



# The City of **WORCESTER**

## **RULES OF THE WORCESTER CITY COUNCIL**

**AS AMENDED THROUGH SEPTEMBER 24, 2024**

# **Rules of the City Council of Worcester, Mass.**

## **Rule 1. Applicability & Purpose**

These rules are adopted under authority of section 2-6(c) of the city charter. They are based on the city charter, state law and the longstanding practices of the Worcester City Council, having been informed first by Cushing's Manual of Parliamentary Practice and later by Robert's Rules of Order. These rules shall govern the practices, procedures and conduct of the Worcester City Council and its members.

## **Rule 2. Rights and Duties of Members**

Every member of the city council shall possess and may exercise on an equal basis with every other member all such rights, duties and responsibilities as are vested in the office of city councilor by the city charter and the constitutions and laws of the commonwealth of Massachusetts and the United States of America. Every member of the city council shall have the right:

- a) To place items on the city council calendar of agenda items in the form of proposed orders and proposed resolutions;
- b) To attend any open or executive session of the city council and every committee of which they are a member;
- c) To address the council on any item on the agenda or under consideration;
- d) To address any committee of which they are a member on any item on the committee agenda or under consideration;
- e) To make applicable motions and to vote on all ordinances, orders, resolutions, motions or questions coming before the council or any committee of which they are a member.

In exercising the foregoing rights, every member of the council shall:

- a) Maintain decorum at all times;
- b) Address the chair when speaking;
- c) Avoid personalities when speaking on any item;
- d) Act in accordance with these rules; and,
- e) Comply with the rulings of the chair as provided by these rules.

## ***Meetings – Types, Scheduling & Content***



### **Rule 3. Seating of Members**

The seats of the members of the city council shall be numbered and determined by lot conducted by the mayor at or immediately before the first meeting of each council term; and no member shall change his or her seat but by permission of the chair.

### **Rule 4. Regular Meetings**

Regular meetings of the city council shall be held weekly on Tuesday evenings at 6:30 o'clock p.m. in the council chamber located inside City Hall, unless at a previous meeting, by a majority vote, the city council determines another day, time and/or place. Notwithstanding the above, the mayor may advance the starting time for any regular meeting to any time no earlier than 4:00 p.m. to accommodate an extraordinarily long agenda, a request by the city manager to schedule an executive session, or for any other suitable reason. In such event the mayor shall cause notice of the advanced time to be delivered to each member of the city council no later than the time for posting the meeting agenda.

### **Rule 5. Special Meetings**

The mayor, or if the mayor is unable to serve, the vice chair of the city council, or any five (5) members thereof, may call a special meeting by causing written notices stating the time and purpose of holding such meetings and signed by the person or persons calling the same, to be delivered to each member of the city council, immediately upon the posting of such meeting. All special meetings of the city council, except emergency meetings, shall be posted in accordance with the requirements of the Open Meeting Law, G.L. c. 30A §§ 17-25.

### **Rule 6. Emergency Meetings**

An emergency meeting of the city council may be called upon compliance with the procedure for calling a special meeting and in accordance with the emergency meeting provisions of the Open Meeting Law (G.L. c. 30A § 20(b))<sup>1</sup>.

### **Rule 7. Order of Business**

a) The business taken up by the city council at any specific regular meeting shall conform to the Order of Business determined for each regular meeting in accordance with these rules. The Order of Business for the weekly regular

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<sup>1</sup> "Emergency", a sudden, generally unexpected occurrence or set of circumstances demanding immediate action.



meetings of the city council shall reflect the alternating schedule of city council agendas and city manager agendas whereby a “City Council Calendar” shall be a city council agenda that includes motions, orders or resolutions filed by individual councilors, together with committee reports and related matters, and no ordinary communications of the city manager, while and a “City Manager Calendar” shall exclude the foregoing city council items and include a calendar of items prepared by the city manager for transmittal to the city council. A “Joint Calendar” shall include both city council items and city manager communications. An Order of Business template for each of these three types of meetings is attached hereto as Rules Appendix A.

b) For any special or emergency meetings, the Order of Business for a “Joint Calendar” shall be used but shall be restricted to items relating to the purpose or purposes for calling the meeting.

### **Rule 8. Annual Calendar of Meetings**

Not later than the first meeting of each January the mayor shall introduce to the council for adoption an Annual Calendar of City Council Meetings. The city council shall by majority vote adopt such a calendar, with or without amendment.

The Annual Calendar of City Council Meetings shall:

- (a) Maintain as much as practical the alternating schedule of city council calendars and city manager calendars described in these rules.
- (b) Include the city manager’s quarterly Economic Development Report as a First Item of Business.
- (c) Include as a First Item of Business on the second city council calendar of each month (except July and August) a Finance Committee Item to consider a monthly report from the city auditor on the status of the city budget, which report shall contain a narrative on departmental expenditures and budget balances; the budgetary impact of vacancies in funded positions due to retirements, resignations, workers compensation or injured-on-duty status; and any other information indicating any significant variances in the financial performance of the city as anticipated in the annual city budget. Such First Item of Business shall include any communication of the city manager indicating that it is being transmitted to the city council for consideration in conjunction with the monthly financial report of the city auditor.
- (d) Identify the Tuesdays when no meetings of the city council shall occur due to general and primary election days, holiday weeks, the summer schedule or any other appropriate reason.



(e) Identify the dates for summer schedule for the city council meetings in July and August, which schedule shall include no fewer than two meetings spaced as evenly as possible between the last meeting in June and Labor Day. The agenda for each summer schedule meeting shall be a joint calendar.

(f) Specify whether any meeting held either before or after any break in the regular weekly meeting shall be a joint agenda which shall include both a city council calendar and a city manager calendar.

(g) Identify the date for the annual evaluation of the city manager.

The Annual Calendar, once adopted, may be amended from time to time by majority vote of the council.

### **Rule 9. City Clerk to Prepare All City Council Agendas**

The city clerk shall prepare a calendar of all items to come before the city council and the committees on finance and ordinances at each regular meeting using the proper Order of Business specified in the Annual Meeting Calendar for that meeting. For any special or emergency meetings, the calendar of items to come before the city council shall contain all items specified in the call for the meeting as the purpose or purposes for calling the meeting, together with such items related thereto as may be presented by the city manager.

