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CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

MARK D. BOUGHTON
MAYOR

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May 29, 2007

Honorable Members of the Common Council
155 Deer Hill Avenue
Danbury, Connecticut 06810

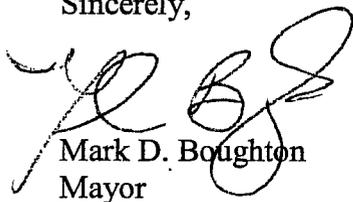
Re: Parade Ordinance - Parliamentary procedure

Dear Council Members:

Enclosed please find a letter from Assistant Corporation Counsel Eric L. Gottschalk, which contains his recommendations for addressing the status of the proposed parade ordinance. Specifically, he advises that Robert's Rules provides for a single, comprehensive motion to Reconsider all four parade ordinance votes taken at the last Council meeting, namely the votes on motions to Recommit, Amend, call the Previous Question and on the Main motion.

In order to move this important initiative forward without delay, I encourage you to move to reconsider these votes and resume the discussion on what will then be the pending motion, namely the motion to recommit the ordinance.

Sincerely,



Mark D. Boughton
Mayor

Enclosure



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CITY OF DANBURY
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May 14, 2007

Honorable Mark D. Boughton, Mayor
Honorable Members of the Common Council
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: Parliamentary Law

Dear Mayor and Council Members:

I have been given a copy of a letter dated May 7, 2007, addressed to Council President Joseph Cavo and signed by members of the Democratic Caucus. In their letter the signers state that it is their position that since the motion to recommit the parade ordinance should have passed 10-9, all subsequent action should be disregarded and the matter sent to committee. While that suggestion has equitable appeal, after a careful search of case law, the Charter and Robert's Rules of Order, I have been unable to find any support for it.

On the contrary, Robert's Rules suggest that whenever members of a body disagree with a ruling of the chair, their recourse is to appeal the ruling (see section 24 of the Rules). "... any two members have the right to appeal from his decision on such a question. By one member making (or "taking") the appeal and another seconding it, the question is taken from the chair and vested in the assembly for final decision."

Under the present circumstances, since no appeal was taken, Robert's Rules suggest only one approach to remedy the error made at the last meeting, a motion to reconsider. The motion to reconsider should be made in such a way that it covers all four motions made in connection with the ordinance, the motion to recommit, the motion to amend, the motion on the "previous question" and the main motion on the ordinance itself. If the motion to reconsider is adopted, debate will then be in order on the then pending question, namely the motion to recommit.

Sincerely,



Eric L. Gottschalk
Assistant Corporation Counsel