2023-2027
RULES OF PROCEDURE OF THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

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PERSONNEL AND COMMITTEES

1. President pro tempore

1.1 A president pro tempore ("pro tem") of the Council shall be a Council member elected by the Council to serve as presiding officer in the absence of the Vice Mayor.In the event of a vacancy in the Office of the Vice Mayor, the pro tem shall serve as the Council's presiding officer in the place of the Vice Mayor until a Vice Mayor shall be elected and qualified and shall have all the rights and responsibilities of the Vice Mayor described in the Rules of Procedure. If the pro tem shall serve as the Council's presiding officer on account of a vacancy in the office of the Vice Mayor, the chair of the Planning and Zoning Committee shall serve in the absence of the pro tem. If neither the Vice Mayor nor the pro tem shall be present at the designated commencement time for a Council meeting, the chair of the Planning and Zoning Committee, or in their absence, the Council member elected to the Traffic and Parking Commission, shall call the Council to order and immediately conduct an election using the voting procedure provided in Rule 48 to elect a Council member to preside at that Council meeting until a more senior presiding officer shall appear.

1.2 The term of the pro tem shall expire on the next August 31 following their election to the aforementioned positions or until a successor has been elected no later than October 20. Members serving as presiding officer shall retain at all times their full right to vote.

2. Standing committees

The standing committees of the Council shall be as follows:

1. Budget and Finance
2. Government Operations and Regulations
3. Arts, Parks, Libraries, and Entertainment
4. Public Health and Safety
5. Transportation and Infrastructure
6. Planning and Zoning
7. Rules, Confirmations, and Public Elections ("Rules Committee")
8. Charter Revision

3. Standing committee terms, chairs, and vice chairs

3.1 Except as otherwise provided in the Metropolitan Charter, all members of the standing committees of the Council, and the chair of each, shall be appointed by the Vice Mayor. Committee members and chairs shall serve until the next August 31 following their appointment or until a successor is appointed. The chair of each committee shall appoint a member of the

committee to serve as vice chair for the committee. The chair may establish subcommittees, as needed.

3.2 No member is eligible to serve simultaneously as the chair or vice chair of more than one standing committee, and no member who serves as a chair shall simultaneously serve as a vice chair.

4. Executive committee

4.1 The executive committee of the Council shall consist of the Vice Mayor, the chair of each standing committee of the Council, and the pro tem of the Council. Each member thereof shall be entitled to one vote, regardless of the number of positions the member may hold.

4.2 The executive committee shall meet at such time as called by either the Vice Mayor or by a majority of the executive committee. The Vice Mayor shall report back to the Council in a timely manner as to the action taken by the executive committee.

5. Special committees

5.1 The Vice Mayor, within their discretion, may from time to time appoint such special committees or expand the scope of a standing committee, as the circumstances require.

5.2 The Council may also create and appoint special committees upon adoption of a resolution to that effect.

6. Committee meetings and rules

6.1 Each committee may formulate rules for its own operation. No committee may meet except at the time stated for its meeting and noticed to the members of the committee and the public.

6.2 In order for action to be taken by a committee, a quorum shall be required consisting of at least half of the appointed committee members.

6.3 At the discretion of the committee chair, each committee may request reports from appropriate departments, boards, or commissions in relation to the committee's scope of work.

7. Committee referrals

7.1 All resolutions, and all ordinances upon their first reading, must be referred to the appropriate committee(s) of the Council by the Vice Mayor. The Vice Mayor may delegate this

responsibility to the Clerk or the Council Office. The committee assignment shall be indicated on the Council agenda.

7.2 The committee to which an ordinance or resolution has been referred shall make a report to the Council at the next regular meeting after its referral. No vote will be taken on any resolution or on any ordinance on third and final reading until a committee has made a recommendation regarding the legislation.

8. Deferral by committee action

8.1 Any ordinance or resolution that receives a committee recommendation of deferral for one meeting from any committee to which it is referred shall be deferred without debate or discussion for one Council meeting; provided, however, that no ordinance or resolution shall be deferred more than twice pursuant to this paragraph.

8.2 Any ordinance or resolution that, over the objection of the primary sponsor, receives a committee recommendation of indefinite deferral from two-thirds of the members voting of any committee to which it is referred shall be indefinitely deferred, without debate or discussion, at the regular Council meeting following the report of the assigned committee(s). Any ordinance or resolution indefinitely deferred pursuant to this paragraph may be reinstated to the agenda subject to the requirements of Rule 43.

FILING AND PUBLICIZING LEGISLATION

9. Introduction of legislation

9.1 Any proposed ordinance or resolution may be introduced by one or more members. The Metropolitan Clerk ("Clerk") shall not accept a proposed ordinance or resolution for filing unless the original copy of the legislation has been signed, as confirmed by email, by a member.

9.2 Any resolution or proposed ordinance on first reading, the subject matter of which affects only one district, shall upon request be deferred one meeting if the member from the district concerned with the subject matter of such legislation has not introduced or co-sponsored such legislation.

9.3 All ordinances on first reading shall be considered by the Council in one vote. An ordinance on first reading may be considered separately if, during the consideration of first reading ordinances:

a. the lead sponsor of the ordinance notifies the Vice Mayor of their desire to take a separate vote on the ordinance,

b. two or more members notify the Vice Mayor of their desire to take a separate vote on the ordinance, or

c. a member must abstain from voting on the ordinance.

10. Introduction of zoning legislation by at-large members

With the exception of zoning text amendments, when any zoning measure is introduced by an at-large member, the member from the district concerned shall be notified by the Council Office and afforded the opportunity to be its co-sponsor prior to the filing deadline. This does not restrict the right of the at-large member to introduce such measure if the district member declines to be its co-sponsor.

