the motion is withdrawn from the floor.*

- **Motion on Voting** - Since Community Board voting procedures are governed by the Charter and State law (see Community Board Meeting Procedures - Page 26), it is doubtful that this motion will be used by Board members. Usually, this motion allows a body to modify its regular voting procedures, for example, secret ballot, two vote counters, etc. This motion is not debatable, but it is amendable.

*Example: I move that the vote on the Sanitation Plan should be a standing roll-call of the Board membership.*



- **Suspend the Rules** - The purpose of this motion is to temporarily alter the operating rules of a Community Board. It cannot be used to change procedures governed by law or to suspend the Board's by-laws. The motion to Suspend the Rules is not debatable or amendable.

*Example: Mr./Ms. Chairperson, I move that we suspend our rules and allow the president of the South Street Association to comment about the plan during the Board's meeting.*

- **Appeal** - The Chairperson has the authority to make all necessary rulings on questions of parliamentary law or organizational rules. However, a member has the right to appeal a Chairperson's decision. If seconded, the appeal puts the matter before the entire Board for its decision. This motion is debatable, but not amendable.

*Example: I appeal the Chairperson's decision prohibiting the president of the South Street Association from speaking on this issue.*

- **Objection** - The motion To Object or Objection to the Consideration of the Question must be introduced before debate has begun on the pending main motion. If sustained, it dismisses the main motion from the floor. Once debate has started, it is too late and the motion To Object is out of order. This motion does not need to be seconded, and it is not debatable nor amendable. **Note:** One appeals a Chairperson's decision and objects to a motion.

*Example: Mr./Ms. Chairperson, I object to the consideration of the main motion calling for approval of the Sanitation Plan.*

- **Division of Assembly** - When an announced vote is in doubt, a Board member can demand a recount by calling for a Division of the Assembly. The Chair will immediately announce the recount, either by a standing or roll-call vote. Since Community Boards use the roll-call method of voting, it is doubtful that this motion will be proposed except to have a recount. This motion is not debatable or amendable, and does not require a second or vote.

*Example: Mr./Ms. Chairperson, I am in doubt about the results of the vote on the amendment and call for a division on that motion.*

---

## PRIVILEGED MOTIONS

**Privileged motions are used to protect the welfare, rights and privileges of Community Board members during a meeting.**

**During the disposition process, privileged motions are so important that they have precedence over all other motions. The specific privileged motions described below are ranked in higher to lower order of precedence.**

---

- **Time and Place to Adjourn** (Rank No. 1) - This request is sometimes called Time And Place Of The Next Meeting motion. It is often introduced after the vote on the motion To Adjourn has been approved, but before the Chair has called for adjournment.

Since the motion To Adjourn may not mention the time and place of the next meeting, assemblies must use the motion Time and Place to Adjourn (or Time and Place of the Next Meeting) for this purpose. This motion is debatable, and amendable.

*Example: Mr./Ms. Chairperson, before you call for adjournment we need to know where and when the next meeting will take place.*

- **Adjourn** (Rank No. 2) - The purpose of the motion To Adjourn is to close a meeting. Any unfinished business is held over to the next general meeting. This motion is not debatable or amendable.

*Example: I move that we adjourn (or I move that we adjourn this general meeting right after the vote on the Sanitation plan motion has been disposed of).*

- **Take a Recess** (Rank No. 3) - When a short intermission is desired, this is the motion that is used by assemblies. It may be used for members' comfort or to allow groups to caucus for discussion. The motion Take a Recess is not debatable, but it is amendable.

*Example: I move that we take a five-minute recess and then return to the debate on the Sanitation Plan.*

- **Question of Privilege** (Rank No. 4) - This very useful motion is also known as the Point of Privilege motion. Its primary purpose is to protect the welfare, comfort, self-interest, privileges and rights of individual Board members, groups, and the entire Board. Besides your comfort, the motion Question of Privilege can be used to protect your integrity. If you are personally attacked, you can rise to a Point of Privilege to respond.

The motion Question of Privilege is probably the most abused of all the motions. The Chairperson must always be diligent that this motion does not constantly disrupt a general meeting. This motion usually does not need to be seconded, is not debatable or amendable, and is ruled on by the Chairperson.

