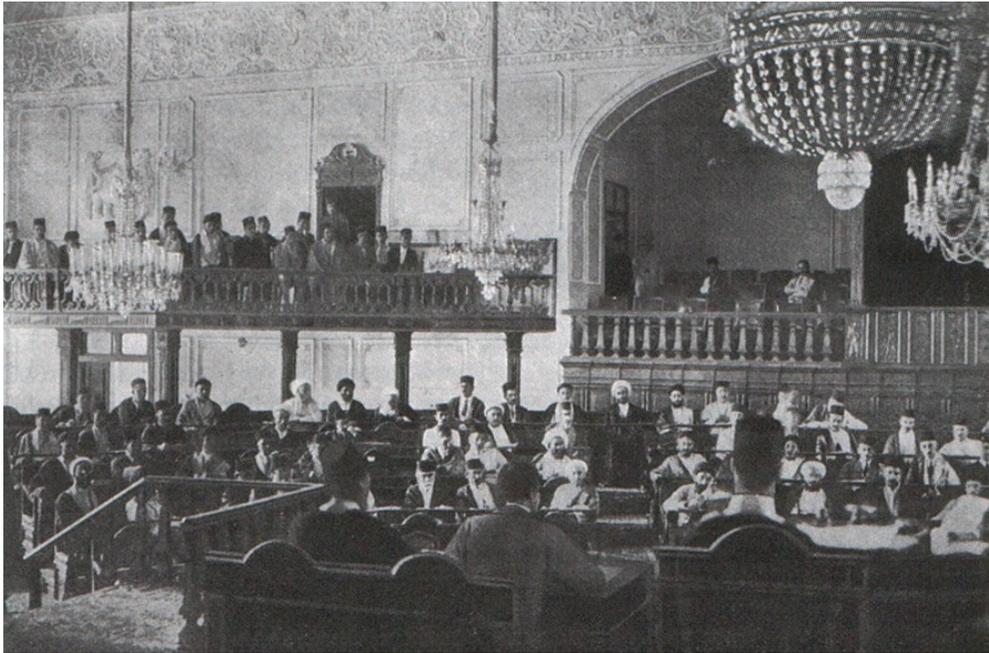




For the Record: The NAPC Short Guide to Parliamentary Procedure



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***“Helping local preservation commissions succeed through
education, advocacy, and training”***

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INTRODUCTION AND ACKNOWLEDGEMENTS

Introduction

Whether or not a commission follows correct parliamentary procedure can make the difference between whether or not a decision stands if challenged: in short, whether or not historic resources are lost or architectural integrity is compromised. Unfortunately, many commissions unwittingly fail to follow correct procedures because, at first blush, they may seem intimidating, complex, and onerous. Upon closer examination, however, parliamentary procedures are really straight-forward and easy to comprehend. Following them not only helps ensure that decisions are defensible, it also helps ensure that meetings run smoothly and efficiently, and that accurate minutes can be produced in a timely manner. Remember, if an appeal goes to court, the judge won't care what the decision was; the judge will care *how it was made*.

How a commission fares in a court of law isn't the only reason to follow the rules. If a commission is fastidious in following correct parliamentary procedure and transparent in its actions, it is far more likely to win in the court of public opinion. For some reason people just seem reassured when they can see that a deliberative, quasi-judicial body established for the purpose of telling them what they can and can't do to their property isn't just making it up as it goes along.

Even though a commission's chair usually fills the role of parliamentarian, all commission members and staff should have a working knowledge of parliamentary procedure. When new commissioners are appointed, part of their orientation should be a review of parliamentary procedure and an explanation as to why the commission follows it. Periodically assessing how well you are following the rules can help prevent or correct deviating from them before problems occur. New commissioner orientation is an excellent opportunity to make the assessment.

The National Alliance of Preservation Commissions (NAPC) has compiled and written *For the Record: The NAPC Short Guide to Parliamentary Procedure* to help commission members and staff understand parliamentary procedure and to serve as a handy reference when questions arise. Like any tool, however, this guide won't help if it isn't used. So, read it, study it, make notes in the margins, and keep it within easy reach.