### **Rule 10. Deadline for Filing Items to be Included on the Council Agenda**

(a) Except for communications, recommendations and reports prepared by the city manager, all city council or joint calendars shall include all petitions, orders, communications, reports and papers, of any description, which may appropriately be brought before the city council and which are received by the city clerk not later than 4:15 p.m. on the Thursday preceding the day of each regular meeting. Papers presented after that hour on such day shall not be placed on the agenda but shall be held until the next appropriate meeting.

(b) Notwithstanding the above, the city clerk shall include in all city manager calendars all communications, recommendations and reports of the city manager which may be transmitted electronically to the city clerk not later than 5:00 p.m. on the Friday preceding the day of each regular meeting; provided that, whenever any such Friday is a recognized holiday, or if a recognized holiday falls on the intervening Monday, this deadline shall be Thursday at 5:00 p.m. Papers, excluding emergency items, presented after the deadline established herein will not be considered until the next appropriate meeting.





(c) Every such calendar of agenda items shall be posted by the city clerk in accordance with the Open Meeting Law, G.L. c. 30A §§ 18-25. The city clerk shall comply with all requirements of the attorney general, whether issued by regulation, advisory or otherwise, including the filing with the attorney general of written notice of the city's Open Meeting Law notice posting method. The city clerk shall deliver electronic copies of the calendar of agenda items to the mayor and city councilors no later than 5:00 p.m. the Friday preceding a Tuesday meeting (or the Thursday in the event of an intervening holiday). The city clerk shall likewise cause the city council calendar of agenda items to be posted on the city's website at the same time. Paper copies of this calendar shall be available to the public immediately upon its posting and at each meeting. For all member of the public petitions, committee reports, orders filed by the chairs of committees in committee and other communications other than council orders and communications of the city manager, the city clerk shall indicate the appropriate action recommended for the council's consideration.

(d) Upon notification by any councilor filing any proposed order or resolution that the councilor wishes to seek co-sponsors of the item, the city clerk shall send an email blind carbon copying each member of the council, attaching the proposed item and asking if they wish to be a co-sponsor of the item. The city clerk shall compile a list of councilors replying that they wish to co-sponsor the item. Any such notification must be filed within a reasonable time prior to the 4:15 Thursday posting deadline so as to allow the city clerk time to notify the other members of the council and to receive their replies. No co-sponsorship shall be accepted after the filing deadline. The city clerk shall indicate on the agenda which orders or resolutions have co-sponsors but shall not otherwise reveal the names of the councilors co-sponsoring any item until the time the proposed order or resolution is brought to the floor of the council. At such time the city clerk shall provide the chair with the list of the co-sponsors. The chair shall read the names of the co-sponsor(s) for each item prior to its discussion at each council meeting. Any member of the council may request during the meeting that they be listed as a co-sponsor and the minutes of the meeting shall record any such sponsorships.

#### **Rule 11. Regarding Propriety of Items**

No petition, paper, order, communication or report of any description which deals with personalities, or with matters not within the general supervision



and/or relating to city government, or does not specifically state the business to be discussed, shall be placed on any city council agenda by the city clerk. The city clerk, with the assistance of the city solicitor, shall determine when an item is not appropriate for placement on the city council agenda.

### ***Conduct of Council Meetings***

#### **Rule 12. Quorum for Conducting Business**

At all meetings of the city council six (6) councilors shall constitute a quorum for the transaction of business. No business of the city council may be considered or debated and the chair shall declare a recess at any meeting where a quorum of the city council is not present within the council chamber or meeting room.

#### **Rule 13. Call to Order**

The mayor shall take the chair at the hour to which the city council has posted its meeting, determine whether a quorum is present, call the members to order and preside over the meeting. If at that hour the mayor is absent, the vice-chair shall take the chair, determine whether a quorum is present, call the members to order and preside over the meeting until the mayor appears. In the absence of both the mayor and the vice-chair, the most senior member with continuous service of the city council then in the meeting room shall take the chair, determine whether a quorum is present, call the members to order and preside over the meeting until either the mayor or vice-chair appears or the meeting is adjourned. In the event that the mayor or chair must leave the meeting, the chair will be filled in the same order of seniority-ranking described above.

#### **Rule 14. Chair to Conduct Meetings – Challenging Rulings**

The chair shall preserve decorum and order, may speak to points of order, in preference to other members; shall decide all questions of order and shall interpret these rules as necessary to conduct the business of the city council. Any ruling of the chair shall be subject to an appeal to the city council made by motion of any councilor. No other business shall be in order until the question on the appeal shall have been decided. The question shall be put as follows: "Shall the decision of the chair stand as the judgment of the city council?" The vote shall be by roll call and it shall be decided in the affirmative unless a majority of the votes are to the contrary.



**Rule 15. Relinquishing the Chair for Purpose of Expression**

If the mayor wishes to express an opinion on any subject under debate he or she shall relinquish the chair to the vice-chair and address the council from the floor. If the vice-chair is absent or declines or relinquishes the chair, then the most senior member of the council then in the meeting room shall take the chair. Any such relinquishment shall not continue beyond the will of the mayor, vice-chair or most senior member in that order of precedence, except that the mayor, vice-chair, most senior member, as the case may be, shall not resume the chair until all points of order arising out of his or her comments from the floor have been decided.

**Rule 16. Order of Taking-Up**

The chair shall take-up items in accordance with the order of business appearing on the agenda, except the chair may take items out of order on his or her own initiative or upon the request of any councilor, in either case so long as no member objects and, in such event, then only by vote of the council.

**Rule 17. Order of Taking the Floor**

Every member who wishes to speak shall indicate his or her intention to the chair. The chair shall determine who is entitled to take the floor and in what order as guided by the rules of the city council. The chair shall give preference to any member who has asked to be recognized due to a possible conflict of interest and then to any member who has not yet spoken on the subject under discussion.

**Rule 18. Rising & Confining Speaking**

When speaking, a member shall stand if they are able to do so. At all times, the member shall address the chair and confine his or her comments to the question or issue being discussed.

**Rule 19. Using a Microphone**

When speaking, voting, calling the roll and announcing votes, all members of the city council, the city manager, the city clerk, department heads or members of the public shall use a microphone.