Some sources state that the motion Question of Privilege is debatable, while others say that it is not. They are both right, depending on the situation. For example: When the Question of Privilege concerns the interest of only one Board member, the motion is not debatable, e.g., a member requests to change his or her seat. However, it is debatable, and a vote may be required when the action affects others, such as altering the air-conditioning in a room.

*Example #1: Chairperson, I rise to a point of privilege. The air-conditioner is set too cold and I wish it to be adjusted. (comfort)*

*Example #2: I rise to a question of privilege. Other members are talking during the presentation and I can't hear the speaker. (rights)*

*Example #3: I rise to a point of privilege. I would like the speaker to be censured for their personal attack against me. (integrity)*

- **Call for the Order of the Day** (Rank No. 5) - The word "order" in this context means agenda, program or schedule. When a meeting has strayed from the agenda or the time to discuss a particular subject has passed, any member has the right to Call for the Order of the Day. The motion does not require a second. The Chairperson decides if it is debatable or amendable. No vote is required.

*Example: Chairperson, I call for the order of the day and move that we return to the debate on the Sanitation Plan. We should not be discussing the report of the South Street Association at this time.*

---

## RENEWAL MOTIONS

**Renewal motions are used to bring back to the floor a motion that has been disposed of by a Community Board. During the disposition process, renewal motions yield to all other motions. They are disposed of when the floor is clear, and before the start of new business.**

**The specific renewal motions described below do not follow any order of precedence therefore they are not ranked.**

---

- **Reconsider** - The motion To Reconsider allows a Community Board, within a limited time and without notice, to bring back to the floor for reconsideration a motion that has been voted on by the Board and to suspend all action.

However, there are two parliamentary requirements that must be met before a disposed-of motion can be reintroduced.

- 1) The motion to reconsider must be introduced at the same meeting as the original vote.
- 2) The maker of the motion to reconsider must have voted on the winning side. Moving to reconsider suspends action on the affected motion until reconsideration is voted upon.

The motion To Reconsider can be made anytime after the affected motion is voted upon, even interrupting a speaker. However, a vote is not taken on reconsideration until the floor is available and the maker of the motion "calls up" the motion to reconsider. This motion is debatable only if the approved motion was debatable. It is not amendable.

*Example: I move that we reconsider the approved Sanitation Plan.*

- **Reconsider and Enter Into the Minutes** - What recourse is available to a Board member when all the members who support his or her point of view are not present to vote on a main motion?

A Board member can, first, vote with the winning side of the main motion even though the member opposes the motion. Then, he/she moves to have the approved motion reconsidered and entered into the minutes. This will prevent the approved motion from being implemented until all the Board members have been notified. The motion To Reconsider is voted at the next general meeting.

**IMPORTANT NOTE:** Since simply making the motion to reconsider has the effect of suspending action on the already approved motion, this could defeat the original motion if action must be taken before the next meeting - for example, if a ULURP deadline will expire. Although as a matter of parliamentary courtesy it is usually left to the maker of the motion To Reconsider to determine when the vote on reconsideration will be held - even until the next meeting - the Chairperson has the prerogative to allow any other member of the body to "call up" the motion To Reconsider for a vote at the same meeting so as not to allow the will of the body to be defeated. The motion To Reconsider and Enter Into the Minutes is debatable if the approved motion was debatable. It is not amendable.

*Example: I move that the approved the Sanitation Plan should be reconsidered and entered into our minutes.*

- **Rescind or Repeal** - The purpose of this motion is to cancel or countermand an approved motion or action. But there is a condition: The motion or its action must be at a point in time that allows it to be rescinded. The general principle is "you can't undo what can't be undone." A signed contract cannot be rescinded or, if Board members have been notified of an election, the election cannot be canceled. The motion To Rescind or To Repeal is debatable and amendable.

*Example: Chairperson, last month we approved Sanitation's District-Wide Plan. However, additional information has been recently presented to us. Since the plan has not been implemented, I move that we rescind Part A of the overall plan.*

- **Discharge a Committee** - When a Community Board wants to stop a committee from considering an issue further, this is the motion that is used. But the motion can only be introduced before the committee has made its final report. This motion is debatable and amendable.