Acknowledgements

For the Record: The NAPC Short Guide to Parliamentary Procedure was written, compiled, and edited in 2009 by Heather McDonald. NAPC is grateful for her expertise and attention to detail. Sources of information include jimslaughter.com, Susan West Montgomery of the Maryland Association of Historic District Commissions, and Professor James Reap, Esq. of the University of Georgia. NAPC also thanks the numerous commissioners and staff who not only called on it to produce the guide, but who also make local preservation work in their communities.

INTRODUCTION TO PARLIAMENTARY PROCEDURE

What is Parliamentary Procedure?

It is a set of rules for conduct at meetings that permits everyone to be heard and to make decisions without confusion.

Why is Parliamentary Procedure Important?

Because it is an established method of conducting business at meetings and public gatherings. It can be adapted to fit the needs of any organization.

What Guide Should Be Used for Parliamentary Procedure?

Today, *Robert's Rules of Order* newly revised is the most common handbook of operation for most preservation commissions, but there are other sources of parliamentary procedure that may be adopted by commissions. For those using *Robert's Rules*, the following is a simplified guide to what they include.

What are Motions?

A motion is a proposal that members take action, or a stand, on an issue. Individual members can:

1. Make a motion.
2. Second motions.
3. Debate motions.
4. Vote on motions.

There are Four Basic Types of Motions:

1. Main Motions: The purpose of a main motion is to introduce items to the membership for their consideration. They cannot be made when any other motion is on the floor, and yield to privileged, subsidiary, and incidental motions.
2. Subsidiary Motions: Their purpose is to change or affect how a main motion is handled, and is voted on before a main motion.
3. Privileged Motions: Their purpose is to introduce items that are urgent about special or important matters unrelated to pending business.
4. Incidental Motions: Their purpose is to provide a means of questioning procedure concerning other motions and must be considered before the other motion.

How are Motions Presented?

1. Obtaining the floor:
 - a. Wait until the previous speaker has finished.
 - b. Raise your hand and/or address the Chair by saying, "Mr. Chair or Madam Chair."
 - c. Wait until the Chair recognizes you.
2. Make your motion:
 - a. Speak in a clear and concise manner.
 - b. Always state a motion affirmatively. Say, "I move that we..." rather than, "I move that we do not..."
 - c. Avoid personalities and stay on your subject.
3. Wait for someone to second your motion or the Chair to call for a second.
4. If there is no second to your motion, it is lost and may not move forward.
5. If there is a second, the Chair states your motion.
 - a. The Chair will say, "it has been moved and seconded that we..." thus placing your motion before the membership for consideration and action.
 - b. The members then either debate your motion, or may move directly to a vote.
 - c. Once your motion is presented to the members by the Chair it becomes "commission property", and cannot be changed by you without the consent of the members.
6. Expanding on your motion:

- a. The time for you to speak in favor of your motion is at this point in time, rather than at the time you present it.
 - b. The mover is always permitted to speak first.
 - c. All comments and debate must be directed to the Chair.
 - d. Keep to the time limit for speaking if one has been established.
 - e. The mover may speak again only after other speakers are finished, unless called upon by the Chair.
7. Putting the question to the members:
- a. The Chair asks, "Are you ready to vote on the question?".
 - b. If there is no more discussion, a vote is taken.

Voting on a Motion

The method of vote on any motion depends on the situation and the by-laws of policy of your commission. There are five methods used to vote by most organizations, and they are:

1. By voice — The Chair asks those in favor to say, "aye", those opposed to say "no". Any member may move for an exact count.
2. By roll call — Each member answers "yes" or "no" as his name is called. This method is used when a record of each person's vote is required.
3. By general consent — When a motion is not likely to be opposed, the Chair says, "if there is no objection..." The membership shows agreement by their silence, however if one member says, "I object," the item must be put to a vote.
4. By division — This is a slight verification of a voice vote. It does not require a count unless the Chair so desires. Members raise their hands.
5. By ballot — Members write their vote on a slip of paper, this method is used when secrecy is desired.

There are two other motions that are commonly used that relate to voting.

1. Motion to table — This motion is often used in the attempt to "kill" a motion. The option is always present, however, to "take from the table", for reconsideration by the members.
2. Motion to postpone indefinitely — This is often used as a means of parliamentary strategy and allows opponents of motion to test their strength without an actual vote being taken. Also, debate is once again open on the main motion. This method is rarely used by historic preservation commissions.

