

ORDINANCE NO. 7, 1954

An Ordinance establishing Rules to govern the Proceedings of the Common Council of the City of Bloomington, Indiana: and repealing any Ordinance or rules heretofore adopted which may be in conflict therewith.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA THAT:

Section 1. The following rules of order and procedure are hereby established for the governance of the Common Council of the City of Bloomington:

ARTICLE I. MEETINGS OF THE COMMON COUNCIL

1. All regular and special meetings of the Common Council of the City of Bloomington, Indiana, or adjournments thereof, shall be public and shall be held in the Council Chamber of the City Hall in the said City of Bloomington, Indiana.

2. The members-elect of the Common Council of said City shall hold their first regular meeting on the first Monday in January next following their election. Thereafter the said Common Council shall meet in regular session on the first and third Tuesdays of each month, and may in any regular session transact any business which may lawfully come before it. Regular sessions shall be convened and held at the hour of 7:30 p.m., Central standard time, except those sessions held during the months of May, June, July, August and September, which shall be convened at 6:30 p.m., Central standard time. Council may by motion, concurred in by a majority of the members-elect dispense with any regular session, or change the day and hour of the convening of the same.

3. Special sessions of the said Common Council may be held at any time on call of the Mayor, or of any three members of the Council, in the manner and form provided by law. In case of a call for a special session, by whomsoever called, it shall be the duty of the Mayor, or members calling the same, to duly notify the City Clerk-Treasurer thereof in writing specifying the date and hour of such meeting and the agenda of the same, and the said Clerk-Treasurer as clerk of the Council, or his deputy, shall, no less than thirty (30) hours before the hour specified for the convening of such meeting, serve notice upon each of the members - elect of the said Council, either in person, by telephone, or by notice left at his place of residence. Due return of such service shall be made under oath and filed in the office of the Clerk-Treasurer, and such notice of the call, together with the Clerk-Treasurer's return thereon showing service, shall be incorporated into and made a part of the minutes of such special session. Any member may waive such notice in writing, and the presence of any member at a special meeting shall be deemed a waiver of such notice.

4. At any special session or adjournment thereof the Council shall not transact any business except such business as is stated in and set forth in the call and notice of such session: provided, however, that when two-thirds of the members-elect are present at such special meeting this rule may be suspended by unanimous consent of those present, whereupon any business may be transacted at such meeting which may lawfully be brought before the Common Council.

5. Said Council may by motion or resolution duly adopted adjourn any regular or special session from day to day or to any reasonable future date. Council may at such adjourned meeting transact unfinished business or take up any special orders scheduled for such meeting; or, provided two-thirds of the members-elect are present, Council may by unanimous consent take up any new business which may lawfully be brought before it.

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6. Each year on the last Monday in August the Common Council shall meet at 6:30 p.m., Central standard time, to adopt the annual budget and fix the tax rate for the Civil City of Bloomington for the succeeding fiscal year. The City Clerk-Treasurer shall give such notice of such annual meeting as required by law. Should a quorum of the members of the Council be not present at the convening of such annual meeting, the members present shall recess such meeting until such quorum is present.

#### ARTICLE II. OFFICERS AND THEIR DUTIES

7. The officers of the Common Council shall be a presiding officer, a clerk, and a sergeant-at-arms. The Mayor shall be the presiding officer when present; when he is not present Council, with the clerk presiding, shall elect from among its members an acting president to preside for that particular meeting, or until the Mayor appears. The City Clerk-Treasurer shall act as the clerk of the Council, and shall provide a deputy whenever he cannot be present. The Superintendent of Police shall act as sergeant-at-arms, or shall order a member of the Police Department, of rank of sergeant or higher if available, to act in his stead.

8. The Mayor shall take the Chair precisely at the hour appointed for the Council to meet, and shall immediately call the members to order. The roll shall then be called by the clerk, who shall enter in the minutes of the meeting the names of the members present. A majority of the members-elect of the Council shall constitute a quorum. In the absence of a quorum at the time appointed for a meeting, the members present may, by a majority vote of those present, adjourn, fix a time to which to adjourn, take a recess, or direct the sergeant-at-arms to procure the attendance of absent members.