*Example: I move that the Uniformed Services Committee should be discharged from further consideration of part B of Sanitation's District-Wide Plan.*

- **Take From The Table** - This motion directly relates to the subsidiary motion To Lay on the Table. If a motion is not removed from the table, the tabled motion is considered "dead." It can be reintroduced at a later date as new business. It is acceptable for a supporter of the original motion to attempt To Take It From The Table. This motion is not debatable or amendable.

*Example: Chairperson, I move that the Board should now consider the tabled motion about the Sanitation Plan.*

**CHART #1 - ACTION REQUIRED ON VARIOUS MOTIONS**

<b>TYPES OF MOTIONS</b>	Chairperson Recognition	Interrupt Others	Seconded	Debatable	Amendable	Vote
<b>I. PRIVILEGED MOTIONS</b>						
1. Time/Place: Adjourn	Yes	No	Yes	Yes	Yes	Majority <sup>1</sup>
2. Adjourn	Yes	No	Yes	No	No	Majority
3. Take a Recess	Yes	No	Yes	No	Yes	Majority
4. Question of Privilege	No	Yes	No	No	No	Chair <sup>2</sup>
5. Order of the Day	Yes	Yes	No	Chair	Chair	None <sup>3</sup>
<b>II. INCIDENTAL MOTIONS (no order of precedence)</b>						
- Parliamentary Inquiry	No	Yes	No	No	No	Chair
- Point of Information	No	Yes	No	No	No	None
- Point of Order	No	Yes	No	No	No	None
- Divide a Motion	Yes	No	Yes	No	Yes	Majority
- Read Papers	Yes	No	Yes	No	No	Majority
- Withdraw a Motion	Yes	No	Yes	No	No	Majority
- Motion on Voting <sup>4</sup>	Yes	No	Yes	No	No	Majority
- Suspend the Rules	Yes	No	Yes	No	No	Majority
- Appeal to the Chair <sup>5</sup>	No	Yes	Yes	Yes	No	Majority
- Objection	No	Yes	No	No	No	Majority
- Division of Assembly	Yes	Yes	No	No	No	Demand <sup>6</sup>

<sup>1</sup> Majority = City Charter requires a majority vote (Section 2801-b) on all motions (see page 28)

<sup>2</sup> Chair = Chairperson's decision (if any appeals, then the Board members vote on matter).

<sup>3</sup> None = A vote is not required.

<sup>4</sup> See Meeting Procedure Memorandum, pages 26 - 28.

<sup>5</sup> Negative vote required to reverse Chairperson's decision.

<sup>6</sup> Can be demanded by one Board member.

<b>CHART #2 - ACTIONS REQUIRED ON VARIOUS MOTIONS</b>						
<b>TYPES OF MOTIONS</b>	Chairperson Recognition	Interrupt Others	Seconded	Debatable	Amendable	Vote
<b>III. SUBSIDIARY MOTIONS:</b>						
6. Lay on the Table	Yes	No	Yes	No	No	Majority
7. Previous Question	Yes	No	Yes	No	No	Majority
8. Limit/Extend Debate	Yes	No	Yes	No	Yes	Majority
9. Postpone to a Definite Time	Yes	No	Yes	Yes	Yes	Majority
10. Refer to Committee	Yes	No	Yes	Yes	Yes	Majority
11. Amend Amendment	Yes	No	Yes	Yes	No	Majority
12. Amend Main Motion	Yes	No	Yes	Yes	Yes	Majority
13. Postpone Indefinitely	Yes	No	Yes	Yes	No	Majority
<b>IV. MAIN MOTION:</b>						
- Main Motion	Yes	No	Yes	Yes	Yes	Majority
<b>V. RENEWAL MOTIONS (no order of precedence):</b>						
- Reconsider	Yes	Yes	Yes	Yes <sup>7</sup>	No	Majority
- Reconsider and Enter into Minutes	Yes	Yes	Yes	No action until next meeting.		
- Rescind (Repeal)	Yes	Yes	No	Yes	Yes	Majority
- Discharge a Committee	Yes	No	Yes	Yes	Yes	Majority
- Take from Table	Yes	No	Yes	No	No	Majority

<sup>7</sup> Debatable, if previous discussion of motion was debatable.