Making Parliamentary Procedure Work

Parliamentary Procedure is the best way to get things done at your meetings. But, it will only work if you use it properly.

1. Allow motions that are in order.
2. Have members obtain the floor properly.
3. Speak clearly and concisely.
4. Obey the rules of debate.

Most importantly, *BE COURTEOUS.*

PARLIAMENTARY PROCEDURE AT A GLANCE

To Do This: (See Note 1)	You Say This:	May You Interrupt the Speaker?	Must You Be Seconded?	Is the Motion Debatable?	Is The Motion Amendable?	What Vote is Required?
Adjourn the meeting (before all business is complete)	"I move that we adjourn."	May not interrupt speaker	Must be seconded	Not debatable	Not amendable	Majority vote
Recess the meeting	"I move that we recess until..."	May interrupt speaker	Must be seconded	Not debatable	Amendable	Majority vote
Complain about noise, room temperature, etc.	"Point of privilege."	May interrupt speaker	No second needed	Not debatable (See Note 2)	Not amendable	None (See Note 3)
Suspend further consideration of something	"I move we table it."	May not interrupt speaker	Must be seconded	Not debatable	Not amendable	Majority vote
End debate	"I move the previous question."	May not interrupt speaker	Must be seconded	Not debatable	Not amendable	Two-thirds vote
Postpone consideration of something	"I move we postpone this matter until..."	May not interrupt speaker	Must be seconded	Debatable	Amendable	Majority vote
Have something studied further	"I move we refer this matter to a committee."	May not interrupt speaker	Must be seconded	Debatable	Amendable	Majority vote
Amend a motion	"I move that this motion be amended by..."	May not interrupt speaker	Must be seconded	Debatable	Amendable	Majority vote
Introduce business (a primary motion)	"I move that..."	May not interrupt speaker	Must be seconded	Debatable	Amendable	Majority vote

Object to procedure or to a personal affront (See Note 4)	"Point of order."	May interrupt speaker	No second needed	Not debatable	Not amendable	None (See Note 3)
Request information	"Point of information."	If urgent, may interrupt speaker	No second needed	Not debatable	Not amendable	None
Ask for a vote by actual count to verify a voice count	"I call for a division of the house."	May not interrupt speaker (Note 5)	No second needed	Not debatable	Not amendable	None unless someone objects (See Note 6)
Object to considering some undiplomatic or improper matter	"I object to consideration of this question."	May interrupt speaker	No second needed	Not debatable	Not amendable	Two-thirds vote required
Take up a matter previously tabled	"I move we take from the table..."	May not interrupt speaker	Must be seconded	Not debatable	Not amendable	Majority required
Reconsider something already disposed of	"I move we now (or later) reconsider our action relative to..."	May interrupt speaker	Must be seconded	Debatable if original motion is debatable	Not amendable	Majority required
Consider something out of its scheduled order	"I move we suspend the rules and consider..."	May not interrupt speaker	Must be seconded	Not debatable	Not amendable	Two-thirds vote required
Vote on a ruling by the Chair	"I appeal the Chair's decision."	May interrupt speaker	Must be seconded	Debatable	Not amendable	Majority in the negative required to reverse chair's decision

Notes:

1. These motions or points are listed in established order of precedence. When anyone of them is pending, you may not introduce another that's listed below it. But you may introduce another that's listed above it.
2. In this case, any resulting motion is debatable.
3. Chair decides.
4. The remaining list of motions, points and proposals have no established order of precedence. Any of them may be introduced at any time except when the meeting is considering one of the top three matters listed in the chart (motion to adjourn, motion to recess, point of privilege).
5. But division must be called for before another motion is started.
6. Then majority vote is required.

HOW TO FRAME A MOTION

First things first, a few definitions:

Certificate of Appropriateness — A document evidencing approval by the Historic Preservation Commission of an application to make a material change in the appearance of a designated historic property or of a property located within a designated historic district.

Deliberative Assembly — An organization comprised of members who use parliamentary procedure for making decisions. A local historic preservation commission is a deliberative assembly.

Finding of Fact — In parliamentary procedure, the findings of a deliberative assembly on issues of fact submitted to it for decision, usually used in formulating a judgment. "I find that the materials submitted are sufficient for the commission to render a judgment."

