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Graduated from West Point 1857

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1876 – Published First Edition of Robert’s Rules of Order for Deliberative Assemblies

Codifies General Parliamentary Procedures

- Synthesizes British Parliamentary Practice
- Continuously Revised since First Edition

Not binding on any body unless adopted

Not imposed by Ohio Revised Code

Often used in common practice by public and private
Rules of Ohio Public Bodies

• Board of Township Trustees determine rules (ORC 504.09)
  – Majority = Quorum

• Municipal Legislative Authority (ORC 731.44 and 705.15)
  – Judge of election and qualification of members
  – Majority = Quorum
    • Lesser number may adjourn from day to day and compel attendance of members
    • Affirmative Vote of all members to pass legislation

• Board of County Commissioners (ORC 305.08)
  – Majority = Quorum

Rules of Ohio Public Bodies (continued)

• Municipal Procedures (ORC 731.17)
  – Read by title only unless body requires full reading
  – Read on three separate days
    • May suspend this rule by ⅔ vote
  – Passing ordinance or resolutions
    • Vote by yes and nays
    • Majority of all members
  – Other actions by majority vote

• Establish own rules (ORC 731.45)

What are Parliamentary Procedures?

• Rules to ensure order and fairness in decision-making processes
• Facilitate meetings and maintain order
• Ensure all members have opportunity to participate
• Allow agreement
• Majority rule while protecting minority rights
The Presiding Officer: 

**FUNCTIONS**

- President, Chair
- Conducts the meetings
  - Calls the meeting to order
  - Announces business
  - Recognizes members to speak
  - Rules on procedural matters (subject to appeal)
  - Put all questions to vote and announces result

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Goals of Presiding Officer

- Avoid frivolous and dilatory tactics
- Enforce the rules related to debate
- Expedite business in an orderly manner
- Decide questions of order
- Declare meetings adjourned

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Ohio Revised Code: 

**PRESIDING OFFICER**

- Village/Mayor
  - No vote except in case of tie (ORC 733.24)
- Board of County Commissioners
  - Select president for one year term
  - Second Monday each January (ORC 305.05)
- Board of Township Trustees
  - No explicit provision implied (Ohio Attorney General 2007-019)
Ohio Revised Code:

**PRESIDING OFFICER** (continued)

- **Statutory City**
  - Elected President of Council (ORC 733.10)
  - Preside, no vote except ties
  - President *pro tem* (ORC 731.10)
  - Selected first meeting in January

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**Order of Business / Agenda**

- Sequence of items to be addressed
- Adopted by body

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**Common Order of Business/Agenda**

- May Establish Order
- Call to order
- Roll call
- Approval of agenda
- Reading, correction and approval of minutes
- Special orders
- Old/unfinished business
- New Business
Motions
Formal proposal that proposes specific action
Placed to the body before debate and discussion

Classes of Motions
Main Motions
Secondary Motions
- Subsidiary
- Privileged
- Incidental

Precedence of Motions
(Pronounced Pre-Seed-Ins)
- Priority of motions
- When a motion is pending
  - Any motion above is in order
  - Any motion below it is not
Main Motions
• Proposes specific action by the body
• Consider only one at a time
• One made and seconded must be disposed of
• Lowest ranking in order of preference for consideration

Secondary Motions
• Related to and takes preference over main
• Can be considered while main is pending
• Must be disposed of before acting on main

Types of Secondary Motions
- Subsidary
- Incidental
- Privileged
Subsidiary Motions
Assist in Disposing of Another Motion

• Examples:
  – To amend
  – To postpone definitely
  – To lay on table

Incidental Motions

• Raise questions as to pending business or how to address pending business

• Examples:
  – Point of order
  – Point of information
  – Appeal the ruling of the chair
  – Suspend the rules
  – Consider by paragraph

Privileged Motions

• Matters of immediate importance which justify interruption

• Examples:
  – Orders of the day
  – Raise a question of privilege
  – Recess
  – Adjourn
Motions That Bring a Matter Back Before the Body

• Examples:
  – Take from the table
  – Reconsider
  – Rescind
  – Discharge a committee

Motions That Require Majority Vote

• Main motion
• Adjournment
• Recess
• Lay on the table
• Refer to committee
• Amend

• Reconsider
• Rescind (with prior notice)
• Postpone indefinitely
• Postpone definitely

Under Ohio Revised Code . . .