**CHART OF DISPOSITION PROCESS IN ORDER OF PRECEDENCE<sup>8</sup>**

<b>I. PRIVILEGED MOTIONS:<sup>9</sup></b>	1. Time/Place to Adjourn <	
	2. Adjourn	
	3. Take Recess <	
	4. QUESTIONS OF PRIVILEGE <	
	5. Call for the Order of the Day	
<b>II. INCIDENTAL MOTIONS: (no order of precedence)</b>	Point of Parl. Inquiry	Withdraw a Motion
	Point of Information	Motions on Voting <
	Point of Order	Suspend the Rules
	Divide a Motion <	APPEAL
	Read Papers	Objection
<b>III. SUBSIDIARY MOTIONS:</b>	6. Lay on the Table	
	7. Previous Question	
	8. Limit or Extend Debate <	
	9. POSTPONE TO A DEFINITE TIME <	
	10. REFER TO COMMITTEE <	
	11. AMEND THE AMENDMENT	
	12. AMEND THE MAIN MOTION <	
	13. POSTPONE INDEFINITELY	
<b>IV. MAIN MOTION:</b>	Main Motion <	
(Floor is clear, and before the start of new business)		
<b>V. RENEWAL MOTIONS: (no order of precedence)</b>	RECONSIDER	RESCIND (REPEAL) <
	RECONSIDER AND ENTER IN MINUTES	DISCHARGE A COMMITTEE
	Take from the Table <	

<sup>8</sup> Motions are disposed of from top to bottom in their order of precedence.  
 • See pages 21 and 22 for "Actions Required on Various Motions."  
 • Adopted from Parliamentary Procedure-Teach Yourself, by Chester H. Freeman.

<sup>9</sup> MOTIONS IN CAPITAL LETTERS ARE DEBATABLE.  
 < = Motion can be amended.



## EXAMPLE OF THE DISPOSITION PROCESS

Imagine that the following motions (moved) were introduced at the general meeting of a Community Board:

### **The Chair recognizes Ms. Clarke:**

- *I move that the Community Board approve the Department of Sanitation's District-Wide Service Delivery Plan concerning our community's vacant lots (Main Motion).*
- *I second that motion.*

### **The Chair recognizes Mr. Berger:**

- *I move that the main motion be amended to read "approve parts A and B only of" the Department of Sanitation's District-Wide Service Delivery Plan (Amend the Main Motion).*
- *I want to second the motion.*

### **The Chair recognizes Mr. Lopez:**

- *I move that the amendment be corrected to read "approve parts A, B and E only." (Amend the Amendment).*
- *I second that motion.*

### **The Chair recognizes Ms. Wang:**

- *I move that the main motion should be referred to the Uniformed Services Committee for further study (Refer to Committee).*
- *I second the motion.*

### Are The Above Motions Disposed Of In The Same Order as They Were Introduced?

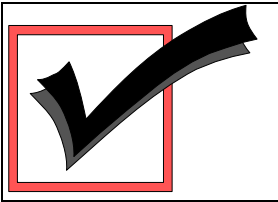
No, they are not! In parliamentary procedure the five types of parliamentary motions (main, subsidiary, incidental, privileged, and renewal) follow a particular sequence during the Disposition Process. This sequence is known as the Order of Precedence (see page 25). By following this order, Community Board will proceed in the handling of motions in an orderly fashion.

The general principle (with many exceptions) that governs the order of precedence is "that which comes first goes last." This means that some motions will be voted on or disposed of first regardless of when they are introduced during a debate. At the top of the chart is the class of privileged motions that has the highest priority and would be disposed of first.

The three motions of the hypothetical example on page 24 would be disposed (voted) in the following order:

<u>Motions</u>	<u>Order of Disposition</u>	<u>Class of Motions</u>
• Refer to Committee	Motion III, #10	Subsidiary Motion
• Amend the Amendment	Motion III, #11	Subsidiary Motion
• Amend the Main Motion	Motion III, #12	Subsidiary Motion
• Main Motion	Motion V	Main Motion

**NOTE:** If the motion "Refer to Committee" is approved, the other motions are not voted on. For more information about classes of motions and motion numbers, see page 23, Chart of Disposition Process in Order of Precedence.



