

RESOLUTION No. 4

ESTABLISHING RULES OF PROCEDURE AND BY-LAWS FOR THE  
INCORPORATED VILLAGE OF BETHEL, ALASKA.

Be it resolved by the Council of the Village of Bethel, Alaska:

Section I. To meet the need for improved procedures and by-laws for governing its own proceedings, and the conduct of Village affairs, and by way of dispensing with previous methods, except insofar as they coincide herewith, the Council, in the exercise of power granted to it by the Alaska Legislature, hereby adopts as the rules of procedure and by-laws of the incorporated village of Bethel the following;

RULE I. SESSIONS

The sessions of the Council shall be held monthly, commencing at 8:00 P.M. on the first Monday ( or other day specified by the Council) of each month and continuing until 10:00 P.M. unless extended beyond that hour by consent of the majority of the members of the Council. Special sessions may be had at any time that business requires, upon call of the Mayor.

RULE 2. CALL TO ORDER

The Mayor, if present, or acting Mayor if the Mayor is not present, shall call the Council to order at the hour stated and, if a quorum be present, proceed with the order of business.

RULE 3 ORDER OF BUSINESS:

1. Roll Call
2. Reading of minutes of the previous meeting.
3. Communications.
4. Special orders of business.
5. Reports of officers, including filing of proposed ordinances and resolutions.
6. Unfinished business, including reading of proposed resolutions and ordinances.
7. Second reading and final passage of ordinances.
8. New Business
9. Reports or comments of Mayor regarding Village affairs.
10. Adjournment.

#### RULE 4. AGENDA

A written agenda, in conformance with the above order of business, may be prepared each month by the Village Clerk with sufficient copies for one each for the Mayor, the councilmen and for posting of public notice. Unfinished business from previous meetings, including pending resolutions and ordinances, shall be put on the agenda, unless previously stricken, to be restored upon request. Other matters which members of the public, or Village officials, desire to have on the agenda for a particular meeting must be referred to the Village Clerk not later than the close of business on the Friday immediately preceding.

#### RULE 5 QUORUM

At all meetings of the council five members or four members and the Mayor shall constitute a quorum for the transaction of business, but no ordinance or resolution shall be passed at any meeting unless it receives at least four votes,

#### RULE 6 PRESIDING OFFICER

The Mayor shall be the presiding officer at Council meeting unless he is out of town, or for other cause unable to attend, in which event the members shall, by majority vote of those present, elect one of their own members as acting mayor. In this event, the acting mayor shall preside at such council meeting or meetings, and otherwise perform the duties of the Mayor during the period involved.

#### RULE 7 OTHER DUTIES OF MAYOR

It shall be the duty of the mayor to approve, by his signature, all resolutions and ordinances adopted by the Council, and to otherwise serve as prescribed by law.

#### RULE 8. VILLAGE CLERK

It shall be the duty of the Village clerk to keep the minutes of Council meetings, including a record of ayes and noes cast on roll call votes, and to show in the minutes all actions of the Council, attest, file and keep on record all communications, reports and other papers referred to him by the council, and to otherwise perform the duties of his office as ordered by the Council.

#### RULE 9 VILLAGE CLERK

It shall be the duty of the Village Attorney to attend Council meetings in the event of an emergency important enough to warrant payment of expenses, return proposed resolutions and ordinances drafted by him, and advise the Council as to the legal aspects of matters before the Council, and otherwise serve in his capacity as Village Attorney, and he shall be paid an annual salary of \$5.00, but on any special assignment he may be paid as the Council shall direct.

## RULE IO MOTIONS

On routine matters, or preliminary phases in the conduct of business before it, the council may act on motion, fully seconded and passed by voice vote, or by unanimous consent. If put to a voice vote and a negative vote is heard, the matter shall be put to a roll call vote. Unanimous consent may be asked for by any council member, or the Mayor. If unanimous consent is asked, the presiding officer will ask if there is any objection. If no objection is heard, the motion will be put to a roll call vote. Provided, however, that all motions to authorize payment of Village money shall be put to roll call vote and the ayes and noes recorded in the minutes.

## RULE II. RESOLUTIONS

Council action, such as expressions of policy, which should be put in writing, but not requiring an ordinance, shall be accomplished by resolutions. Resolutions shall be given one full reading and kept in such reading for amendments and thereafter immediately put to a final vote for passage or rejection, with four affirmative votes required to pass the resolutions. Resolutions authorizing disbursements of Village money must be by roll call vote duly recorded in the minutes.

## RULE I2. ORDINANCES:

(a) Each ordinance must pertain to one general subject only and have a title broad enough to cover all provision thereof. If offenses are defined and penalties prescribed, same shall be mentioned by title. The enacting clause shall be as follows: "Be it enacted by the Council of the Village of Bethel, Alaska."

(b) All enactments in the exercise of the Village's police power must be by ordinance and all actions for the sale or other disposition of Village-owned property must be by ordinance, as well as such other phases of Village government as are required by general law to be covered by ordinance.

(c) After drafting by the Village Attorney and presentation to the Council, an Ordinance shall immediately be put in first reading and read in full by the clerk. Proposed amendments and debate thereon shall then be in order while the ordinance is still in first reading. Amendments must germane to the general subject shown in the title of the ordinance. Any proposed amendment may be adopted by a voice vote or by unanimous consent, unless a negative vote or objection is heard, in which event a roll call vote will be required. A majority vote on any amendment will result in its adoption. After the amending process is complete, the ordinance will, upon unanimous consent, be immediately advanced to second and final reading by title only and put to roll call vote for final passage or rejection, as required by state law or ordinance. If there be objection to such immediate action, the ordinance shall automatically go over to the next regular meeting for second reading by title only and final vote. Four affirmative votes are required to enact an ordinance.