9. The presiding officer shall have general direction of the Council Chamber and shall preserve order and decorum; he shall rule on all points of order, shall state all questions properly proposed, shall put all questions which come to a vote, and shall declare the result of each vote. At the end of each ordinance, resolution, address or order which shall be passed, adopted or enacted by the Council the presiding officer shall make a certificate of such action by the Council, which certificate shall be attested by the clerk. The Mayor, when presiding, shall have a casting vote in case of a tie, but not otherwise.

10. The presiding officer shall decide all questions of order, subject to an appeal to the Council by any two (2) members; which appeal, if required, shall be in writing clearly stating the ruling of the Chair and the exception taken to it. In case of such an appeal from a ruling of the chair the question shall be: "Shall the decision of the Chair stand as the rule of the Council?" The presiding officer may without leaving the chair speak in preference to any member on such appeal, and no member shall speak more than once on such appeal without consent of the Council; except that the presiding officer may at the close of debate answer the arguments against the decision. When the question is put the vote shall be by roll call, and the Chair shall be sustained unless a majority of the members present shall vote in the negative.

11. When a motion is made and seconded it shall be stated by the Chair or, being in writing shall be read by the clerk-(and seconded) before it shall be debated; after which it shall be in possession of the Council until it is put to a vote or otherwise appropriately disposed of. A motion may be withdrawn by the maker thereof until it is stated by the Chair, but thereafter only by consent of the Council. A motion withdrawn will not be entered in the Journal.

12. Before putting a debatable question to a vote the presiding officer shall ask, "Is the Council ready for the question?" He shall put the question to a vote substantially in this manner: "The question is on the adoption of the motion (amendment, etcetera). As many as are in favor of the motion (amendment) say Aye. Those who are opposed, say No." Roll call votes shall be taken substantially in this manner: "The question is on the adoption of the

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ordinance (resolution). Those who are of the opinion that the ordinance (resolution) should pass will, when their names are called by the clerk, vote Aye. Those of a contrary opinion will vote No. The clerk will call the roll."

13. When a voice vote has been taken upon any proposal before the Council, the Chair shall declare the result substantially in this manner: "The ayes (noes) have it. The motion (amendment) is adopted (lost)". When the vote is taken by show of hands or roll call, the announcement should be: "The vote was (blank votes in the affirmative, (blank) votes in the negative. The ordinance (resolution) is adopted (lost)".

14. Should any member doubt the result of a voice vote as announced by the presiding officer, he may call for a division; whereupon the presiding officer shall take a vote by show of hands or by roll call, If the presiding officer is himself in doubt, he may order a vote by show of hands or roll call; or upon request of any two (2) members he shall order a roll call on any vote.

15. When the Council resolves itself into a committee of the whole to consider a question before it, the Mayor (or other presiding officer) shall leave the chair and designate some member of the Council to preside until the committee rises. Should such committee of the whole become disorderly the regular presiding officer shall resume the chair and the committee shall thereby be dissolved.

16. It shall be the duty of the Clerk-Treasurer, as clerk of the Common Council, to keep an accurate register or roll of the members of the Council and call the roll thereof when required. He shall keep an accurate minute and journal of the proceedings of the Council and prepare and keep an ordinance book, each of which shall be a public record and be kept in the office of the Clerk-Treasurer for public inspection. He shall enter the ayes and noes on the passage of every resolution and ordinance, and on any other votes when required by these rules, or when requested by two (2) members of the Council. He shall record the time when each ordinance, order, and resolution is presented to the Mayor for his approval. He shall be the custodian of the files, records and papers of the Council, and shall furnish to committees copies of all papers referred to them. It shall be his duty to notify officers, members of the Council, and committees of meetings other than the regular meetings or sessions.

17. It shall be the duty of the sergeant-at-arms to preserve order in the council chamber under the direction of the presiding officer, to act as messenger for the Council, under the direction of the clerk to serve notices of special meetings upon members and officers of the Council, and under the direction of the members present at a meeting in which a quorum is not present to procure the attendance of absent members.