## PART 4. COMMUNITY BOARD MEETING PROCEDURES

The actions and procedures of Community Boards and their committees are governed by the applicable provisions of the City Charter (*Charter language is in italics*) and the New York State Open Meetings Law (OML, Sections 100-111 of the New York State Public Officers Law) and Freedom of Information Law (FOIL, Sections 84-90 of the Public Officers Law). Community Boards are defined as public bodies and governmental agencies under these laws, which supersede any contrary provisions of an individual Community Board's by-laws or Robert's Rules of Order.

**Quorum Requirement** - *A majority of the appointed members of any community board shall constitute a quorum of such board.* A quorum must be present in order for a Board or committee meeting to convene or for any vote to be valid. For the full Board, a quorum consists of a simple majority, i.e., more than half of the appointed members. If a Board has fifty members, a quorum is twenty-six. If a Board has forty-nine members, a quorum is twenty-five. If a Board has forty or forty-one members, a quorum is twenty-one. Public members and ex-officio members are not counted toward a quorum for the full Board. For a Board committee, a quorum consists of a majority of the total membership of the committee, including public members.

**Tabulating Votes** - *Whenever any act is authorized to be done or any determination or decision made by any community board, the act, determination or decision of the majority of the members present entitled to vote during the presence of a quorum, shall be held to be the act, determination or decision of such board.* When a vote is taken, all Board members who are present and entitled to vote must either vote or abstain. No member may be marked "present but not voting." Absentee ballots, proxies and telephone votes are not permitted. In order for a motion to pass, a majority (more than half) of the members present who are entitled to vote must vote in the affirmative. That means there must be more "yes" votes than the total of "no" votes and abstentions combined in order for a motion to carry. The use of a two-thirds or other "super-majority" vote to approve any action is not permitted, unless specifically required by law. (See Appendix E on Conflicts of Interest for an explanation of when Board members are not entitled to vote.)

**Open Ballots** - All Community Board votes, including the election of officers, must be conducted by open ballot. Elections may be conducted using signed paper ballots, by roll call, or by any other means by which each Board member's vote is recorded and can be made public. The Board must record each member's vote and make the record available to the public by including it in the minutes of the meeting. (Corporation Counsel Opinion No. 9-91)

**Chairperson Voting** - Community Board Chairs have the same voting rights and obligations as other members. If a chairperson is entitled to vote on a matter, he or she must either vote or abstain. A Board's by-laws may not exclude the chairperson from voting on matters before the Board, nor may they restrict the Chairperson to voting only to break a tie.

**Meeting Schedule, Public Hearings, and Public Sessions** - *Except during the months of July and August, each Community Board shall meet at least once each month within the community district, and conduct at least one public hearing each month. . . . At each public meeting, the board shall set aside time to hear from the public.*

Each Community Board should establish and publish a meeting schedule. Community Boards are mandated to meet at least once a month, except during July and August. A Board's workload might necessitate more than one monthly meeting.

Community Boards may hold public hearings on any matter relating to the welfare of the district (City Charter Section 2800-d-3). Boards are required to conduct two public hearings during the budget process, and one during their review of the Citywide Statement of Needs. There is no Charter requirement for the presence of a quorum in order for a Community Board to hold a public hearing, except for public hearings held in accordance with the Uniform Land Use Review Procedure (ULURP). ULURP requires the attendance of 20 percent of the Board's appointed members or seven members (whichever is greater). Any action or vote taken by a Community Board, however, may occur only in the presence of a quorum.

The mandate to hear from the public at every public meeting requires that a public session be conducted even if a Community Board has held a public hearing on a specific issue that month. The Charter does not specify how much time should be set aside to hear from the public. Some Community Boards hold these sessions before Board business is conducted, while other Boards hold them at the conclusion of their meetings. In either case, the presence of a quorum of Board members is required for this session.