11. General filing requirements

11.1 One original of all ordinances and resolutions shall be filed with the Clerk, said original to be retained in the office of the Clerk at all times, subject only to withdrawal for signature by the Mayor. All references in these rules to "original" ordinances or resolutions shall include the physical or electronic version thereof.

11.2 The Clerk's Office shall develop and maintain a process for the use of electronic signatures for the purposes of filing legislation.

12. Honorary resolution requirements and presentations

12.1 Memorializing and congratulatory resolutions, with copies to be sent to the appropriate party or parties, are proper resolutions to be considered and acted upon by the Clerk. All memorializing resolutions honoring individuals, groups, or organizations shall be referred to the Rules Committee for review and recommendation.

12.2 Each member shall be limited to filing no more than one nonbinding resolution, including an honorary resolution or resolution requesting information, for each meeting of the Council.

12.3 A member may make a motion on the floor to add all members voting in the affirmative on an honorary resolution be added as co-sponsors to the honorary resolution. If such motion is successful, a member may request the Clerk to remove their name as co-sponsor before the adjournment of the meeting.

12.4 All presentations of honorary resolutions and proclamations shall be limited to five minutes each, and no more than two such presentations shall be allowed at any meeting of the Council. Further, each member shall be limited to presenting two honorary resolutions or proclamations per year as a primary sponsor. For purposes of this rule, one year shall be from September 1 to August 31 of the following calendar year. Members of Council wishing to make presentations of honorary resolutions and proclamations shall schedule the presentations with the Council Office. The Council Office shall schedule the presentations for each meeting on a first come, first served basis. The word "presenting" as used in this rule means to formally read or paraphrase the honorary resolution or proclamation and/or to present the honoree(s) with an official copy of the resolution or proclamation. Presentations shall take place during the period reserved for announcements and extraordinary matters.

13. Filing deadlines; emergency items

13.1 The following deadlines apply:

1. All ordinances and resolutions shall be filed in the Clerk's Office not later than noon on the Tuesday at least one week prior to a regular meeting of the Council and not later than 11:00 a.m. of the third day, excluding Saturdays and Sundays, preceding the day of any other Council meeting.

2. No ordinance or resolution may be filed unless the originals have first been delivered to the Council Office not later than noon on the second Friday preceding the regular meeting date or not later than noon the fourth day, excluding Saturdays and Sundays, preceding the day of any other Council meeting.

3. Legislation prepared by the Council Office must be requested in writing at least 48 hours prior to this delivery deadline.

4. Subject to Section 6.13 of the Metropolitan Charter, the Capital Improvements Budget shall be filed in the Clerk's Office on or before May 15 at 4:30 p.m. for consideration at the next regular Council meeting.

13.2 All amendments to, or substitutes for, an ordinance or a resolution, or any requested late-filed legislation, shall be delivered to the Council Office not later than noon on the Friday immediately preceding the regular meeting date. In the event of a special meeting, delivery shall occur not later than noon the second day -- excluding Saturdays and Sundays -- preceding the day of such Council meeting. Amendments or substitutes will be prepared in a manner that indicates deletions by striking through such content and insertions by underlining such content.

13.3 The Council may not consider any ordinance, resolution, amendment or substitute unless filed in accordance with the two preceding paragraphs.

13.4 No ordinance, binding resolution, amendment or substitute submitted after these prescribed deadlines will be considered by the Council except on an emergency basis. Nonbinding resolutions submitted after the prescribed deadlines are not eligible to be considered on an emergency basis, unless Nashville and Davidson County are under a declared state of emergency and the resolution relates to that state of emergency. It is not the responsibility of the Council Office to prepare late-filed legislation.

13.5 Any sponsor of such late legislation must appear before the Rules Committee immediately prior to the regular meeting to disclose (1) the nature of the emergency; (2) whether the legislation could have been timely filed; and (3) whether the matter can wait until the next Council meeting. Late ordinances and late resolutions will be referred to other appropriate committees per Rule 7.

13.6 At the subsequent regular meeting, the sponsor must state on the introduction thereof that an emergency exists, must state the nature of the emergency, and must request a suspension of the rules.

14. Certification by Director of Finance on funds availability requirement

Upon the filing of any ordinance or resolution requiring the appropriation or expenditure of money, the Director of Finance, or, if the position of Director of Finance is vacant, a Divisional Director of the Finance Department, shall be afforded a period of 20 days to furnish a statement to the Council certifying the availability of funds. No committee may consider the legislation until such time as the Director of Finance or a Divisional Director of the Finance Department has furnished such statement, or 20 days has elapsed since the filing of the legislation.

15. Capital Improvements Budget

15.1 By October 31 of each year, members of Council shall submit all of their Capital Improvements Budget requests for the ensuing fiscal year to the Council Office for review by the Department of Finance, Planning Department, and implementing departments in order to identify costs, timeline and alignment with the General Plan.

15.2 By December 16 of each year, a report of the reviewed requests shall be prepared by the Planning Department for review by the Budget and Finance Committee and Planning and Zoning Committee. Prior to the Capital Improvements submittal date established by the Director of Finance, the Budget and Finance Committee and Planning and Zoning Committee shall hold at least one joint meeting to prioritize Capital Improvement Budget requests on behalf of the Council in order to submit the requests in the format and timeline established by the Director of Finance for the Capital Improvements Budget development for the ensuing fiscal year.

15.3 No Capital Improvements Budget amendment initiated by a member shall be considered by the Council unless submitted in accordance with this rule.