**Rule 20. Single Subject Time Limit**

Discussion at a particular council meeting on a single calendar item, or a group of calendar items taken collectively, shall be limited to no more than one (1) hour or until each councilor who wishes to speak is given an opportunity to do so.

**Rule 21. No Speaking for More Than Five or Ten Minutes**

After being recognized by the chair no councilor shall speak for more than five (5) minutes at a time nor more than ten (10) minutes total on any agenda item, or a group of calendar items taken collectively at any City Council meeting. At any Finance Committee meeting, no councilor shall speak for more than ten (10) minutes at a time nor more than twenty (20) minutes total on any agenda item, or a group of calendar items taken collectively. The chair may grant additional time to any councilor if comments made by the city manager or other individuals in response to questions have taken an unusual amount of time. The chair shall make note of the time each member is recognized. Whenever any member substantially exceeds five minutes during their first time speaking on an item, the chair may rule that the member is being allocated his or her second five minutes and the member shall be deemed to have waived his or her right to speak twice on an item.

**Rule 22. No Speaking More Than Twice**

No councilor shall be recognized by the chair to speak more than twice on any particular calendar item being discussed at any one meeting of the city council.

**Rule 23. Interruptions to Speaking**

No member speaking shall be interrupted by another but by rising to raise a question of order; to a point of personal privilege, to a question of parliamentary procedure or to doubt the presence of a quorum.

**Rule 24. Personal Privilege**

A member may rise to a point of personal privilege with the permission of the chair but shall not discuss pending questions and shall confine his or her remarks to statements which have been made regarding his rights, reputation or conduct in his or her capacity as a city councilor.



**Rule 25. Parliamentary Inquiry**

A member may rise to ask questions of parliamentary inquiry with the permission of the chair but shall not discuss pending questions.

**Rule 26. Conflict of Interests**

Any member who believes they have a potential conflict of interest regarding any item on the agenda may notify the chair and request to speak first on the item. The member may then indicate that he or she is making a disclosure as required under the Conflict of Interest Law, G.L. c. 268A, or the member may indicate that he or she is recusing themselves from any participation in the item. In the case of recusal, no vote shall be taken but the clerk shall record in the minutes that the member has recused themselves and the member shall immediately leave the meeting room until all debate and action on the item is complete.

**Rule 27. Order of Motions**

(a) The chair shall put all motions in the order in which they are moved unless the subsequent motion be previous in its nature, except that in naming sums and fixing times, the largest sum and the longest time shall be put first, as determined by the chair subject to the will of the council. When an agenda item is under debate the chair shall receive no motion, but

1. To adjourn;
2. To recess the meeting for a specific period of time;
3. To grant leave to withdraw a motion or agenda item;
4. To lay on the table (which shall include a motion to postpone indefinitely);
5. To postpone to a date certain (which shall make the item a "First Item of Business" at a specific subsequent meeting);
6. To place the item on file with the city clerk;
7. To refer or recommit to a council committee, the city manager, the planning board or any such other body or officer so long as jurisdiction over that body or officer resides with the city council;
8. To amend the item as presented on the agenda or as previously amended on the floor;
9. To adopt (which shall mean to vote on the item as presented on the agenda including any amendments previously made on the floor and adopted by a roll call or voice vote);

which several motions shall have precedence in the above order, subject to the following provisions.



(b) A motion to adjourn shall be in order at any time, except upon immediate repetition, and that motion and the motions to lay an item on the table or to take an item off the table shall be decided without debate. A motion to take an item off the table shall be made generally when no other item is under debate; provided, however, that a motion to take-up a tabled item may be allowed by the chair in the event that the tabled item sufficiently relates to a regular item about to be debated by the council so as to merit taking up the items together.

(c) A motion to call the previous question shall be in order at any time any agenda item is under debate, except upon immediate repetition. The making of such a motion shall immediately suspend all debate on the merits of the item and shall be decided without debate upon a call of the roll. Adoption of a motion to call the previous question shall require a two-thirds vote and, if adopted, shall, without debate, cause the clerk to call the roll on the pending item as it then presently stands before the council (i.e., with any amendments previously adopted). If the vote is sufficient to adopt the item, the item shall be adopted. If the vote is insufficient and the item is not adopted, debate shall resume until the matter is dealt with by adoption of any one of the motions appearing above in subsection (a) of this rule.

#### **Rule 28. Chair Declares Votes**

All votes taken at an open session shall be by voice vote or roll call vote. All votes requiring a two-thirds or greater majority shall be taken by a call of the roll. No votes shall be taken by secret ballot. All votes taken at an executive session shall be recorded by roll call and entered into the minutes of the executive session. The chair shall declare all votes in accordance with provisions of the city charter, which, for items requiring a simple majority vote shall require the affirmative votes of at least six members of the city council, and, for items requiring a two-thirds vote shall require the affirmative votes of at least eight members of the city council in both cases, regardless of the number present and voting. If any member doubts the vote as declared by the chair, the chair, without further debate upon the question, shall require the clerk to call the roll of affirmative and negative votes and the chair shall declare the results; but no such declaration shall be made unless a quorum of the city council has voted.



## **Rule 29. Single Member Holds Under the City Charter<sup>2</sup>**

a) Excepting only proposed ordinances, appropriation orders and loan authorizations, the city council may pass any other measure through all of its stages at any one meeting, provided that no member of the city council shall object; but, if any single member objects, a vote on the measure shall be postponed to the next meeting of the city council.

b) On the first occasion that the question of adopting any measure is put to the city council, except an emergency measure, if a single member objects to the taking of a vote, the vote shall be postponed until the next regular or special meeting of the city council. If when the matter is next taken up for a vote, four or more members object to the taking of the vote, the matter shall be further postponed for not less than an additional five days. This procedure shall not be used more than once for any measure, notwithstanding any amendment made to the original measure, nor shall it apply to any motion to adjourn or to recess.

c) A member may express their intention to exercise the authority to hold any vote either: by notifying the mayor in advance of the item being taken up; or, by expressing their intention when they are speaking from the floor. Immediately upon the invocation of "held under privilege," the chair shall determine whether further debate shall be continued. If the mayor is notified in advance of any debate on the item to be held, the chair may declare the item held and that all debate, including public testimony, shall be postponed until the item is taken up at the next meeting. If members of the public have appeared and wish to testify on the item being held, the chair may allow such testimony to be heard with the understanding that speakers giving testimony at the meeting where an item is held will not be allowed to speak to the item when it is taken up at the next meeting. If several councilors have spoken on the item before the intention to hold was made known, the chair shall give councilors who have not spoken the opportunity to speak on the item without prejudicing their right to speak on the item at the next meeting.

d) The word "measure" is defined by the city charter to mean any ordinance, order, resolution, or other vote or proceeding adopted, or which might be adopted by the city council.