The Majority Rules Most of the Time
Motions That Require 2/3 Vote

- Previous question
- Limit or extend debate
- Object to consideration of a question
- Suspend the rules
- Rescind (without prior notice)
- Discharge committee (without prior notice)

Examples: Actions Requiring 2/3 Vote

- City sell real estate to county without bid (ORC 721.29)
- Municipality certain conveyances to the U.S. Government (ORC 721.26)
- Municipal emergency no-bid contract (ORC 731.051)
- Disapproval of certain actions of city planning commission (ORC 713.02)
- Suspension or removal of village marshal (ORC 737.171)
- City override mayor’s veto (ORC 731.27)
- Authorize absence of member (ORC 705.13)

Examples: Actions Requiring 2/3 Vote (continued)

- Pass municipal legislation as emergency with immediate effect (ORC 731.30)
- Expel member of municipal legislative body for two months absence (ORC 731.45)
  - Requires 2/3 vote of all members
  - Requires notice and opportunity to be heard
- Removing village administrator without consent of mayor (ORC 735.271)
- Suspend rules requiring three readings (ORC 731.17)
Presenting a Motion

• Maker should say:
  – “I move that . . .” OR “I move to . . .”
  – Never “I make a motion to . . .” OR “I make a motion that . . .”

• Must be seconded:
  – Indicates only agreement to allow debate

Procedure After A Motion Has Been Made and Seconded

• The chair restates the motion
  “It has been moved and seconded that . . .”
  “Are there any questions?”

• Once restated it belongs to the body

Debate Follows

• Member must be recognized by chair

• Moving member has privilege of first speech
After Debate is Concluded

- Chair puts the matter to a vote
- Chair announces result of vote

Amending A Motion

- Amending
  - Modifying a pending motion prior to a vote
  - Must be germane
    - Related to the pending motion
    - Relevant bearing on its meaning
- Requires a second
- Can be applied to any main motion
- Is debatable
- Requires a majority vote to adopt
- Can be reconsidered

Three Basic Amendment Processes

- To insert or add words
- To strike out words
- To strike out and insert words
Appeal from the Decision of the Chair

- Appeal From the Decision
  - Dispute chair’s ruling and let members decide
  - Requires a second
  - Must be made at the time ruling is made
  - Is debatable
  - Is not amendable
  - Can be reconsidered
- Chair gets first opportunity to speak
- “Shall the decision of the chair be sustained?”
- Majority or tie vote sustains

Motion to Postpone Indefinitely

- Result: Take no position
- Must be seconded
- Is debatable
- Is not amendable
- Requires majority vote to pass
- Effectively kills the motion

Motion to Postpone Definitely

- Postpone Definitely
  - Defers vote on main motion to a specified future time
  - Must be seconded
  - Is debatable
  - Is amendable
  - Requires majority vote to approve
Motion to Lay on the Table

- Temporarily defers consideration of a pending motion
  - Must be seconded
  - Is not debatable
  - Is not amendable
  - Requires majority vote to pass
- Motion is returned for consideration during the same meeting

The Basic Rules of Parliamentary Procedure

1. We can...
2. We can’t...
3. We should...
4. We shouldn’t...

All Members are Equal and Their Rights are Equal

- To attend meetings
- To make motions
- To speak
- To vote
A Quorum Must be Present to Conduct Business

Physically present

The Majority Rules (usually)

- Super majority vote required
  - By statute
  - Per Robert's:
    - To limit or to take away rights of members
    - To change a decision previously made
- Silence means Consent

One Speaker at a Time
Personal Remarks In Debate Are ALWAYS Out of Order

Home Rule – Township Resolutions
ORC § 504.10
• Written form
• Introduced by member
• Only one subject expressed in title
• Exceptions:
  • Appropriations
  • Codified or recodified
• Read by title only
• Unless majority requests full reading
• Read two separate days
• Dispense by majority vote

Home Rule – Township Resolutions
ORC § 504.11
• Effective after thirty (30) days
• Emergency – Unanimous vote
  • Immediate effect
  • Immediate preservation
  • Public peace, health, safety or welfare
  • Statute necessity
Statutory References – Township Resolutions

Not exhaustive

- 505.10 . . . . Acceptance or disposal of property
- 505.1010 . . Purchase of property at auction
- 505.48 . . . . Creation of police district
- 505.871 . . . Removal of junk motor vehicles
- 505.89 . . . . Imposition of curfew
- 505.94 . . . . Control of transient vendors

Statutory References – Township Resolutions (continued)

- 505.95 . . . . Regulation of resale of tickets
- 511.18 . . . . Action on petition for township park
- 511.28 . . . . Submission of township park levy
- 515.08 . . . . Payment of interest on lighting assessment
- 515.17 . . . . Assessment for removal of overhead lines
- 519.02 . . . . Zoning resolution

Municipal Resolutions

Formal expression of opinion or intention

Censure

Commendation

Temporary or transitory
Municipal Ordinances

- Law
- Permanent enactment
- Statutes

Statutory References – Municipal Resolutions

*Not exhaustive*

- 703.10 . . . Resolution to take census
- 703.16 . . . Surrendering of city to village
- 709.50 . . . Removing territory from township
- 719.04 . . . Intent to appropriate property
- 727.171 . . . Off-street parking assessments
- 729.02 . . . Resolution of necessary for sidewalks

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