16. Settlement of claims

No resolution or ordinance approving the settlement of a claim against the Metropolitan Government shall be placed upon the agenda by the Clerk until the Director of Law shall have filed with the Clerk a statement recommending the payment of the claim.

17. Contractual agreements requirements; street and alley closure requirements

17.1 No resolution or ordinance approving or authorizing the execution of any contract, lease, agreement or other instrument, or authorizing the closure and/or abandonment of any street, alley, or other public right-of-way, shall be delivered to the Council Office for filing unless said documents shall have been executed by all necessary parties, including affected property owners for legislation closing and/or abandoning streets or alleys, excepting the signature of the Mayor and the Clerk. However, said documents need not be executed by state, federal and railroad officials to be placed upon the agenda. For purposes of this rule, “affected property owner” includes the owner(s) of property abutting the section of the street or alley to be abandoned or the owner(s) of property having a right to use the street or alley for purposes of ingress and egress to and from the owner’s property, regardless of whether the street or alley has been built out.

17.2 All ordinances involving street or alley closures shall include the name or names of the parties requesting the street or alley closure within the body of the legislation.

18. Planning Commission recommendations on zoning bills requirements

No resolution or ordinance required to be referred to the Planning Commission for a recommendation shall be filed with the Clerk unless evidence of submission to the Planning Commission is filed together with the legislation, or the legislation has noted upon it the recommendation of the Planning Commission.

19. Prerequisites for zoning bills

19.1 Any property proposed to be rezoned to provide new entitlements shall be current in the payment of property taxes before the zone change can be passed by the Metropolitan Council on second reading.

19.2 Any ordinance applying a Residential, Commercial, or Industrial Planned Unit Development District or a Specific Plan (SP) District must have a recommendation from the Planning Commission before its introduction. Substitutes introducing SP zoning upon second or third reading may rely upon the previous Planning Commission recommendation only if the SP is equally restrictive to or more restrictive than the original zoning request. No zoning ordinance shall be filed with the Clerk unless such proposed legislation is accompanied with evidence that all fees required pursuant to the Metropolitan Code have been paid.

19.2 For zoning bills, the name of the party requesting the zone change, the name of each property owner whose property is included in the change identified by Map and Parcel Number as to owner, and the name of the optionee (if any) shall be included as an attachment to the ordinance and made available to the public through the Council's legislative website.

20. Notaries public

The election of certain notaries public by the Council shall be accomplished by the introduction and passage of a resolution including the names, addresses, and length of terms for those persons to be elected as notaries public. The resolution shall include a letter from the County Clerk certifying that each person to be elected meets all of the qualifications of the office of notary public. It shall not be required that the person or persons being elected appear before the Council or any committee thereof.

21. Legislation concerning appropriation of funds

21.1 The Council's consideration of a capital spending plan ("Capital Spending Plan") authorizing the allocation and appropriation of funding sources, including debt proceeds, to specific capital projects, shall be subject to the following requirements:

1. No such legislation shall be considered during the pendency of any ordinance adopting the Annual Operating Budget of the Metropolitan Government;
2. Following introduction and referral to committee, the legislation shall be deferred for at least one Council meeting to allow for thorough consideration;
3. The legislation shall include the following information:
    a. the total amount allocated;
    b. identification of each public works project to be funded, including the Capital Improvements Budget project number related to the proposed public works project, subpart, or category (if available);
    c. for each public works project, the amount of funding to be allocated for that public works project;
    d. for each public works project, a description with reasonable specificity of any subparts or categories, and the amount to be allocated for each subpart or category; and
    e. identification of where the proposed public works project appears (if at all) on the Metro Council's CIB Project Prioritization List.

21.2 No such legislation shall be considered if the department, agency, or office benefiting from the appropriation or expenditure has failed for 30 or more days to respond to a request for information submitted by the Council or any committee of the Council.

21.3 Notwithstanding anything herein to the contrary, the Capital Spending Plan shall govern the appropriation of funding sources, including debt proceeds, to capital projects and shall not constitute an initial resolution, as such term is defined in state law, that authorizes the issuance of bonds. Any initial resolution considered by the Council shall be separate legislation from the Capital Spending Plan and not subject to this rule.

21.4 This rule shall not apply to capital projects that are: (1) limited solely to preliminary project planning and/or feasibility costs; or (2) funded exclusively by an enterprise fund, electric rates, water or sewer rates, or other fees or surcharges paid to the metropolitan government.

22. Actuarial study required on pension legislation

All legislation which directly or indirectly affects any Metropolitan Government Pension Plan shall be referred to the Metropolitan Employee Benefit Board for an actuarial study before the matter can be considered by the Council. The Metropolitan Employee Benefit Board shall have 90 days from the date the legislation is referred to said Board to report to the Council. If no such report is received, the Council shall be entitled to consider the legislation.

23. Confirmations and questionnaires

23.1 All appointees to be confirmed by the Council shall be required to complete a questionnaire adopted by the Rules Committee. Each completed questionnaire shall be filed with the Clerk and a copy shall be sent by the Clerk to all members. No action may be taken upon such appointee

until and unless such completed questionnaires have been sent to the Clerk by noon and members by 4:00 p.m. five days preceding an appointee appearance before the Rules Committee.

23.2 The Mayor may withdraw from consideration their appointee submitted to the Council for confirmation and such withdrawal shall relate back to the original date of appointment the same as if such person had not been appointed; however, such withdrawal shall not act to enlarge upon the time permitted by the Mayor, under the relevant provisions of the Charter, to submit an appointee for confirmation.

23.3 Those persons appointed by the Mayor shall be referred to the Rules Committee for recommendation. The Committee shall meet and determine the relative qualifications of the various appointees and report to the Council its recommendation at the next regular Council meeting at least two weeks following the Committee meeting wherein the appointees were considered.