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<sup>2</sup> Subsections (a) and (b) of this rule are not subject to amendment because they are taken directly from the city charter, § 2-9(b)(1) and (b)(2).



### **Rule 30. Reconsideration of Items Previously Considered**

An item once duly considered and voted, whether adopted or not, shall not be brought back before the city council within ninety (90) days of the last action taken by the city council unless a motion to reconsider has been timely made or filed. Except as provided below, a motion to reconsider an item shall be in order: 1) at any time during the meeting when the item was first decided yea or nay; or, 2) upon the filing such a motion in writing with the city clerk any time prior to 5 p.m. on the Thursday next following the day in which the item was first decided. A motion for reconsideration shall not be debatable and shall, if accepted by a two-thirds vote of the members of the city council, rescind the previous vote on the item and place it back on the floor for further action. In computing the time for filing any motion for reconsideration, Saturdays, Sunday and legal holidays shall be excluded.

### **Rule 31. Expenditure Roll Call Requirements**

All final votes of the city council on questions involving the expenditure of five hundred dollars (\$500.00) or more, or upon the request of any member, shall be by roll call.

### **Rule 32. Communication Involving Electronic Devices**

No member of the City Council shall communicate using any electronic device with any five or more members of the Council where such communication involves the discussion of any item which is pending before the City Council or which is reasonably likely to be brought before the Council. No member of any committee of the City Council shall communicate using any electronic device with any one or more members of any three-member committee in which he or she is a member where such communication involves the discussion of any item which is pending before the City Council or which is reasonably likely to be referred to the Committee.

### **Rule 33. Emergency Items and Items “Not Reasonably Anticipated”**

(a) Items not appearing on the posted agenda shall not be introduced or taken up unless they qualify as emergency items or items “not reasonably anticipated” as provided for by this rule and in accordance with the Open Meeting Law.

(b) Adoption of any emergency item shall require two votes: first, to adopt by a two-thirds vote an emergency preamble defining and declaring the





emergency; and, second, to adopt the item itself, also by a two-thirds vote. Those votes shall be taken separately.

(c) Items not reasonably anticipated, including supplemental communications of the city manager, may be introduced and taken up only upon adoption of a motion to suspend the rules to take up an item not on the posted calendar. Adoption of any such motion shall require a two-thirds vote. The vote on such a motion shall not be taken unless the mayor (or the chair in the absence of the mayor) shall state that he or she, as of the posting deadline, did not reasonably anticipate the item would be brought before the council. If an order is so introduced and taken up, the filer shall indicate whether the item is introduced for inclusion on the next posted agenda or for debate. If the item is taken up for debate, the limitations of the “five minute – no more than twice” speaking rules shall carryover to any debate on the item when it appears on a posted agenda.

(d) Items taken up under this rule which are not otherwise held or postponed to a subsequent meeting, shall be listed on the next posted agenda of the city council together with a notation of the actions taken or motions pending. The public participation provisions of these rules shall apply only at the meeting where such items appear on the posted agenda.

(e) Notwithstanding the above, whenever, due to the alternating schedule of meetings, any item being reported out of any committee for the consideration of the full city council would not appear on the agenda for the next meeting of the city council, the committee or its chair may make a motion to suspend the rules to take up a committee report. Such motions may be made by the committee in committee, or by its chair individually by filing a notice thereof with the city clerk, provided that they must be made or filed prior to the posting deadline for the next meeting of the city council. The city clerk shall list any such timely filed motion on the calendar of the next regular city council meeting under the “Motions for Reconsideration and Suspension of the Rules” portion of the agenda.

#### **Rule 34. Confidentiality of Executive Session**

Each member shall respect and maintain the confidentiality of every executive session and shall keep in confidence the discussion, votes and any documents, records or exhibits received or reviewed during any executive session until such



time as the same are allowed by law to become public. Every person other than a member of the council who attends any executive session shall by their presence at the session be deemed to have agreed to be bound by this rule. Any violation of this rule shall be communicated to the state ethics commission.

### **Rule 35. First Consideration of Orders Filed by Councilors**

When considering a council order properly before the city council, the filer of the item shall be recognized to introduce the item. If, by the text of the item or by the expressed intention of the filer, it appears that the item is to be referred to a standing committee of the city council, or to the city manager or to any other appropriate individual or body, the chair shall permit no other debate except to recognize councilors who wish to oppose the item, or to request clarification of the item, or to offer an amendment to the item or to amend the motion of referral.

### **Rule 36. Maintain Minutes**

The city clerk shall create and maintain accurate minutes of all meetings of the city council and all of its committees, including executive sessions, setting forth the date, time and place, the members present or absent and a summary of the discussion on each subject. The minutes shall include all documents and other exhibits, such as photographs, recordings or maps, presented to the city council or any committee thereof at any open session or executive session.

### **Rule 37. Regarding Public Inspection of Papers on the Agenda**

The minutes of any open session, whether approved or in draft form, shall be made available upon request by any person within ten (10) days of the meeting to the extent required by subsection 22(e) of the Open Meeting Law, G.L. c. 30A §§ 18-25.

The minutes of any executive session, the notes, recordings or other materials used in the preparation of such minutes and all documents and exhibits used at the session, shall be withheld from public disclosure to the extent provided by subsection 22(f) of the Open Meeting Law, G.L. c. 30A §§ 18-25.

The mayor shall, at reasonable intervals or as otherwise required by subsection 22(g)(1) of the Open Meeting Law, G.L. c. 30A §§ 18-25, review any previously unreleased minutes of all executive sessions and determine whether continued non-disclosure under the Open Meeting Law is warranted. In conducting this review the mayor may seek the advice and assistance of the city clerk, city



manager or city solicitor. The mayor shall announce any such determinations at the next regular meeting of the city council and the same shall be included in the minutes.