ARTICLE III. LEGISLATIVE AUTHORITY OF THE COMMON COUNCIL

18. The legislative authority of the Common Council of the City of Bloomington shall be that vested in the common councils of cities of the third class by acts of the General Assembly of the State of Indiana Reference is made especially to Title 48, Burn's Annotated Indiana Statutes, Chapter 14, Sections 1406, 1407, 1408, 1410, 1411, 1412, 1413, 1415, 1416, 1417, and 1418.

ARTICLE IV. ORDER OF BUSINESS

19. At each regular meeting the journal of the preceding regular session of the Council, and any intervening special meeting or meetings, shall be read, unless the reading shall be dispensed with by consent of a majority of the members present. If no objection is made to the journal, the same shall be approved, or there being any error in the minutes the same shall be corrected by consent of a majority of the members present.

The Council shall then transact its business in the following order:

- A. Communications or Reports from the Mayor, City Officers and Department Heads, and Official Boards
- B. Special Orders
- C. Reports from Standing Committees in the order in which such committees appear in Rule 46
- D. Reports from Special (select) Committees
- E. Ordinances on Second Reading
- F. Hearing of Remonstrances and Objections from those affected by Proposed Public Improvements
- G. Unfinished Business
- H. Messages and Papers from Councilmen
- I. Communciations from Citizens, Petitions, et cetera
- J. Reports from Planning Commission and Traffic Commission
- K. Appropriation Ordinances on First Reading
- L. General and Special Ordinances on First Reading
- M. Introduction of Resolutions, Adjournment

20. The Council may by majority vote return to any order of business, or take up any order of business at a particular time.

#### ARTICLE V. RIGHTS AND DUTIES OF MEMBERS

21. Members shall occupy the respective seats assigned them by the Mayor, but any two or more members may exchange desks by joining in a written memorandum to the Mayor to that effect.

22. No member shall absent himself from the service of the Council unless he have leave from the Council, or be sick and unable to attend. Any member desiring to be excused while the Council is in session shall obtain such permission from the presiding officer.

23. Any member desiring to speak to a question or make a motion shall first address the Chair as "Mr. Mayor", or "Mr. President" if a temporary presiding officer is in the chair, or "Mr. Chairman" when Council is in Committee of the Whole, and await recognition from the Chair. Members shall confine their remarks to the question under consideration, avoid personalities, and shall not impeach the motive of any member's vote or argument.

24. While the presiding officer is putting the question or addressing the Council, or when any member is speaking, no member shall engage in private discourse, or walk across or leave the room unnecessarily.

25. No member shall be permitted to speak more than once upon a question until every other member choosing to speak thereon shall have spoken, and no member shall speak more than twice upon such question, nor for longer than ten minutes at a time, without leave of the Council. Time spent in answering questions shall not be counted against the speaker. Council, may, before debate begins, vote by a two-thirds vote to limit or extend these limits of debate upon the particular pending question. It is provided that the maker of the motion may by unanimous consent, even after the previous question has been ordered, briefly summarize his case in favor of his motion, resolution or ordinance.

26. If any member, in speaking or otherwise, transgresses the rules of the Council, the presiding officer, or any other member, may call him to order, in which case the member so called to order shall immediately be seated and cease speaking, unless permitted to explain. The Council shall, if appealed to, decide the case in accordance with Rule 10, but without debate. If there be no appeal the decision of the Chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed.

27. After the call of the ayes and noes on roll call has been answered to by any one member called, it shall not be in order for such member to offer any remarks except in explanation of his vote; and no explanation shall be in order under the operation of the

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previous question or on a vote to table a motion.

28. No member shall vote on any question in the result of which he is immediately and particularly interested. Any member may change his vote before the result is announced; and afterwards by leave of the Council, provided such change will not affect the result. In no case shall a member absent when the question is put be allowed to vote after the result is announced, unless his vote will not change the decision of the question.

29. The right of a member to address the Council on a question of personal privilege shall be limited to cases in which his integrity, character, or motives are assailed, questioned or impugned.