23.4 Unless otherwise specified, all appointments subject to election or confirmation by the Council shall be elected or confirmed by a majority of the entire membership of the Council (21 votes), except where other requirements are established by the Charter or state law. Any appointee failing to receive the required vote of the Council shall be deemed to have been rejected.

24. Agenda preparation and mailing

24.1 The agenda for each meeting shall be prepared by the Clerk and sent to each member not less than four days, excluding Saturdays and Sundays, before the meeting at which it will be considered. For regular meetings, the agenda is to be sent not later than Wednesday prior to such meetings.

24.2 This agenda shall show on all planning and zoning and mandatory referral matters listed thereon the vote of the Metropolitan Planning Commission (“Planning Commission”) upon its action on such matters.

FACILITY USE AND ACCESS

25. Use of Council Chamber; distribution of written materials

25.1 The use of the Council Chamber is left to the discretion of the Vice Mayor regarding the following matters:

1. Meetings held inside the legislative area using the members' desks.
2. When to allow the speaker system to be used by groups other than the Council.
3. Designation of the responsible party for placing committee rooms in proper order when groups other than Council committees use the committee rooms and make rearrangements of the furniture.

25.2 Except as otherwise provided, no written materials, documents, or other items may be distributed and/or placed upon members' desks. Written materials, documents, or other items may be distributed and/or placed upon members' desks they:

1. are signed by the individual requesting distribution and clearly show the individual's name, address, and phone number or e-mail address; and have been delivered first to the Vice Mayor, Clerk, or Council Staff with a request for distribution by 4:30 p.m. on the day of the meeting at which the written materials, documents, or other items are to be distributed; or
2. bear the signature of the member requesting distribution; or
3. have been delivered to the Council Office by U.S. Mail or other paid delivery service.

25.3 Additionally, Council Staff may place upon members' desks any amendments or substitutes to resolutions or ordinances, any late-filed legislation, and such mail as may be received that is addressed to such members.

25.4 The only other materials that may be placed upon members' desks during a meeting are subject to the discretion of the Vice Mayor.

25.5 Further, the distribution of all such materials shall be under the direction of the Clerk and Council Office.

26. Restrictions on access to Council Chamber and committee rooms

26.1 No person, except those permitted in the legislative area of the Council Chamber during a meeting of the Council under these rules, may be in the legislative area of the Council Chamber at any time beginning from the start of the day's first committee meeting or meeting of the Council and ending at the conclusion of the day's final committee meeting or meeting of the

Council. While the Council is in session, no person, except those persons who are permitted in the legislative area of the Council Chamber during a meeting as provided in these rules, may be present in the committee rooms, the restrooms, or the hallway between the committee rooms and the legislative area of the Council Chamber. For a period of 15 minutes following the conclusion of a meeting of the Council, no person may enter the Council Chamber except those persons who are permitted in the legislative area of the Council Chamber as provided in these rules.

26.2 No persons except Council members, Council Office staff, employees of the Clerk's Office, employees of the Mayor's Office, the Director of Finance and their designee, Metropolitan Attorneys, employees of the Planning Department, authorized security personnel, appropriate I.T.S. staff, and minor children of members may be present on the floor of the legislative area during any meeting of the Council.

26.3 Members of the press shall be permitted to sit at the front of the Council Chamber on either side of the dais and sit or stand along the perimeter of the Council Chamber. Members of the press must visibly display appropriate identifying credentials at all times while present in this area.

27. Announcements and extraordinary matters

Announcements and extraordinary matters shall be held 30 minutes prior to all regularly scheduled Council meetings. The pro tem or their designee shall preside over such matters.

NON-COUNCIL ENGAGEMENT

28. Public addressing Council

28.1 The public shall be provided an opportunity to address the Council during a public comment period at the beginning of each regular and special meeting of the Council and of a Council committee. The public comment period shall be limited to residents of the State of Tennessee. The public comment period for regular and special meetings of the Council shall not be limited to items on the agenda. The public comment period for regular and special meetings of the Council shall be limited to 20 minutes. The public comment period for regular and special meetings of Council Committees shall be limited to matters that are relevant to legislative items on the Committee agenda. The public comment period for regular and special meetings of Council Committees shall be limited to eight minutes. Individuals shall be allowed to speak for up to two minutes each. Public comment periods will not be held at any meeting where there are no actionable items on the agenda. The Council Office shall make policies and procedures necessary to facilitate the public comment period, including acceptable proof of residency, access to language interpretation, and other related accessibility needs. To the extent permitted by law, the Council Office shall not store any proof of residency that it may review.

28.2 During all other public hearings, individuals shall be allowed to speak for up to two minutes.

28.3 When a public hearing is not otherwise required by law, members of the public may address the Council in a public hearing format regarding a specific resolution or ordinance, upon approval of a member's motion by a two-thirds vote of the members present at such meeting to allow members of the public to address the Council. Such motion shall specify a subsequent meeting at which the public hearing is to take place.

28.4 For regular and special meetings of the Council, the Clerk shall keep time in accordance with this rule. For regular and special meetings of Council committees, the chair shall designate a member of the committee to keep time in accordance with this rule.

29. Public hearings for zoning bills

29.1 Upon introduction of any zoning ordinance not accompanied by a recommendation of the Planning Commission, such ordinance shall be referred to the Planning Commission. The Clerk shall advertise such ordinance for public hearing and second reading; however, no action shall be taken by the Council on second reading and no public hearing shall be held by the Council until the recommendation of the Planning Commission has been submitted to the Metropolitan Clerk or at least 30 days has elapsed from the date of referral to the Planning Commission following first reading without a recommendation.