### ***Public Participation***

#### **Rule 38. Hearing the Public and Employees**

As provided by the city charter, any member of the public and employees of the city shall have a reasonable opportunity to be heard regarding any matter presently under consideration by the city council. At all times members of the public shall be accorded the same respect, and maintain the same decorum, when making their comments as is accorded and maintained by members when addressing the chair. It shall be the responsibility of the chair, as guided by the rules established by the city council, to determine public participation.

#### **Rule 39. Items of Public Interest**

At every meeting of the city council, under the "public participation" portion of the agenda, the chair shall recognize any person seeking such recognition for the purpose of addressing the council on any eligible item on the agenda for that meeting both in person and remotely. Any person who wishes to speak on more than one agenda item shall combine their testimony on all items to one appearance at the microphone. The time for speaking shall not exceed two minutes for any one speaker or thirty (30) minutes for all speakers. This privilege shall not apply to items "held under privilege." This privilege shall also not apply to items listed on the agenda as pending in the committee on finance and/or ordinances or to tabled items.

#### **Rule 40. Petitions**

(a) On the first occasion any petition appears on a city council agenda, the primary petitioner may address the city council for no more than three minutes on the subject of their petition. In the event of multiple petitioners to the same petition, or, in the event of multiple petitions filed on the same subject, such multiple petitioners shall select a primary petitioner to speak on the matter. If the petitioners are unable to name a primary petitioner, the chair shall designate such person from among the petitioners. The time for speaking on such matters shall not exceed three minutes. In the event of multiple petitions filed by the same petitioner, the chair shall allow the petitioner no more than three minutes of testimony on those petitions collectively. In the event that any person with a



petition on the agenda seeks also to speak on any Items of Public Interest under Rule 39, such person may address the city council for no more than three minutes total on such multiple items/petition.

(b) All petitions filed with the city council, shall automatically be referred without debate by any councilor to the proper committee, the city manager, board, commission or department of for investigation, recommendation or disposition. The chair shall permit no debate except to recognize councilors who wish to oppose the item, or to request clarification of the item, or to offer an amendment to the item or to the motion of referral.

(c) Each Petitioner will be granted one (1) additional minute to speak before the City Council to provide a point of clarification on their item(s), which would occur once the item is brought up for debate by the City Council and at a time in the discussion that is deemed appropriate by the Chair.

#### **Rule 41. Notice to petitioners**

A reasonable good faith effort should be made to notify the principal petitioner of any petition to be heard before a standing or ad hoc committee of the city council of the date, time and place at which his or her petition will be heard by the committee. No final action shall be taken on a member of the public petition unless the city clerk's office can attest to said good faith effort.

#### **Rule 42. Standards for Addressing the Council**

When addressing the city council, all members of the public and employees of the city shall maintain decorum, address the chair and avoid personalities at all times when speaking on any item. All such persons shall comply with all rulings of the chair.

#### **Rule 43. Disruption of Meetings**

Every person in attendance at any meeting of the council, shall, at the request of the chair, be silent. In accordance with General Laws c. 39 § 17, as interpreted by the courts, if any person, after a warning from the chair, continues to speak without permission of the chair or otherwise persists in disrupting the orderly conduct of the meeting, the chair may order that person to withdraw from the meeting, and, if such person continues to speak or disrupt the meeting after an additional warning from the chair, the chair may order a police officer, constable



or any other person to remove such person from the council chamber and confine them in some convenient place until the meeting is adjourned.

#### **Rule 44. Display of Signs**

Individuals or groups in attendance at city council meetings may display signs or other advocacy materials or displays in areas designated for public seating or areas of public congregation in the vicinity of the council chambers for the duration of any meeting. No sign or advocacy display shall be located on or within the rail in the city council chamber or be permanently affixed to any portion of the building or be affixed in any manner which might harm or destroy any portion of the building, or shall otherwise disrupt the orderly conduct of the council meeting.

#### **Rule 45. Representing Another as an Agent**

Any individual, except attorneys at law, appearing before the city council at a public hearing and claiming to represent another as agent or otherwise in the matter being heard shall file with the city council a written authorization signed by the individual, organization or corporation whose interests such individual represents. Said individual will be given the opportunity to address the city council consistent with these rules.

#### **Rule 46. Admittance Within Rail**

No person will be admitted within the rail in the city council chamber at any meeting of the city council, or any committee thereof, except upon permission of the chair.

### ***Rules Governing the Establishment and Jurisdiction of Committees of the City Council***

#### **Rule 47. Creation of Standing Committees**

The city council hereby establishes the standing committees as named in Rules Appendix B – Committees of the City Council. Such committees are established for the purposes stated herein and shall have jurisdiction over the items referred to it by the city council.





**Rule 48. Appointment to Committees**

The mayor shall appoint members of the city council to city council committees in accordance with the requirements of these rules. The mayor shall be ex-officio chair of any committee of which he or she is a member and on all other committees the councilor first named by the mayor upon initial appointment to a committee shall be chair, and in case of his or her resignation, or inability to serve, the member of the committee next in order as named by the mayor shall be chair.

**Rule 49. Temporary Appointments to Fill Vacancies**

In the event of any vacancy on any council committee, due to a vacancy in a seat on the council, or the inability of a member to attend a particular meeting of a committee upon which he or she serves, or for some other reason deemed sufficient by the mayor, the mayor may appoint a “member pro-tem” any other member of the city council to such committee to fill such a vacancy or to act in the absence of a member not attending a meeting. Such appointment shall be made in writing filed with the city clerk and valid only for the duration stated by the mayor. Such appointment shall be noted in the minutes of any committee meeting during which such member serves as a committee member pro-tem. Such appointee may participate fully as a committee member for the duration of his or her appointment.

**Rule 50. Regarding Ad Hoc Committees**

The city council shall refrain from authorizing the establishment of ad hoc committees except in those instances when an item:

- a. cannot be considered by an existing standing committee of the city council,
- b. is limited in the scope of responsibilities to a narrow/single area of responsibility,
- c. is limited in time and is established to exist for a specific period of time.

If such an ad hoc committee is established, it shall have a clearly defined purpose and have a date established at which time it will automatically be dissolved unless reestablished by a vote of the city council.

If no such date has been established, the ad hoc committee will be automatically dissolved at the end of the current term of office of the city council, which established the ad hoc committee.