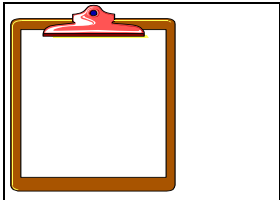
**Open Meetings Law and Closed Meetings** - The Open Meetings Law (OML) requires all meetings of public bodies to be open to the public (with certain exceptions not applicable to Community Boards), but permits public bodies to close portions of their meetings ("go into executive session") when certain types of issues are to be discussed and the correct procedure to close a meeting is followed.

The subjects that may be discussed in closed meetings are:

- matters which will imperil the public safety if disclosed;
- any matter which may disclose the identity of a law enforcement agent or informer;
- information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- discussions regarding proposed, pending or future litigation;

- medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

The OML requires a specific procedure in order to close a meeting to the public. First, the motion to enter into executive session must be made during an open meeting, and the motion must identify "the general area or areas of the subject or subjects to be discussed." Then, the motion must be carried by a **majority vote of the total membership** of the Board or committee. (This is an exception to the Charter requirement for passage by a simple majority vote.) Also, when a Board or committee, in the course of its business, votes to go into executive session to discuss a topic consistent with section 105 of the OML, it should limit its discussion in the closed session to that topic and then reconvene in open session to continue the meeting.



## PART 5. MISCELLANY

### RULES OF "UN-PARLIAMENTARY" PROCEDURE

To appreciate the importance of Robert's Rules of Order, the following rules of "un-parliamentary procedure" have been included for comparison. Even though, they are meant to be humorous, there is a very important message in them.

**1. Point of Personal Outrage** - At any time during a meeting when a participant becomes extremely upset, they shall have the right to interrupt any other speaker, will not be required to wait for recognition from the Chair, and have the obligation to speak at a volume considerably higher than required for normal conversation.

**2. Point of Irrelevant Interjection** - Irrespective of the motion on the floor, the participant shall have the right to monopolize the meeting for not more than five minutes as they discourse on a point the relevance of which escapes all other participants.

**3. Point of Personal Attack** - In response to a point raised by another speaker, the participant shall have the right to reply by launching a personal attack. At no time shall the point itself be addressed.

**4. Point of Associative Guilt** - The participant shall have the right to impugn the integrity of any other participant by alleging that they are, were, might be, has a third cousin who is, or may have great-grandchildren who will belong to any and all organizations designated by the participant as dedicated to the destruction of the organization.

**5. Point of Contempt** - The participant shall have the right to grunt, throw papers down on the table, shake his or her head vigorously, or other wise demonstrate contempt for the proceedings.

**6. Point of Harassment** - The participant shall have the right to introduce irrelevant motions for the sole purpose of delaying the meeting. It is only permissible to resort to a point of harassment when the outcome of an imminent vote is obvious.

**7. Point of Redundant Information** - This is not to be confused with the more familiar "point of information". Whereas a point of information is a request for information from the Chair, a point of redundant information entitles the participant to tell those in the meeting something they already know.

**8. Point of Redundancy** - This is a motion that entitles the participant to make a point made by another participant no more than five speakers earlier.

**9. Point of Pious Posturing** - This motion entitles the participant to make references to any by-law that allegedly supports their point of view. A correct quotation, however, immediately disqualifies the point.

**10. Point of Grudge** - Entitles the participant to raise an issue debated by the organization not less than five years earlier, for which the participant has not yet forgiven those involved.

## **PARLIAMENTARY PITFALLS**

*Below are some common pitfalls for Community Boards to avoid:*

- A Board member does not state the nature of his/her comments upon obtaining the floor or is too vague about his or her request.
- An unidentified Board member yells out "*Question.*" This is not a legitimate motion. Does the Board member mean "I Move the Previous Question" or requesting a "Point of Information".
- The motion "Point of Privilege" or "Point of Order" is used to make a speech. This is not a legitimate action.
- Cross discussion occurs between Board members. This is an improper parliamentary custom. All remarks should be addressed to the Chairperson.
- Comments do not address the business on the floor.
- Meeting are for the disposing of business and not for personal accusations. They should not be allowed.
- Some Board members demand to debate all issues. Some motions are not debatable (see page 22 - Actions Required on Various Motions.)
- A Chairperson is too hasty in ruling on a point. Even though, a Chairperson may have the full backing of parliamentary law, careful judgement should still be exercised. Individual situations should be judged on their merits before proceeding with a decision.
- Chairperson expresses an opinion on a motion on the floor without relinquishing chair to another Board member.
- A vote on a motion is taken without the Board membership clearly understanding the motion. The Chairperson should make it a practice to restate a motion before it is voted on.