29.2 Public hearings on zoning bills shall be held at the first meeting of each month, provided that no zoning public hearing shall be held at the first meeting in June. This rule shall not preclude

any other matters from being considered on the first meeting of each month. Public hearings on zoning bills may be held at any other Council meeting if the Vice Mayor determines circumstances warrant holding additional public hearings.

30. Mayor's privilege of the floor

The Mayor – or an authorized representative, subject to the discretion of the Vice Mayor – shall have the privilege of the floor.

COUNCIL MEETINGS

31. Order of business

The regular order of business for Council meetings shall be as follows:

1. Meeting called to order
2. Invocation and Pledge of Allegiance
3. Roll Call
4. Approval of minutes of previous meetings
5. Communications from the Mayor
6. Reports of committees on matters other than reports on ordinances and resolutions
7. Elections and confirmations
8. Public Hearings
9. Consent Agenda
10. Resolutions
11. Ordinances on first reading
12. Ordinances on second reading
13. Ordinances on third reading
14. Adjournment

32. Attendance of Director of Law and Director of Council Office

The Director of Law and the Director of the Council Office, or their respective designees, shall attend the meetings of the Council to advise on matters of law.

33. Order of debate; sponsor's presence required

33.1 Upon the consideration of any ordinance or resolution by the Council, the first person to be recognized by the presiding officer shall be one of its sponsors. The second shall be the chair or one spokesman of the committee to which the matter has been referred for the purpose of providing a report from the committee, if such a report exists and has not been previously provided.

33.2 No action may be taken on any ordinance or resolution (except ordinances on introduction and first reading) at any meeting of the Council unless the sponsor is present. No action may be taken on any ordinance or resolution at any meeting of a committee of the Council to which such ordinance or resolution has been referred, unless a sponsor is present or a sponsor has informed the chair of the committee, in writing, of the action that should be taken.

34. Limitation of time on speakers

34.1 A member shall speak no more than once on the same motion until all members have had an opportunity to speak on it, and for no more than three minutes. The Clerk shall keep time in accordance with this rule. A member shall be entitled to yield their time to another member once per pending motion. These restrictions may be waived by the Vice Mayor or by a majority of the members present.

34.2 If a member is referred to by name by any speaker and such member's character or integrity is called into question, then such member, upon request, shall be recognized by the chair immediately following the conclusion of the previous speaker for the sole purpose of raising a question of personal privilege to respond.

35. Motion to table; motion for previous question

35.1 A motion to table may not be made by the last member to speak on a measure, but such motion may be made only by a member who has obtained the floor for that sole purpose, provided it meets the restrictions in Rule 39. A motion to table may be debated only by the maker of the motion and one proponent of the ordinance or resolution involved. If a motion to table is directed at a motion, the motion to table may only be debated by the maker of the motion to table and the maker of the motion against which the tabling motion is directed.

35.2 A motion for the previous question may not be made by the last member to speak on a measure, but such motion may be made only by a member who has obtained the floor for that sole purpose, provided it meets the restrictions in Rule 39.A motion for the previous question requires approval by two-thirds of the total votes cast to prevail.

36. Motion to reconsider

36.1 A motion to reconsider a vote of the Council on any ordinance or resolution can be entertained only on a final reading and an affirmative vote, and then only when the following have been complied with:

1. The maker of the motion to reconsider must have voted with the prevailing side.
2. The motion to reconsider must be made before the meeting is adjourned.
3. Not fewer than four members of the Council must second the motion, and these four members need not have voted with the prevailing side.

36.2 Such motion, properly made and seconded, must be considered and finally acted on at the next regular meeting of the Council or at a special meeting called for that purpose. Such motion shall not be debatable prior to its consideration and final action.

36.3 No statement that a member is proposing to offer a motion to reconsider at a later meeting is to be entertained by the Council.

37. Motion to rescind action

Any affirmative action of the Council may be rescinded by two-thirds vote of the membership to which the Council is entitled (27 votes).

38. Roll call votes

38.1 The chair shall call for a roll call vote when:

1. The chair is unable to determine the outcome of a voice vote on legislation upon any reading.
2. There is any negative vote on a resolution.
3. There is any negative vote on an ordinance on third reading.
4. Upon motion of any member prior to a vote or immediately following a voice vote before the next item of business, the chair shall ask if there are any seconds and, if seconded by three additional members, the chair shall call for a roll call vote.
5. On third reading for all zoning matters disapproved by the Planning Commission, on all matters affecting traffic control or use of streets disapproved by the Traffic and Parking Commission, on all budget ordinances, on all ordinances establishing the tax levy in the General Services District for a fiscal year and declaring the amount required for the annual operating budget of the Urban Services District, and on all legislation vetoed by the Mayor.

38.2 The chair may call for a roll call vote when:

1. There is an abstention and no negative votes on a resolution, the chair may either call for a roll call vote or direct the clerk to record the names of members who have abstained.
2. There is an abstention or negative vote on an ordinance on second reading and the chair is able to determine the outcome of a voice vote, the chair may either call for a roll call vote or direct the clerk to record the names of members who have abstained or cast a negative vote.