**Rule 51. City Clerk to Prepare All City Council Committee Agendas**

The city clerk shall prepare the agenda for all meetings of any committee of the city council in accordance with these rules; provided, however, the particular subjects or items to be placed on any agenda for any specific committee meeting shall be determined by the chair of the committee.

**Rule 52. Referrals - Time For Reports – Discharge of Items In Committee**

Any item referred by the city council to a council committee or to the city manager for a report or recommendation shall, whenever possible, be reported back to the city council within ninety (90) days. Items pending in any committee of the city council for longer than 90 days shall be subject to return to the city council through adoption of a discharge order. Such an order, if made by motion from the floor of the council and approved by a two-thirds vote of the city council, shall cause the item previously referred to committee to appear on the next council agenda; provided, however, that the item shall be immediately before the council if such an order is filed as an order before the filing deadline for the next scheduled council agenda and if it is adopted by a two-thirds vote of the city council.

**Rule 53. Automatic Filing of Stale Items**

On December 15th of each odd-numbered year any item pending in any committee of the city council which was referred to that committee on or before June 30th of that year shall be constructively deemed “placed on file” and removed from the committee agenda of pending items by the city clerk. Notwithstanding the above, the chair of any committee, or the committee collectively, may designate any item pending in the committee as “retained in committee” and in such case those items so designated shall not be deemed “placed on file” but rather shall remain on the list of items referred to that committee. All such designations shall be made between November 1st and December 14th of such odd-numbered years. Nothing herein shall prevent any item deemed filed under this rule from being re-filed for the new council term by any councilor or petitioner.

***Additional Rules of the City Council***

**Rule 54. Midnight Curfew**

No council meeting shall be allowed to proceed after midnight. Items still pending on the agenda at that time shall be carried forward as the “First Items of Business” at the next regular or special council meeting.

**Rule 55. Appearance of Nominees**

That prior to confirmation of appointments by the city manager that those individuals nominated must first appear prior to or at the time of confirmation.

**Rule 56. Suspension of Rules Require Two-Thirds Vote**

None of the foregoing rules and orders shall be suspended at any meeting unless two thirds (2/3) of all the members of the council consent thereto.

**Rule 57. Amendment to rules**

No action is to be taken on any proposed amendment to the rules until the next regular meeting after the amendment has been proposed.

None of the foregoing rules or orders shall be amended or repealed unless two-thirds (2/3) of all the members of the council consent thereto.

**Rule 58. Referral to “Robert’s Rules of Order”**

For all questions of parliamentary practices or order not specifically provided for in these rules of the city council, the council shall be governed by “Robert’s Rules of Order.”

**Rule 59. Votes Required**

The number of votes required by state law or the city charter for the passage of any item shall be listed in Rules Appendix C - Votes Required. The city clerk in consultation with the city solicitor shall review and revise this appendix as necessary.

**Rule 60. Election of Public Library Board of Directors**

The city council shall perform its duty to elect members of the Public Library Board of Directors in accordance with the procedure described in Rules Appendix D - Election of Public Library Board of Directors.



## **RULES APPENDIX A – ORDERS OF BUSINESS FOR THE VARIOUS TYPES OF CITY COUNCIL AGENDAS** *(COUNCIL, MANAGER AND JOINT).*

### **A1 - Order of Business – City Council Calendars**

When a regular meeting of the city council is designated on the annual calendar to be a “City Council Calendar,” the order of business shall be as follows:

- a. Invocation
- b. Pledge of Allegiance/Star Spangled Banner
- c. Roll Call
- d. Proclamations, Acknowledgments, Moments of Silence
- e. Approval of the Minutes
- f. Public Participation
- g. Public Hearings
- h. Motions for Reconsideration or Suspension of the Rules to Take Up A Committee Report
- i. First Items of Business
- j. Petitions
- k. Orders filed by the Chairs of Committees in Committee
- l. Orders, Motions and Resolutions
- m. Recess to Finance Committee, if necessary
- n. Recess to Ordinance Committee, if necessary
- o. Communications of the City Auditor
- p. Communications of the City Clerk
- q. Miscellaneous Communications/Reports of the Planning Board
- r. Reports of the Committees
- s. Loan Orders to be Adopted
- t. Ordinances to be Ordained
- u. Tabled Items
- v. Business Under Suspension (which shall include a list of items brought forth under suspension at the preceding meeting as emergencies or “not reasonably anticipated” which were not otherwise postponed to a subsequent meeting, together with the actions taken on such items).



## **A2 – Order of Business – City Manager’s Calendars**

When a regular meeting of the city council is designated on the annual calendar to be a “City Manager Calendar,” the order of business shall be as follows:

- a. Invocation
- b. Pledge of Allegiance/Star Spangled Banner
- c. Roll Call
- d. Proclamations, Acknowledgments, Moments of Silence
- e. Approval of the Minutes
- f. Public Participation
- g. Public Hearings
- h. Motions for Reconsideration or Suspension of the Rules to Take Up A Committee Report
- i. First Items of Business
- j. Petitions
- k. Communications of the City Manager
- l. Recess to Finance Committee, if necessary
- m. Recess to Ordinance Committee, if necessary
- n. Miscellaneous Communications/Reports of the Planning Board.
- o. Loan Orders to be Adopted
- p. Ordinances to be Ordained
- q. Tabled Items
- r. Business Under Suspension (which shall include a list of items brought forth under suspension at the preceding meeting as emergencies or “not reasonably anticipated” which were not otherwise postponed to a subsequent meeting, together with the actions taken on such items).





### **A3 – Order of Business – Joint City Council/City Manager Calendars**

When a regular meeting of the city council is designated on the annual calendar to be a “Joint City Council /City Manager Calendar,” the order of business shall be as follows:

- a. Invocation
- b. Pledge of Allegiance/Star Spangled Banner
- c. Roll Call
- d. Proclamations, Acknowledgments, Moments of Silence
- e. Approval of the Minutes
- f. Public Participation
- g. Public Hearings
- h. Motions for Reconsideration or Suspension of the Rules to Take Up A Committee Report
- i. First Items of Business
- j. Petitions
- k. Communications of the City Manager
- l. Orders filed by the Chairs of Committees in Committee
- m. Orders, Motions and Resolutions
- n. Recess to Finance Committee, if necessary
- o. Recess to Ordinance Committee, if necessary
- p. Communications of the City Auditor
- q. Communications of the City Clerk
- r. Miscellaneous Communications/Reports of the Planning Board
- s. Reports of the Committees
- t. Loan Orders to be Adopted
- u. Ordinances to be Ordained
- v. Tabled Items
- w. Business Under Suspension (which shall include a list of items brought forth under suspension at the preceding meeting as emergencies or “not reasonably anticipated” which were not otherwise postponed to a subsequent meeting, together with the actions taken on such items).