## PROPER AND IMPROPER AMENDMENTS

*The following are examples of proper and improper amendments.*

### **Main Motion**

I move that the Community Board request a meeting between our District Service Cabinet and Committee Chairs before the membership discusses the Sanitation plan. The meeting should be held next Tuesday at 6:00 PM.

- **Proper Primary Amendment**

I move that the main motion should be amended to read "to be held at 7:00 PM in the Community Board's district office."

- **Improper Primary Amendment**

I move that the main motion should read, "between the Commissioner from HPD and entire Board membership to discuss our new housing initiative." (This amendment changes the intent of the main motion.)

- **Proper Secondary Amendment**

I move that the primary amendment should read, "Wednesday night from 8:00 pm to 10:00 pm at the Borough President's offices."

- **Improper Secondary Amendment**

I move that the primary amendment should read, "not be held at 7:00 at the Board's office." (This is a hostile and contradictory amendment).



## QUIZ #1 - RANKING OF PARLIAMENTARY MOTIONS

*Identify each motion by name and then put them in their order of precedence for disposition. Assume that each speaker has been recognized by the Chairperson and where necessary each motion has been seconded (answers on page 36).*

- Member A:** I move that the Community Board approve the Department of Sanitation's District-Wide Service Delivery Plan concerning our vacant lots.
- Member B:** I move that our Service Delivery Committee should study the Department of Sanitation Plan.
- Member C:** I move that we do not consider the motion introduced by Member A at this time.
- Member D:** I move that the main motion should "read approve part A and part B only..."
- Member E:** I request that the primary amendment should read "with the exception of section #1 of part B..."
- Member F:** I want to know how this plan will affect North Street.
- Member G:** I move that this issue should be discussed at 9:00 pm, after the committee reports.
- Member H:** I request that the Board should discuss the main motion at the next Board meeting.
- Member I:** Mr./Ms. Chairperson! I request that we should end the debate now and vote on the main motion.
- Member J:** Mr./Ms. Chairperson, I didn't hear the last speaker. Could he please repeat his motion.
- Member K:** Wait a minute! We should discuss Member A's motion now, but each Board member should only speak for 3 minutes.

## QUIZ #2 - IMPROPER PARLIAMENTARY PROCEDURE

Why are the five noted statements considered improper? Assume that each speaker has been recognized by the Chair. (answers on page 36)

Member A	I move that we serve refreshments at our New Community Board Members Orientation.	<b>Main Motion</b>
Member B	Second the motion.	
Member C	I move that the main motion should be amended by placing the word "no" before refreshment.	<b>Improper Parliamentary Procedure #1</b>
Member D	Second the motion.	
Member E	I move that we refer the main motion to the Training Committee.	
Member F	Second the motion	
Chairperson	The motion to refer to committee has been moved and seconded. Any further discussion on the main motion?	<b>Improper Parliamentary Procedure #2</b>
Member G to H	I want the refreshments to be served between 6:00 and 6:30 pm.	<b>Improper Parliamentary Procedure #3</b>
Member I	I move that the main motion should be debated at our next meeting.	
Chairperson	Is there any discussion on Member I's motion?	<b>Improper Parliamentary Procedure #4</b>
Member J	I move the previous question.	
Member K	Second the motion.	
Member L	I move that we censure Member Z for not attending four meetings in a row.	<b>Improper Parliamentary Procedure #5</b>
Member M	Second the motion.	

## **PARLIAMENTARY DEFINITIONS**

The following definitions are from Robert's Rule of Order, Newly Revised, by Sarah C. Robert, published by Scott, Foreman and Company.

**ADOPT** -When an assembly votes to do what a motion proposes, also known as "carry."

**AMEND** - To modify a motion.

**BY-LAWS** - Defines the primary characteristics and description of an organization, how it functions, and all its rules which cannot be suspended or changed without a vote.