38.3 The roll call vote shall be by voting machine, if possible.

39. Special rules on consideration of operating budget ordinance

39.1 At any meeting wherein the operating budget for the ensuing fiscal year is being debated on third reading, the following provisions shall apply, any rule contained in these rules to the contrary notwithstanding:

1. No motion to amend the operating budget or a substitute operating budget ordinance may be entertained by the Council, unless such amendment or substitute budget has been submitted to the Budget and Finance Committee for a recommendation.
2. A second substitute budget ordinance may not be amended but must be acted upon as filed and presented.
3. A motion to table the budget ordinance or a motion for the previous question on the budget ordinance cannot be made until members have been allowed at least thirty minutes for debate.
4. A motion to table a substitute budget ordinance cannot be made until members have been allowed at least fifteen minutes for debate.
5. A motion to table an amendment to either the budget ordinance or a substitute budget ordinance cannot be made until members have been allowed at least five minutes for debate.

40. Consent agenda

40.1 All resolutions and ordinances receiving a unanimous recommendation of approval from all of the committees to which the resolution or ordinance was referred shall be considered by the Council in one vote as part of a consent agenda.

40.2 Any member desiring to take a separate vote on a resolution or ordinance proposed for inclusion on the consent agenda shall notify the Vice Mayor prior to taking a vote on the consent agenda items.

40.3 The Vice Mayor shall read all of the identifying legislation numbers for the resolutions on the consent agenda at one time and, following the committee reports, one vote shall be taken for approval of the consent agenda. The Clerk shall cause the captions to be displayed in the Chamber as the Vice Mayor reads the identifying legislation numbers.

40.4 A provision shall be included in the relevant sections of the agenda noting that resolutions and ordinances are eligible for inclusion on the Consent Agenda if they received unanimous recommendations of approval from all of the committees to which the legislation was referred.

41. Amendments to legislation and substitute legislation

41.1 Except for zoning matters, budget, revenue service charges, economic development incentive ordinances or tax ordinances, no ordinance may be amended or substituted after second reading. No motion to amend the Capital Improvements Budget for the ensuing fiscal year, with the exception of the deletion of projects, shall be entertained by the Council unless such amendment was submitted in compliance with Rule 15.

41.2 Written copies of all amendments or substitutes to resolutions and ordinances, other than substitute resolutions awarding the sale of Metropolitan Government debt by public bid, must be distributed to all members not later than 9:00 a.m. on the Monday preceding a Tuesday regular meeting of the Council prior to any action being taken upon such matters by the Council or by any committee to which the matter has been referred. Distribution shall be made by electronic mail to all members and online posting on the Council website.

41.3 Any substitute resolution or ordinance offered by the primary sponsor shall automatically include the same co-sponsors, and in the same order of co-sponsorship, as the original legislation unless an individual co-sponsor submits a written request to the Council Office prior to consideration by the Council of the substitute indicating that they do not wish to be listed as a cosponsor of the substitute.

41.4 If a member other than the primary sponsor of a resolution or ordinance offers a substitute resolution or ordinance, that member shall become the primary sponsor of the resolution or ordinance upon approval of the substitute.

42. Charter amendments

A resolution proposing amendment or amendments to the Metropolitan Charter must receive an affirmative vote for adoption of not less than two-thirds of the membership to which the Council is entitled (27 votes), and further, any amendment to any such resolution, including individual Charter amendments, must also each receive an affirmative vote of not less than two-thirds of the membership to which the Council is entitled (27 votes).

43. Deferrals; excessive deferrals; indefinite deferrals

43.1 Upon the fourth deferral, for any reason, of a resolution or ordinance on second or third reading, such legislation shall be deferred indefinitely, without debate or discussion. This paragraph shall not apply to an ordinance affecting zoning under Title 17 of the Metropolitan Code of Laws.

43.2 Any ordinance or resolution that has been indefinitely deferred shall be removed from the agenda for a period of time no fewer than 60 days from the date of the indefinite deferral after which the ordinance or resolution may be reinstated onto the agenda only at the written request

of the sponsor. A request for reinstatement shall be made to the Clerk not later than noon on the Tuesday at least one week preceding the Council meeting at which it will be noticed on the agenda.

43.3 Upon receipt of a request for reinstatement, the Clerk shall place the ordinance or resolution on the agenda for the next meeting. If the ordinance or resolution is subsequently deferred for any reason – other than to comply with the final paragraph of this rule – after being so replaced on the Council agenda, then the ordinance or resolution shall be considered withdrawn and the Clerk will permanently remove it from the Council agenda. In order to receive further consideration, the ordinance or resolution must be re-introduced.

43.4 Any ordinance or resolution that has been deferred for 60 days or longer, upon being placed back on the agenda, shall be deferred for one meeting, without debate or discussion, and shall be re-referred to the appropriate committee(s) selected by the Vice Mayor or Clerk for a recommendation. This paragraph shall not apply to the deferral of an ordinance on public hearing which affects zoning under Title 17 of the Metropolitan Code of Laws.

44. Withdrawals of legislation

On any legislation pending before the Council for which a deferral or withdrawal is requested by the sponsor, the sponsor at the time of the request for such deferral or withdrawal will state to the Council the reason for such request. Withdrawal of legislation may only be requested by the sponsor, or by a cosponsor if the sponsor has informed the vice mayor, in writing, that the withdrawal is authorized.

45. Decorum

45.1 The use of tobacco, vapes, or alcohol shall be prohibited in the Council Chamber at all times. Phone calls and video calls shall be prohibited in the Council Chamber during Council meetings. Consumption of food other than bite-size snacks shall be prohibited in the Council Chamber during Council meetings. The Clerk may formulate and enforce further policies for the general maintenance and upkeep of the Council Chamber.

45.2 Any signs brought into the Council Chamber shall not be held in a manner that obstructs the view of others or otherwise disrupts the proceedings in the Chamber.

46.No Council meetings; scheduling

46.1 No Council meeting or committee meeting shall be held on days in which a primary or general election overseen by the Davidson County Election Commission has been scheduled in accordance with applicable law. In the event such an election occurs on the day a Council meeting would otherwise be held, the Vice Mayor may set a date for a special called meeting.