## **RULES APPENDIX B – COMMITTEES OF THE CITY COUNCIL**

**A. Committee on Economic Development:** to consist of three (3) councilors, to consider matters pertaining to economic development, neighborhood development, housing development, marketing, arts, cultural development, workforce development, zoning, planning and regulatory services functions of the city.

Related City Departments and Divisions:

- Executive Office of Economic Development
  - Administration and Special Project Management Division
  - Business and Community Development Division
  - Cultural Development Division
  - Neighborhood Development and Housing Division
  - Planning and Regulatory Services Division

Related Boards and Commissions:

- Affordable Housing Trust Fund Board of Trustees
- Conservation Commission
- Historical Commission
- Planning Board
- Worcester Arts Council
- Worcester Redevelopment Authority
- Zoning Board of Appeals

**B. Committee on Education:** to consist of three (3) councilors, to consider matters pertaining to public education, the public libraries, arts, culture and higher education.

Related City Departments and Divisions:

- Worcester Public Library
- Worcester Public Schools

Related Boards and Commissions:

- Mayor Thomas J. Early Scholarship Committee
- Worcester Public Library Board of Directors

**C. Committee on Municipal and Legislative Operations:** to consist of three (3) councilors, to consider matters involving municipal operations and



procedures including: human resources; employee health care; workers compensation and injured on duty; unemployment compensation; the retirement system; taxation, fees, charges, and other revenues; and, the city clerk, city auditor and other municipal support operations. Further, to initiate and review proposals for amendments to the rules of the city council and any other matter affecting or determining the conduct of city council meetings or meetings of any standing or ad hoc committees of the city council and to consider matters pertaining to state and federal legislation affecting Worcester and regional affairs.

**Related City Departments and Divisions:**

- Administration and Finance Department
  - Assessing Division
  - Budget Division
  - Purchasing Division
  - Treasury and Collections Division
- City Auditor's Office
- City Clerk's Office
  - Election Commission Division
- City Council Office
- City Manager's Office
- Human Resources Department
  - Employment Division
  - Labor Relations Division
  - Benefits Division
- Law Department
- Retirement Department

**Related Boards and Commissions:**

- Citizen Advisory Council
- Other Post-Employment Benefits (OPEB) Liability Trust Fund
- Retirement Board
- Trust Funds Commission

**D. Committee on Public Health and Human Services:** to consist of three (3) councilors, to consider matters relating to public health, the elderly, the equality of women, youth services, public housing, the disabled and community development block grant funding.



Related City Departments and Divisions:

- Executive Office of Diversity, Equity, and Inclusion
  - Human Rights and Accessibility Division
  - Investigations Division
  - Training and Development Division
- Health and Human Services Department
  - Elder Affairs Division
  - Homelessness Division
  - Public Health Division
  - Youth Services Division

Related Boards and Commissions:

- Accessibility Advisory Commission
- Board of Health
- Commission on Elder Affairs
- Commission on Latino Affairs
- Community Development Block Grant (CDBG) Advisory Committee
- Diversity and Inclusion Advisory Commission
- Human Rights Commission
- Status of Women Advisory Commission
- Worcester Housing Authority

**E. Committee on Public Safety:** to consist of three (3) councilors, to consider matters pertaining to criminal and civil law enforcement, public safety communications services and ambulance, first responder services in the city and inspections of health, safety and environmental stability of Worcester's business and residential community.

Related City Departments and Divisions:

- Emergency Communications and Management Department
  - Dispatch Division
  - Emergency Management Division
  - 311 Customer Service Division
- Fire Department
- Inspectional Services Department
  - Building and Zoning Inspections Division
  - Housing and Health Inspections Division
  - Permits and Licensing Division
- Police Department



Related Boards and Commissions:

- License Commission

**F. Committee on Public Service and Transportation:** to consist of three (3) councilors, to consider matters concerning cable television and telecommunications, public transportation, taxis, and liveries.

Related City Departments and Divisions:

- Cable Services Department

Related Boards and Commissions:

- Cable Television Advisory Committee
- Worcester Airport Advisory Committee
- Worcester Regional Transit Authority

**G. Committee on Public Works:** to consist of three (3) councilors, to consider matters pertaining to streets, water, sewers, sanitation, recycling, streetlights, snow removal and the construction of public buildings.

Related City Departments and Divisions:

- Public Works and Parks Department
  - Administration and Finance Division
  - Engineering Division
  - Fleet Management Division
  - Sewer Division
  - Snow Removal Division
  - Streetlights Division
  - Streets and Sanitation Division
  - Water Division
- Public Facilities Department
  - Building Operations Division
  - DCU Center
  - Project Management Division

Related Boards and Commissions:

- Civic Center Commission
- Upper Blackstone Clean Water





- Worcester Ballpark Commission

**H. Committee on Traffic and Parking:** to consist of three (3) councilors, to consider matters pertaining to traffic and parking ordinances, off street parking facilities.

Related City Departments and Divisions:

- Administration and Finance Department
  - Parking Administration Division
- Department of Transportation and Mobility
- Police Department
  - Crash Reconstruction Division
  - Traffic Enforcement Division

Related Boards and Commissions:

- Off-Street Parking Board

**I. Committee on Urban Technologies, Innovation and Environment:** to consist of three (3) councilors, to consider matters pertaining to smart city solutions, process engineering, technology, telecommunications, strategic planning, green spaces, blue spaces, urban agricultural, urban trees, climate change and electric aggregation.

Related City Departments and Divisions:

- Department of Innovation and Technology
- Department of Sustainability and Resilience

Related Boards and Commissions:

- Green Worcester Advisory Commission

**J. Committee on Veterans' Memorials, Parks and Recreation:** to consist of three (3) Councilors, to consider matters pertaining to parks, playgrounds, youth recreation activities, veterans' services, military and veterans' monuments, memorial monuments and historical markers and Hope Cemetery.