**CALL THE MEETING TO ORDER** - Opening of a meeting after a quorum is present.

**CALL A MEMBER TO ORDER** - When a member is out of order, and is requested to resume their seat.

**CALL UP A MOTION** - When a motion cannot be considered when it was moved. It can be "called up" later, and acted upon when there aren't any questions pending on the floor.

**COMMITTEE** - A subordinate body of an assembly, or a body that is accountable to a higher authority.

**CONSIDERATION** - To reflect, examine, think about, or judge the merits of an event, action, decision, proposal or action.

**DEBATE** - To discuss the merits of an issue or motion. An issue can not be debated until it is moved in the form of a motion.

**DISTURB THE ASSEMBLY** - No member is permitted to disturb a meeting.

**MAJORITY VOTE** - The adoption or rejection of a motion by more than half of the members present and entitled to vote during a quorum (City Charter, Section 2801-b).

**MEMBER OF AN ASSEMBLY** - A person having the right to full participation in the proceeding of a meeting.

**MAIN MOTION** - A formal proposal that brings business before the membership for its consideration.

**OBTAINING THE FLOOR** - To speak, a member must obtain the floor. A member can only obtain the floor by being recognized by the Chairperson. Afterwards, the member has the exclusive right to be heard at that time.

**OPINION** - No appeal can be made regarding a Chairperson's opinion, only against a Chairperson's decision or ruling.

**ORDER OF BUSINESS, ORDER OF THE DAY** - The agenda, program or schedule of a meeting.

**ORDER OF PRECEDENCE** - The order of disposing of motions.

**OUT OF ORDER (MOTION)** - A motion that does not conform to parliamentary requirements.

**PENDING** - A motion (seconded/stated by the Chairperson) that is on the floor and ready for the membership's consideration.

**PUTS THE QUESTION** - A step in the process of deliberation. After debating and before voting, the Chair announces that a pending question is ready for a vote.

**QUORUM** - The minimum number of members present needed at a meeting to legally transact business. At a Community Board meeting, it is more than half of the total membership.

**REJECT** - When the membership decides against what a motion proposes.

**RULES OF ORDER** - Written rules of parliamentary procedure that are formally adopted.

**SPECIAL ORDER** - Assigning a special priority and time period to a previously made motion.

**SECONDING** - When a member verbally supports another member's motion. A second implies that the seconder agrees that the motion should be before the meeting, and not that he/she favors the motion.

**UNANIMOUS CONSENT** - To approve of a motion without a vote. It is a time-saving device when there seems to be no opposition or group to protect. The Chairperson states..."if there is no objection..." Also known as "General Consent."

**YIELDING THE FLOOR** - When a member finishes speaking or allows another member to raise a question.

## **ANSWERS TO QUIZ #1 - RANKING OF MOTIONS**

The following motions are listed in their order of precedence.

- 1) Member J: Question (Point) Of Privilege (privileged motion #4)
- 2) Member F: Point Of Information (incidental motion)
- 3) Member H: Lay On The Table (subsidiary motion #6)
- 4) Member I: Call the Previous Question (subsidiary motion #7)
- 5) Member K: Limit or Extend Debate (subsidiary motion #8)
- 6) Member G: Postpone To A Definite Time (subsidiary motion #9)
- 7) Member B: Refer to Committee (subsidiary motion #10)
- 8) Member E: Secondary Amendment (subsidiary motion #11)
- 9) Member D: Primary Amendment (subsidiary motion #12)
- 10) Member C: Postpone Indefinitely (subsidiary motion #13)
- 11) Member A: Main Motion

## **ANSWERS TO QUIZ #2 - IMPROPER PARLIAMENTARY PROCEDURES**

- 1) Member C moved a hostile and contradictory amendment.
- 2) Member E's motion, To Refer To Committee, is pending before the Board members and not the main motion.
- 3) Member G addressed his/her amendment to another Board member. Motions are addressed to the Chairperson.
- 4) Member I's motion was not seconded by another member, therefore it should not be on the floor.
- 5) Member J moved the previous question, which means that other motions are not allowed on the floor. The assembly now votes on whether to end the debate. If the previous question motion is adopted, then the assembly proceeds to vote on the highest ranked motion on the floor (To Refer the Main Motion to Committee).