30. Any member shall have the right to express dissent from or protest against any ordinance or resolution of the Council, and have the reason therefor entered upon the journal. Such dissent or protest must be filed in writing, couched in respectful language, and presented to the Council not later than the next regular meeting following the date of passage of the ordinance or resolution referred to.

31. The Common Council shall have the power to expel any of its members for violation, including gross neglect, of duty; and it may declare the seat of a member vacant by reason of his disability to perform the duties of his office. The Council shall in such cases first, by resolution, direct the City Attorney to draw up a bill of impeachment setting forth the charges and specifications of the alleged acts of violation of duty, or the alleged conditions of disability; after which the Council shall in special session try the charges, following in such trial as closely as possible the rules of courts of law. A vote of two-thirds of the members-elect of the Council shall be necessary to declare the seat in question to be vacant.

ARTICLE VI. GENERAL RULES CONCERNING MOTIONS

32. The name of a member making a motion or offering any business shall be entered upon the minutes; but it shall not be necessary to record the name of the seconder.

33. Every motion, except procedural motions, shall, upon demand of any member, be reduced to writing.

34. All reports and resolutions shall be presented in writing, and when from a committee they must be signed by a majority of such committee. When a report has been read it shall be considered properly before the Council, without any motion to accept or receive it.

35. Upon demand of any member, a question under consideration covering two or more distinct propositions shall be divided, provided such question comprehends propositions in substance so distinct that, if one be taken away, a substantive proposition shall remain for the decision of the Council.

36. When a question is before the Council, other than pertinent incidental motions, no motion shall be entertained except:

- a. To adjourn
- b. To take a recess
- c. To lay on the table
- d. The previous question
- e. Limit or extend limits of debate
- f. To postpone to a certain time
- g. To refer to a committee
- h. To amend
- i. To postpone indefinitely

Such motions shall have precedence in the foregoing order, the first five to be decided without debate. At any time before a main

question is put, a motion to postpone indefinitely may be made if it has not previously been moved with reference to the same question and voted down.

37. No motion or proposition on a subject not germane to that under consideration shall be admitted under color of amendment. A motion to amend shall be susceptible of but one amendment. An amendment once rejected may not be moved again in the same form in the same meeting of the Council.

38. A motion to lay a question under consideration on the table shall preclude all amendments or debate of that question. If the motion to table shall prevail, the consideration of the question tabled may be resumed only upon motion of a member who voted with the majority on the motion to table.

39. All motions to postpone, except postpone indefinitely, may be amended as to time. Any subject or question may be made a special order of business for a particular hour or for the next Council meeting by consent of a majority of the members present.

40. If the motion to postpone indefinitely is carried, or when a motion to reconsider a negative vote has been laid upon the table, the main question shall be declared lost.

41. Upon a motion to order the previous question, the question shall be stated substantially in these words: "Shall debate be closed and the main question be now put?" It shall be decided by a majority vote of all members present, and if the previous question is ordered there shall be no further amendments proposed or debate. The Chair shall at once put the question, first upon the pending amendments in their order, and then upon the main question.

42. Except as otherwise provided in these rules, a majority vote shall be necessary to adopt any motion, resolution, order or ordinance properly before the Council. The Mayor may cast a vote in case of a tie, and his vote shall be counted to determine a majority.

43. When the Council has decided any question in the affirmative or negative, and member voting on the prevailing side may move a reconsideration of the vote thereon before adjournment of the session of the Council at which the vote is taken. Concurrence of a majority of the members present shall be sufficient to order reconsideration of a vote; but if a motion to reconsider is lost, it shall not again be entertained. Except in those matters irrevocable by nature or circumstance, and except inasmuch as contractual or vested rights may have been established pursuant thereto, a resolution once adopted may be rescinded only by resolution or ordinance, and an ordinance once adopted may be repealed only by ordinance at a subsequent session of the Council.

44. A motion to adjourn shall be in order at any time, except as follows:

- (a) When repeated without intervening business or discussion.
- (b) When made as an interruption of a member while speaking.
- (c) When the previous question has been ordered.
- (d) While a vote is being taken.