46.2 No Council meeting or committee meeting shall be held on the first Tuesday of the month of January. The third Tuesday of the month of January shall be considered the first meeting of the month for purposes of these Rules of Procedure and shall be the only regular meeting in January.

47. Adjournment sine die

At the end of the Council's four-year term, the Council shall adjourn sine die, and all ordinances and resolutions that have not received a final action by the Council shall be deemed withdrawn.

ELECTION AND RECALL

48. Election of members of Council to commissions; conduct of all elections

All elections conducted by the Council to elect members to the Planning Commission and the Traffic and Parking Commission or any other position to which a member of the Council must be elected shall be conducted as follows:

1. At the next regular meeting of the Council following a vacancy, the Vice Mayor shall call for nominations to fill said positions from the membership of the Council. No second shall be required to make a nomination. Any vacancy that is the result of a new term, including that of the president pro tem, shall be announced by the Vice Mayor at the first regularly scheduled Council meeting of the term. Nominations shall be taken and the vote(s) shall be held at the next regularly scheduled Council meeting.

2. Voting shall be by machine vote or by written ballot and may be cast only for a person who has been properly nominated. Each vacant position to be filled by an election shall be voted upon separately. The person receiving the largest number of votes shall be elected, provided a majority of the votes cast is received. If there are more than two candidates and no candidate receives a majority of the votes cast, the two candidates receiving the largest number of votes shall proceed to a runoff election. The Vice Mayor shall vote only in the case of a tie when there are two candidates.

3. If written ballots are to be used, the ballots shall be distributed to each member who shall thereupon write or print their name and either their district number or at-Large notation and shall vote for the nominee of their choice who has been properly nominated. The ballots shall be collected by staff designated by the Vice Mayor and the ballots shall be delivered to the Clerk who shall read each member's name and the candidate for which the member of Council voted into the record, which vote must be confirmed by the member. The final vote shall be tabulated and spread upon the minutes of the Council. Any ballot of a member that does not comply with the provisions of this Rule 48 shall be void and not considered as a vote cast under the Rule.

49. Election of public officials

Procedure for selecting a successor to fill a vacancy in any office which by law is to be filled by the Council.

1. Upon the vacancy in the office of any elected official that may lawfully be filled by the Council, members of the Council shall be notified of said vacancy

by an announcement by the Vice Mayor at the next meeting of the Council. Such announcement shall be at least four weeks preceding the meeting at which a successor is to be elected. Upon the announcement of a judicial or court clerk vacancy, the Clerk shall immediately notify the Nashville Bar Association and Napier-Looby Bar Association of such vacancy, which notification may be by facsimile or electronic transmission.

2. The Council may select a successor at any special called meeting of the Council, provided the notice under paragraph 1 is satisfied.

3. Nominations. All members of the Council as well as members of the general public, including candidates themselves, may nominate a person to fill the vacancy in office. No second shall be required to place the name in nomination. All nominations shall be in writing, signed by the person making the nomination and filed with the Clerk not later than 4:00 p.m. on the day which is one week following the date of the notice of the vacancy, at which time nominations will be closed. Within three business days following the filing of the written nomination, the person so nominated shall file with the Clerk a copy of their resume and a written questionnaire approved by the Rules Committee that shall include, but not be limited to:

    a. A statement setting forth their willingness to serve if elected;

    b. Their complete name;

    c. Place of residence;

    d. The length of time the person has lived in Davidson County;

    e. Professional or occupational experience;

    f. Educational background;

    g. Experience in public service;

    h. Physical and mental ability to perform the essential duties of the position with or without reasonable accommodation;

    i. For judicial appointments, if the candidate is an attorney, a waiver of confidentiality as to disciplinary matters under the Tennessee Supreme Court Rule 9, Section 32.1; and

    j. All other information that may be required by law to ensure their eligibility to serve.

    Failure of a candidate to return a completed questionnaire to the Clerk within three business days after the candidate's nomination is received by the

Clerk's office shall result in the candidate's nomination being automatically withdrawn.

The Clerk shall forward copies of the nomination documents and responses to the questionnaire to each Council member.

4. All candidates for a position shall personally appear before the Rules Committee to be interviewed to ensure the candidate is properly qualified. The Clerk's Office will notify each candidate by electronic mail and certified mail regarding the date, time, and place of the Rules Committee meeting. Failure to appear before the Rules Committee shall result in a candidate's nomination being automatically withdrawn.

5. Judicial or Court Clerk Candidates. The Clerk shall forward the names of all persons nominated to fill a judicial or court clerk vacancy to the Nashville Bar Association and Napier-Looby Bar Association and request that a Candidate Evaluation Poll be taken from its membership. The results of the poll, including the total number of members and the members responding, shall be filed with the Clerk, who shall forward such results to the members of the Council. All candidates for a judicial or court clerk position shall personally appear before the Rules Committee, at its meeting at least two weeks prior to the Council meeting at which time the election will be held to fill the vacancy, to be interviewed to ensure the candidate meets the required qualifications.

6. Petitions from voters residing in the county may be presented to the Council by filing them with the Clerk in support of any candidate.

7. At the meeting for the Council when the selection is to be conducted, the Council member or other person having nominated a candidate may speak for no more than five minutes and may yield the floor to the candidate or other persons who wish to speak in support of the nomination. No more than five minutes total shall be given any one candidate for their presentation and the persons speaking in support of the candidate.

