

Rules Governing BCC Meetings and Madison's Legislative Process

Michael Haas
City Attorney
January 2026



Madison BCC Rules

- Procedures common to all BCCs are governed by MGO 33.01.
- BCCs may adopt rules of procedure provided they do not conflict with City ordinances or resolutions.
- BCCs must review any rules every two years and file special rules with the City Clerk by July 1 of even-numbered years.
- If no changes are made to existing rules, notification to City Clerk is not required.



Madison BCC Rules

- Open Meetings Law requires posting agenda at least 24 hours in advance of meeting. APM 3-2 requires submitting agenda to Clerk's Office by noon on Friday to appear on City meeting calendar.
- OCA recommends not using "Discussion Items" as a section heading so that the body may take action if desired.
- Each agenda must include an item for members to note any disclosures or recusals under the City's Ethics Code.



Madison BCC Rules

- Each board, commission and committee shall make an audio or visual recording of its meetings which shall be retained pursuant to the City's retention schedules.
- IT has issued instructions for recording in-person meetings.
- Recording requirement does not apply to subcommittees.



Madison BCC Rules

- BCCs shall elect officers annually, no later than June 30th of each year. Names of officers should be sent to the Mayor's Office.
- The chair shall not vote unless it would affect the outcome and shall not participate in making motions or discussion (this rule may be amended by the body).



Madison BCC Rules

- If a quorum is not secured within 15 minutes of the officially scheduled meeting time, the committee shall adjourn without taking any action, except that it may set a date and time for its next meeting.
- Loss of quorum requires adjournment. Not debatable except to note any urgent business.



Madison BCC Rules

- With some exceptions, Council members may participate in BCC discussion but may not make motions, seconds or vote.
- Public comment shall be allowed near the beginning of each meeting for at least 3 minutes per speaker, and may be allowed at the time each item is considered.



Madison BCC Rules

- Elected and Appointed Official Code of Conduct governs interactions of all BCC members with other members and City staff.
- BCCs are required to review the Code of Conduct on an annual basis at one of its meetings.



Madison BCC Rules

- All agendas shall include an item to allow a majority vote to direct that an item appear on the agenda of a future meeting, provided the subject matter is under the jurisdiction of the committee.
- Discussion regarding said matters is limited to the question of whether the item shall be included on a future agenda.



Madison Legislation Rules

- Sponsorship by Mayor or an alder is required for resolutions and ordinances, with some exceptions.
- City Attorney's Office must draft ordinances.
- Alders or agency staff may draft resolutions.



Action on Referrals

- Most agenda items result from a referral from the Common Council or another body.
- Ordinances and resolutions are introduced at a Council meeting, referred to committee(s), and return to Council for final vote.
- BCC action is typically to *recommend* either
 - Adoption,
 - Not to adopt, or;
 - Place on file



Madison Legislation Rules

- Council sets deadline for committee action which may be extended only by the Council.
- Council may make multiple referrals; committees can make referrals subject to Council deadline.
- Action of *lead* referral body determines recommended motion if sponsored, unless changed by Council President with the consent of the sponsor.



Madison Legislation Rules

- If lead sponsor agrees with recommendation of lead referral BCC, that recommendation is drafted as a Substitute and stands as the recommended motion before the Council.
- If lead sponsor does not agree with the recommendation of lead referral BCC but another alder agrees to sponsor it, that recommendation is drafted as an Alternate and stands as the recommended motion before the Council.



Placing on File

- Equivalent of a motion to delay or postpone indefinitely, “place on file” is a recommendation to not adopt without voting down the proposal
- Avoids a motion stated in the negative
- Must specify whether recommend placing on file with or without prejudice. “With prejudice” prohibits substantially same proposal from being introduced within 60 days
- If a motion to recommend approval fails, best practice is to then consider a motion to place on file



Questions?

- Contact City Atty Michael Haas or Deputy City Atty Patricia Lauten with questions related to the City's legislative process and BCC procedures.
- City Attorney's Office
608-266-4511
attorney@cityofmadison.com