45. In the absence of any rule herein to govern a point of procedure raised during a meeting of the Council, reference shall be made to Robert's Rules of Order Revised (latest edition).

#### ARTICLE VII. COMMITTEES OF THE COUNCIL

46. To facilitate the transaction of business the following standing committees are established to which matters and questions before the Council may from time to time be referred for investigation and report:

- (1) Rules, Ordinances and Printing
- (2) Finance, Claims and Franchises
- (3) City Buildings and Property (including cemeteries)
- (4) City Utilities (Water, sewage, street lighting)
- (5) Public Works (Streets, alleys, bridges, sidewalks)
- (6) Public Health and Sanitation
- (7) Public Safety (Fire Protection and traffic)
- (8) Parks and Recreation
- (9) Aviation
- (10) City-University Relations.

47. Each standing committee shall consist of at least three members. The Mayor shall appoint the members of the committee on Rules, Ordinances and Printing, which committee shall then nominate the members of the other committees, subject to ratification of the Council by majority vote. Such committee selections shall be for two years, but by majority vote the Council may alter the membership of any committee at any time. It is provided, however, that the Council may by resolution create additional standing committees and define the duties thereof; or it may abolish such committees by subsequent resolution.

48. Unless they are to be disposed of in the instant meeting, all petitions, resolutions, ordinances, and any other matters brought to the attention of the Council shall be referred to appropriate committees for investigation and report with recommendations. If the subject matter be appropriate to one of the standing committees of the Council, the Chair shall normally refer the matter or question to such committee; but on a motion duly adopted the Council may order that any matter or question be referred to a special committee, either of its own selection or to be appointed by the Chair. The Council may instruct any committee with reference to the scope of its consideration or recommendations on any matter or question referred to it, and the time limits for reporting back to the Council.

49. When a resolution or ordinance is referred to a standing or special committee, the member introducing the same shall be notified by the chairman of such committee of the time and place of any committee meeting at which his resolution or ordinance is to be considered.

50. A committee shall meet on call of its chairman, or of any two of its members, such call to be communicated by the Clerk of the Council, who shall keep a record of such notices. A majority of the membership of a committee shall constitute a quorum. The chairman may act as secretary of the committee, or the committee may elect a secretary who shall keep a memorandum of the proceedings and the recommendations agreed to in such committee meeting. In committee meetings the rules of debate shall be relaxed in order to encourage discussions; but general procedural decorum shall prevail.

51. The reports of all committees, except Committee of the Whole, shall be in writing, agreed to in committee assembled, and shall not be presented unless signed by a majority of the committee. Documents referred to the committee shall be returned with the report, or surrendered upon discharge of the committee. Nothing in this rule shall be construed to prohibit the introduction of minority reports.

52. Matters or questions referred to committees shall normally be reported back to Council not later than the second regular session after reference; provided, that the Council may at its discretion extend the time for making such reports. When a committee to which a matter or question has been referred with instructions to report at a time named in the order of reference is not ready to report at such time, the matter so referred shall, unless further time be granted, be considered as though reported back without recommendation. Upon motion the Council may, by majority vote, discharge any committee from further consideration of any matter referred to it; whereupon the matter referred shall be brought back before the Council and take its proper place in the order of business.

53. When a resolution or ordinance is reported back from

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a committee to the Council with recommendations, questions with reference to the same shall then normally come before the Council in the following order: (1) adoption of amendments recommended by the committee; (2) adoption of amendments proposed from the floor; (3) second reading of such ordinance, including amendments when such have been adopted; (4) adoption of the resolution or ordinance as amended, or the adoption of the same in its original form if not amended. If the committee recommends indefinite postponement, such will be the question before the Council; but amendments may at this point be proposed from the floor, and such amendments shall take precedence. In such case, after the amendments are put to a vote the question shall recur to the recommendation to postpone indefinitely; but if such is rejected the ordinance shall then be read a second time, and the question shall be on its adoption. If a committee recommends rejection of an ordinance or resolution, the question shall nevertheless be on its adoption, the recommendation of the committee to the contrary notwithstanding.