RULE 13. EFFECTIVE DATE OF ORDINANCE:

Each ordinance enacted by the Council shall come into force and effect upon the effective date therein specified, which may be the following day or any later date. It is the intent of this rule that all ordinances be characterized as regular steps in Village government with elimination of declaration of emergency so-called emergency clauses, the selection of a suitable effective date for each ordinance being for decision by the Council.

RULE 14. COMMITTEE OF THE WHOLE

Upon matters declared open by the Council for public hearing, or when several persons in the audience desire to be heard, the Council may, by affirmative vote of two-thirds, or by unanimous consent, resolve itself into a committee of the whole. Thereupon, statements by interested persons will be heard and questions freely asked and answers given. The Mayor will continue to preside at such times, but the clerk need not keep minutes of the details of such proceedings.

RULE 15. BOARD OF ADJUSTMENTS:

(a) The Council as a board of adjustment in any Village matters may proceed as such board without resolution, provided, however, that the clerk need not record the details of such proceedings, but merely note the general contention asserted and record in the minutes of the final action of the Board. Final action in each such case shall be by roll call vote.

RULE 16. TAX EQUALIZATION PROCEEDINGS

When performing its duties as a tax equalization or authorizing body, the Council may proceed as such without resolving itself into a tax equalization board.

RULE 17. DECORUM AND DEBATE:

When a councilman desires to address the Council, he shall signal the presiding officer by raising his hand or by addressing the chair, and, when recognized, he shall proceed to speak. When he has finished, other councilmen in turn shall, if they seek recognition, be entitled to speak before the first speaker, or others, who have already spoken, are entitled to speak again. No Councilman shall be interrupted in speaking and no questions asked him until he has finished his main remarks. If the Mayor wishes to address the council, for or against any pending motion, resolution or ordinance, he shall appoint a Council member pro tem, who shall preside until the Mayor has relinquished the floor.

RULE 18. VOTING:

(a) When a roll call vote is taken each councilman shall be required to answer to his name by voting aye or no.

(b) The Mayor may vote only to break a tie. Any ordinance or resolution passed by the Council by only four affirmative votes may be vetoed by the Mayor at the time of its passage, provided he submit to the Council at its next regular meeting a written statement of his reasons for vetoing same. The matter may then be again submitted to a vote and if five votes are in favor thereof, it shall become effective without the signature of the Mayor.

RULE 19. TABLING:

As to any matter pending, a motion to lay same on the table shall be in order at any time, Such motion may be passed by the affirmative vote of majority of those present, but not otherwise, and such motion, if lost, may not be made again. If it is passed, however, it shall remain tabled unless brought up by motion at a subsequent session and restored to the agenda by a majority vote of those present for determination on the merits.

RULE 20. RULES OF ORDER:

In all cases not provided for in these rules, the practices laid down in Mason's Legislative Manual shall govern.

BY-LAWS

NUMBER 1. ANNUAL BUDGET:

The budget prepared by the Village Council for each fiscal year shall, when adopted by the Council, be deemed an appropriation of the items set forth therein for the purpose stated, and shall constitute authority for the Council to proceed to administer and expend funds accordingly, subject, however, to the power of the Council to subsequently transfer funds from one budgeted purpose to another as the exigencies of Village affairs may, from time to time, require. No disbursement in any category may at any time exceed the effective amount so appropriated in any such category. The Village Clerk shall also submit a progress report to the Council each month, with copies for the Mayor and each councilmen. Copies shall also be distributed to the public on order of the Council.

NUMBER 2. VILLAGE CLERK:

The Village Clerk's office shall be the receiving office of tax and license money and other revenue coming into the hands of the village. The Village Clerk shall be put under bond conditioned on the honest, faithful and lawful performance of his duties in such amount as the Council shall, from time to time, determine, unless and until the Council combine the positions of Village Clerk and Village Treasurer in one and same person, in which event, the clerk shall be bonded in a sum not to exceed \$10,000.00 to cover his duties in such dual capacity. The duties of the Clerk, as the fiscal receiving officer, shall be performed in accordance with such regulations, systems of account, receipt forms, and other administrative procedures as may be issued by the Council.

NUMBER 3. VILLAGE TREASURER:

If the office of Village Treasurer is not merged with that of Village Clerk, the Treasurer shall be put under a like bond to cover his duties as custodian of Village funds. The person appointed as treasurer may also be charged with the duty of being the active disbursing officer.

NUMBER 4. ADDITIONAL POWERS:

The Council shall have the authority and power to appoint such other officers and pass such ordinances as are permitted by State Law.

NUMBER 5. AUDITS:

The books and accounts of the Village shall be audited from time to time as the Council may require on arrangements approved by the council.

NUMBER 6. AMENDMENTS HERETO

These By-Laws may be amended from time to time by the Council by a Majority vote of the whole Council, and a copy of each such amendment shall be appended hereto and made a part hereof.

This resolution shall be effective upon adoption by the Council and approval of the Mayor.

Approved

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Mayor

Attest;

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Village Clerk