Related City Departments and Divisions:

- Health and Human Services Department



- Veterans' Services Division
- Public Works and Parks Department
  - Auditorium
  - Green Hill Golf Course
  - Parks, Recreation and Hope Cemetery Division

Related Boards and Commissions:

- Commission for the Preservation of Historic Artifacts, Relics and Military Memorials
- Community Preservation Committee
- Hope Cemetery Commission
- Parks and Recreation Commission
- Urban Forestry Tree Commission

**K. Committee on Finance:** to consist of the mayor and all members of the city council to review and report on the appropriations recommended by the city manager in the annual budget or in any supplemental budget and to consider loan orders and official bonds and in general matters affecting the financial condition of the city.

**L. Committee on Ordinances:** to consist of the mayor and all members of the city council to conduct public hearings on proposed ordinances and orders unless any such item has been referred to another standing committee.



## RULES APPENDIX C – NUMBER OF VOTES REQUIRED BY LAW

### Rule C-1. Votes Required for Passage

The following votes shall be required for passage:

- a. **Approval of budget** - For approval of budget-majority vote - 6 votes. G.L. c 44, § 32, WHR Charter Art. 5, § 5-2 (b).
- b. **Intra-departmental** - For intra-departmental (within the same department) transfer of funds - upon recommendation of city manager - majority vote – 6 votes. G.L. c.44, § 33B, WHR Charter Art. 5, § 5-4.
- c. **Inter-department** - For inter-departmental (from one department to another) transfer of funds - upon recommendation of city manager and 2/3 vote (8) votes plus assent of departmental head from whose department funds are being transferred. G.L.c.44, § 33B, WHR Charter Art. 5, § 5-4.
- d. **For straight appropriation** - For transfer of one appropriation to another but not between departments is a straight appropriation of money and requires a recommendation of City Manager and a majority vote - 6 votes. G.L. c.44, § 33B, WHR Charter Art.5, section 5-4.
- e. **Approval of loan orders** - For approval of Loan Orders whether within or outside of the Debt Limit - 2/3 vote 8 votes. G.L.c.44, §§ 7 and 8. Except debts for temporary loans outside the debt limit - majority vote - 6 votes. G.L. c.44, § 8.
- f. **Approval of appropriations** - For approval of appropriations for purchase or taking of land or any other interest therein, 2/3 vote - 8 votes. G.L. c.40, § 14, WHR Charter Art. 5, § 5-6.
- g. **Acceptance of statute** - For acceptance of statute, a majority vote - 6 votes, G.L. c.4, § 4, WHR Charter Art. 2, § 2-6 (b). Unless otherwise provided in the statute G.L. c.4, § 4.
- h. **Adoption of an ordinance** - For adoption of an ordinance - majority vote - 6 votes. WHR Charter Art. 2, § 2-6 (b). Emergency preamble requires 2/3 votes. WHR Art. 2, § 2-9 (a).
- i. **Decreeing of a public street** - for decreeing of a public street - majority vote - 6 votes. WHR Charter Art. 2, § 2-6 (b). But such orders usually carry an appropriation for such taking under G.L. c.40, § 14 and therefore paragraph f, above applies.
- j. **Construction order** - for construction order, streets, sewer etc. - majority vote – 6 votes. WHR Charter Art. 2, § 2-6 (b).



- k. **Original zoning ordinance** - For passage of original zoning ordinance or change of zoning ordinance - 2/3 vote - 8 votes. G.L.c. 40A, § 5. WHR Charter Art. 2, § 2-6 (b).  
If written protest, stating the reasons, is filed with the city clerk prior to final action by the council and is duly signed by owners of at least 20% of the area of the land proposed to be included in the change or of the area of land immediately adjacent extending 300 feet therefrom, then 3/4 of the entire council - 9 votes are required. G.L. c. 40A, § 5. WHR Charter Art.2, § 2-6 (b).
- l. **Increase of pension** - For increase of pension under G.L.c.32, section 90A - 2/3 vote – 8 votes. G.L. c.32, § 90A. WHR Charter Art. 2, § 2-6 (b).
- m. **Increase of salary and wage** - For increase in salary or wage - 2/3 vote - 8 votes. G.L. c.44, § 33A. WHR Charter Art. 2, § 2-6 (b).
- n. **To add a street to the official map** - To add a street to the Official Map, 2/3 vote - 8 votes, unless planning board after hearing, has approved, then majority vote - 6 votes. G.L. c.41, § 81F. WHR Charter Art. 2, § 2-6 (b).
- o. **Required vote to advertise** - Any motion to advertise shall not be deemed to have been approved unless such motion shall have received the same number of votes as is required to ordain the proposed Ordinance or Order.



## **Rules Appendix D - Election of Public Library Board of Directors**

### **Rule D-1. Public Notice of Openings**

The city clerk shall cause to be notified the appropriate media and community outreach groups regarding the timing and availability of openings on the Library Board of Directors. As part of this notification the clerk shall use the same mailing list as utilized by the Citizens Advisory Committee.

### **Rule D-2. Review of Applications**

All applications and resumes shall be filed with the city clerk. The city clerk shall forward all applications and resumes to the city council no later than two (2) weeks prior to the scheduled vote of the city council. No applications or resumes shall be accepted after that date. The clerk shall present to the city council a list of all applicants for a position as Director of the Public Library prior to the council meeting in accordance with other rules established herein. At the city council meeting one week prior to the vote, the city council shall provide each applicant with the opportunity to address the city council for not more than three (3) minutes to state the reasons they wish to be appointed to the Board

### **Rule D-3. Scheduling of Vote**

Unless otherwise voted by the city council, a vote to elect trustees to the Public Library, shall be taken on the first regular council meeting in December. In the case of a vacancy, the council shall establish a date for such a vote no later than sixty (60) days after the clerk has been notified of the vacancy.

### **Rule D-4. Voting – Determination of Those Elected**

At the time of the voting, the city clerk shall call the roll of the city council with each member indicating his or her preference for each available position. The person receiving the most votes elected, also receiving more than a majority of the full city council, shall be elected to the position. If the position is not filled on the first ballot, the list of eligible candidates shall be reduced by removing the candidate who received the least number of votes on the first ballot. The same procedure will be applied on each subsequent ballot until a candidate receives at least six votes.