54. When a committee brings in both a majority and a minority report, the chairman shall first read the majority report and then either he or a member agreeing to the same shall move the adoption of the recommendations made in such majority report. Without any action being taken on the majority report, the minority report shall then be read and a committee member agreeing thereto shall move the substitution of the recommendations of the minority for those of the majority. If such amendment prevails, the recommendations of the minority shall be before the Council for consideration; but if such amendment is rejected, the Council shall then proceed to consider the recommendations of the majority. In either case, from this point Rule 53 governs.

55. The Council may by majority vote resolve itself into a committee of the whole to consider ordinances, resolutions or other matters with the freedom of committee procedure. When such committee of the whole rises the presiding officer of the Council shall resume the chair, and the chairman of the committee will report its recommendations to the Council. The Question shall then be on agreeing to the recommendations of the committee and adopting the action or measures recommended.

56. When the Council resolves itself into the Committee of the Whole, the rules of the Council shall govern except:

- (a) The Committee of the Whole May consider only matters and questions referred to it, and the only motions in order shall be to amend, to recommend for adoption, rejection, or indefinite postponement, and that the committee "rise and report";
- (b) no limit shall be placed on frequency of speaking, but no member may speak for longer than five (5) minutes at a time;
- (c) interested citizens may be heard on the question under consideration if they address the Chair and ask permission to speak;
- (d) the previous question may not be moved;
- (e) the ayes and noes shall not be recorded;
- (f) the clerk shall keep a memorandum of proceedings and recommendations, but shall enter in the minutes of the meeting only the recommendations agreed to by the committee of the whole.

57. Special committee meetings of the members of the Council for purposes of discussion may be held upon call of the Mayor, or of any three members of the Council. The clerk shall be notified of the time and place of such meeting, and it shall be the duty of that officer to notify each member of such meeting, and he shall keep a record of such notices.

#### ARTICLE VIII. SPECIAL RULES CONCERNING ORDINANCES



58. Each ordinance to be introduced in the Common Council shall be prefixed by a title indicating the nature of the subject matter thereof, and it shall contain an enacting clause in substantially the following style: "BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:"

59. Each ordinance to be introduced in the Common Council shall be typewritten or mimeographed, and at least six (6) hours before the convening of the meeting at which such ordinance is to be introduced, twelve (12) copies thereof shall be filed with the Clerk-Treasurer for his file and to be distributed to the members of the Council, the Mayor and the City Attorney. Such filed copies accompanied by a motion signed by a member of the Common Council proposing the introduction of such ordinance, shall qualify the ordinance to be placed on the calendar for first reading. However, upon motion approved by two-thirds of the members present, said requirement for advance filing of copies may be waived.

60. An ordinance shall be read a first time by the clerk when the proper order of business is reached during the session of the Council; provided, Rule 59 is complied with or waived. However, if there be objection to its consideration after the Clerk has read the title of such proposed ordinance, the question shall be: "Shall the proposal be considered?" Such question shall be decided without debate, and if two-thirds of the members present vote in the negative, the proposal shall be stricken from the calendar and not read. The first reading of such ordinance shall be in its entirety, and shall be for information only. An ordinance may not be debated or amended on its first reading, but shall normally be referred to an appropriate committee for consideration and recommendation.

61. Every ordinance shall receive two (2) several readings before a vote may be taken upon its passage and adoption. No ordinance shall be read a second time on the same day, or in the same session of the Council at which it was introduced, except by unanimous consent of all members present, and then only if there are present and voting two-thirds of the members-elect of said Council voting by roll call.

62. An ordinance may be placed on second reading either (1) by being reported back to the Council by a committee to which it has been referred, or by discharge of such committee from further consideration of the said ordinance or (2) by motion that said ordinance be advanced to second reading. On second reading the ordinance shall be read in full, including any amendments which may have been adopted; but by unanimous consent it may be read by title only. Before a vote may be taken on the final passage and adoption of the ordinance there must be before the Council a motion to adopt it. A majority vote of the members-elect of the Council shall be necessary for the adoption of an Ordinance.