8. The election shall be conducted in the same manner as provided in Rule 48(2) and (3).

9. If a vacancy occurs in the Tennessee General Assembly, the Vice Mayor may immediately notice the vacancy. If the Vice Mayor does not notice the vacancy, 21 Council members may request in writing that the vacancy be noticed and the Vice Mayor shall notice the vacancy. An election may be conducted at the next Council meeting, including a special called Council meeting, for an interim successor to fill the vacant seat. Nominations may be taken at this meeting and nominees need not complete a questionnaire or appear before the Rules Committee. At the meeting when the selection is to be conducted, the Council member or other person having

nominated a candidate may speak for no more than five minutes and may yield the floor to the candidate or other persons who wish to speak in support of the nomination. No more than five minutes total shall be given any one candidate for their presentation and the persons speaking in support of the candidate. The election to fill the vacancy shall be conducted in the same manner as provided in Rule 48(2) and (3).

50. Election to boards and commissions

In the event of a vacancy for a board or commission not otherwise addressed in these rules and for which Council is charged with selecting a successor, the following procedure shall apply:

1. The Vice Mayor shall by letter notify members of the Council of the existence of a vacancy on said boards or commissions. Such notice letter shall be sent to the Executive Director of the relevant board or commission. At the next regularly scheduled Council meeting following a notification by the Vice Mayor, the Vice Mayor shall call for nominations from the membership of the Council to fill the vacancy on said board or commission, and the date for the election shall be declared.

2. Nominees shall be referred to the Rules Committee for recommendation. The Committee shall meet, interview candidates, and report to the Council its recommendation at the next regular Council meeting at least two weeks following the Rules Committee meeting wherein any candidates were considered. No action may be taken upon such nominee until and unless such completed questionnaires have been sent to the Clerk by noon and Council members by 4:00 p.m. five days preceding a nominee appearance before the Rules Committee. Any nominee who does not submit their questionnaire in time to meet this deadline shall be deemed to have withdrawn their name for nomination. Any nominee who fails to appear before the Rules Committee shall be deemed to have withdrawn their name for nomination. A nominee's appearance before the Rules Committee may be deferred once, for no more than one meeting, upon the separate approvals of the Rules Committee and the Council. If such a deferral occurs, the date of the election shall be deferred for one additional meeting. A committee recommendation to defer shall not constitute a failure to appear.

3. Upon receiving the recommendation of the Rules Committee, the Council shall conduct an election to fill the vacancy. The election for vacant seats on a board shall be held concurrently, with each Council member allowed to vote for a number of nominees equal to the total number of vacancies. Each vacancy will be filled by the top vote recipient and any additional nominee(s), provided they receive the requisite number of votes, in order of most votes received until all vacancies are filled. In the event of multiple vacancies, all nominees for the scheduled election shall be eligible for subsequent votes until all vacancies are filled. Vacancies will be filled first for full terms, then for partial terms, beginning with the partial term with the most time remaining and continuing through the

partial term with the least time remaining. Ties shall be broken by the Vice Mayor, first to ensure the number of elected nominees equal the number of vacancies, then to determine who receives the longer of available partial terms, then to determine who receives available full terms, if necessary.

51. Recall procedures for members of boards and commissions

The following procedure shall be followed by the Council in order to recall or remove a member of a board or commission of the Metropolitan Government as provided by the Charter:

1. A resolution shall be filed with the Clerk providing for the removal of a member or members of a board or commission, which resolution shall state the reasons or grounds for such removal. A copy of said resolution shall be forwarded by the Clerk to the member sought to be removed and such resolution shall be placed upon the next regular agenda of the Council.

2. Such resolution shall be deferred for one meeting and referred to the Rules Committee. The person(s) sought to be removed may appear at such committee meeting, but shall not be compelled to appear before the committee. The committee shall make a recommendation to the Council but may not recommend a deferral of action on said resolution.

3. Any person sought to be removed from a board or commission, or their designated representative, may address the Council prior to a vote on the resolution removing them from the position. In the event a person sought to be removed resigns from such position, by submitting a written resignation to the Clerk prior to a vote on the resolution, no vote shall be taken on the resolution.

4. All votes on resolutions removing any person from a board or commission of the Metropolitan Government shall be by a roll call vote and approval shall require three-fourths of the entire membership of the Council.

RULES GENERALLY

52. Council travel expense reimbursement

All members of the Council who travel on Metropolitan Government business at its expense shall within 15 business days thereafter, file with the Council Office an itemized statement of the principal expenses incurred. No further expense advance or reimbursements will be made until full compliance with this rule has been effected.

53. Adoption of rules of procedure and amendments to rules

53.1 The Council shall adopt permanent Rules of Procedure within the first two months of a new Council term. The permanent Rules of Procedure shall be adopted with 21 affirmative votes of the Council. None of the standing Rules of Procedure shall be amended or repealed except by 27 affirmative votes.

53.2 No change in the permanent Rules of Procedure shall become effective until 30 days after its passage. Before a proposed amendment to the permanent Rules of Procedure may be considered by the Council, the Rules Committee shall have considered the proposed amendment and a written copy of the proposed amendment shall be distributed to all members of Council. Following the introduction of the proposed amendment and referral to the Rules Committee, the proposed amendment must be deferred at least one meeting to allow for thorough consideration.

54. Suspension of rules

In the consideration of any particular matter, any or all of these rules may be suspended by the Council upon identification of the reason(s) for the suspension and/or the rule(s) at issue by the member seeking suspension, unless two members object to the suspension of the rules.

55. Applicability of Robert's Rules of Order, Newly Revised

In the absence of the rule upon any subject not specifically provided for in these rules, the Council will be governed by the most recent edition of Robert’s Rules of Order, Newly Revised.

ADOPTED: November 21, 2023

AMENDED: October 6, 2026