



Legislation Details (With Text)

File #: 17976 **Version:** 2 **Name:** Sub-units follow Section 2.21
Type: Ordinance **Status:** Passed
File created: 4/2/2010 **In control:** COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)
On agenda: 6/15/2010 **Final action:** 6/15/2010
Enactment date: 6/23/2010 **Enactment #:** ORD-10-00062
Title: SUBSTITUTE Amending Section 33.01(9)(b) of the Madison General Ordinances to require all sub-units to follow Section 2.21 on motions for reconsideration.
Sponsors: Lauren Cnare, Marsha A. Rummel, Michael Schumacher, Chris Schmidt, Shiva Bidar
Indexes:
Code sections:
Attachments: 1. Version 1

Date	Ver.	Action By	Action	Result
6/15/2010	2	COMMON COUNCIL	Adopt	Pass
6/1/2010	1	COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
4/20/2010	1	COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)	Re-refer	Pass
4/13/2010	1	COMMON COUNCIL	Referred	
4/2/2010	1	Attorney's Office	Referred for Introduction	

Fiscal Note

No appropriation required.

Title

SUBSTITUTE Amending Section 33.01(9)(b) of the Madison General Ordinances to require all sub-units to follow Section 2.21 on motions for reconsideration.

Body

DRAFTER'S ANALYSIS: Currently, Sec. 33.01(9)(b), MGO, allows boards, committees and commissions to adopt rules of procedure so long as they do not conflict with city ordinances. If no rules are adopted, Robert's Rules are assumed to apply. And if the sub-unit does not adopt a contrary rule (including adoption of Robert's Rules), then the sub-unit is to follow Sec. 2.21, MGO on motions for reconsideration.

This situation has led to different bodies applying different rules for reconsideration of actions. Sec. 37 of Robert's Rules has a number of conditions for a reconsideration motion, some of which are different depending on the nature of the body.

In order to standardize the conditions under which reconsideration is allowed, this ordinance makes the conditions and procedures of Sec. 2.21, MGO, applicable to all sub-units.

In addition, this ordinance codifies that reconsideration is not allowed if the matter to be reconsidered is partially or fully carried out, including acting on a recommendation by the sub-unit. Referral is not acting on the recommendation.

The Common Council of the City of Madison do hereby ordain as follows:

Subdivision (b) of Subsection (9) entitled "Minutes and Rules of Procedures" of Section 33.01 entitled

“Boards, Commissions, and Committees Procedures” of the Madison General Ordinances is amended to read as follows:

- “(b) Boards, committees, and commissions may adopt rules of procedure. Such rules may not conflict with ordinances or resolutions of the Common Council. In case the Sub-unit does not adopt rules of procedure, it shall be governed by Robert’s Rules of Order, insofar as Robert’s Rules of Order does not conflict with ordinances or resolutions of the Common Council. ~~Unless modified by its own rules of procedure or otherwise required by ordinance or statute,~~ Sub-units shall follow the procedure set forth in Sec. 2.21, MGO, on motions for reconsideration, and shall not modify this rule. A motion to reconsider shall not be in order before any sub-unit when the matter approved has been partially or fully carried out, including actions by City employees, or by the Council or another sub-unit of the City, by acting upon a recommendation made to the body. Sub-units shall review and make any changes in rules of procedure every two (2) years, which shall be filed with the City Clerk by July 1 of even-numbered years.”