63. It shall be the duty of a committee reporting an ordinance back to the Council with recommended amendments to file with the clerk an engrossed copy of such ordinance, rewritten to include such amendments. In case the Council amends an ordinance on second reading and adopts the said ordinance as amended without such an engrossed copy having been prepared, such ordinance, with the amendments adopted, shall be referred to the Committee on Rules, Ordinances and Printing. The said committee, with the assistance of the City Attorney, shall have the responsibility of preparing the enrolled or record copy of the ordinance for the signature of the presiding officer and approval by the Mayor.

64. In case the Mayor vetoes an ordinance passed and adopted by the Common Council, he shall return the said ordinance to the Clerk-Treasurer as clerk of the Council. Such ordinance shall be a special order of business at the next session of the Council after the veto becomes effective. The Clerk shall read the Mayor's veto message, if one has been submitted, and the title of the ordinance; whereupon the question shall then be on its passage and adoption,

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or it may be sent back to committee for further study. If the Council by a two-thirds vote of all the members-elect of the Council again approve the said ordinance, it shall become law notwithstanding the Mayor's veto.

#### ARTICLE IX. DEPARTMENTAL INVESTIGATIONS

65. Investigations by the Common Council of City officers, department heads, and operations of the several departments of the Civil City shall be conducted in accordance with the rules and procedures set forth in Section 54, Chapter 129, Acts of 1905, and Section 3, Chapter 188, Acts of 1909, General Assembly of the State of Indiana, as codified in Title 48, Chapter 14, Section 1409 (48-1409), Burn's Annotated Indiana Statutes.

#### ARTICLE X. ELECTIONS OF CITY OFFICERS TO FILL VACANCIES

66. In the event of a vacancy occurring in the office of Mayor, the City Clerk-Treasurer shall call a special meeting of the Common Council to convene at the earliest practicable hour, at which meeting the Council shall choose one of its own members to be Mayor pro tempore until a Mayor is elected for the unexpired term at a special meeting of the Council to be held not less than ten (10) days nor more than fifteen (15) days thereafter. It shall be the duty of the Clerk-Treasurer to give notice of such special meeting once by publication in a newspaper of general circulation printed in Bloomington.

67. In the event of a vacancy occurring in the office of member of the Common Council, the Council shall fill such vacancy by election at a special meeting to be held no less than two (2) days nor more than fifteen (15) days after such vacancy is discovered by the said Council. Notice of such special meeting shall be given by the Clerk-Treasurer by publication once in a newspaper of general circulation printed in Bloomington.

68. In a special meeting to elect a mayor or councilman to fill a vacancy existing in such office, the presiding officer shall announce the vacancy to be filled and shall then declare that nominations are in order to fill such vacancy. If a motion is made that a certain person be elected to fill the said vacancy, the presiding officer shall nevertheless ask if there are any further nominations, and if there are any such the Chair shall then treat the motion aforesaid merely as if it were a nomination. When the question is put on an election the vote shall be by roll call. If there be more than one name before the Council, the votes shall be by name; but if there be but one nomination, the Council shall then, on motion that said nominee (by name) be declared elected, cast its vote by ayes and noes. A majority vote of the members-elect of the Council shall be necessary to elect.

69. Members of boards or commissions elected by the Common Council shall be elected by the same procedure as set forth in Rule 68, but such elections may be held in regular sessions of the Council.

Section 2. This ordinance shall repeal and supercede all other ordinances governing the rules and procedure of the Common Council of the City of Bloomington.

Section 3. If any part, section, sentence or clause of this ordinance shall be judged void and of no effect, it shall not affect the validity of the remaining portions of this ordinance.

Section 4. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of Bloomington, Monroe County, Indiana, this 4th day of May, 1954.

S/Emmett Kelly, Presiding Officer

ATTEST:

S/Esther F. Leavitt, Clerk of Council

Presented by me to the Mayor of the City of Bloomington, on the 4th day of May, 1954, at the hour of 9:30 o'clock P.M.

S/Esther F. Leavitt, Clerk-Treasurer

This Ordinance approved and signed by me on the 4th day of May, 1954, at the hour of 9:30 o'clock P.M.

S/Emmett Kelly, Mayor

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