Motion — In parliamentary procedure, a formal proposal by a member of a deliberative assembly that the assembly take certain action

Parliamentary Procedure — Set of rules for conduct at meetings that allow everyone to be heard and to make decisions without confusion.

Parliamentary procedure, and specifically the use of motions, is essential in commission meetings to help them run smoothly. Additionally, through the use of motions commission members can ensure their actions and decisions are articulated and defensible.

By presenting a clear and concise motion based on your community's design guidelines, you are better able to inform the public as to why you are approving, approving with conditions or denying a Certificate of Appropriateness and avoid misunderstandings and ill-feelings towards the commission and your community's preservation agenda.



A well-framed motion is clear and easy for all to understand.

Example Motion

Mr. Chair, I have studied the application and all other relevant documents and presentations related to this case and I am familiar with the property in question

and I find that if constructed in accordance with the plans submitted, the project will be compatible with the character of the historic district.

I move to approve the application No. 2009-01 for 123 John Doe Street as submitted because the application does meet the following criteria:

1. The proposed change does meet section 4.6 Fences and Walls of our design guidelines
2. as the materials, height, scale and design of the new rear fence specifically meet guidelines 4.6.5 and 4.6.7 and are in harmony with our design guidelines and the character of the overall district and adjoining properties.

Motion stating he/she is proceeding from a position of knowledge

Finding of Fact

Concise description of features that contribute to the decision and reference to the design guidelines and architectural character as a basis for decision.

Sample Motion Worksheet

I have studied the application and all other relevant documents and presentations related to this case and I am familiar with the property in question.

Finding of Fact:

I find that _____

Motion to Grant/Deny COA:

I move to **Approve** [or] **Approve with the following conditions** [or] **Deny** the application **Case Number** for **Street Address/Property Name** as **submitted** [or] **as amended in plans/correspondence dated** _____ because the applications **does** [or] **does not** meet the following criteria:

1. The proposed change(s) **does** [or] **does not** meet section (s) _____

of our design guidelines.

2. The proposed changes **are** [or] **are not** compatible with the character of the district for the reasons that the _____ (i.e. height, setback, materials, architectural detailing, roof, windows, general form and scale) **are** [or] **are not** in harmony with our design guidelines and the character of the overall district and adjoining properties.
3. List any other reasons why the application should be **approved** [or] **disapproved**.

ADDITIONAL RESOURCES

Non-profit Organizations

American Institute of Parliamentarians

<http://www.aipparl.org>

*On-line bookstore with additional resources

National Association of Parliamentarians

<http://parliamentarians.org/>

Internet Sources

The Official Robert's Rules of Order

<http://www.robertsrules.com/>

Parliamentarian Jim Slaughter, Parliamentary Procedure Consultant

<http://www.jimslaughter.com/>

Rules On-line

<http://www.rulesonline.com/>

Robert's Rules of Order

<http://www.robertsrules.org>

Articles

"Point of Order", *The Alliance Review*, November-December 2008, National Alliance of Preservation Commissions

*various articles

"Nuts and Bolts of Commission Operation," *The Alliance Review*, September-October 2005, National Alliance of Preservation Commissions

*various articles

Books

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Parliamentary Procedure at a Glance: New Edition, by O. Garfield Jones, New York, New York: Penguin Group, 1990.

Robert's Rules of Order, Newly Revised in Brief, by Henry M. Robert, III, Williams J. Evans, Daniel H. Honemann and Thomas J. Balch, 2004.

The Standard Code of Parliamentary Procedure, 4th Edition by Alice Sturgis, New York, New York: McGraw-Hill, 2001.

ABOUT THE NATIONAL ALLIANCE OF PRESERVATION COMMISSIONS

Our Mission: "To build strong local preservation programs through education, training, and advocacy."

NAPC is the only organization devoted solely to representing the nation's local preservation commissions. Since 1983, NAPC has supported local preservation commissions through its three part mission of providing education training, and advocacy. Service to our membership is the core of NAPC's operation. Working together we can, through strength of numbers in a true alliance, "build strong local preservation programs."

Education:

Resource Library: The NAPC office responds daily to requests for information and has a national network of experts that can be consulted.

NAPC-L: NAPC-L is a members-only Listserv connecting commission members, staff, and others across the United States in an online forum to facilitate the exchange of ideas and expertise.

National Commission Forum – The Forum is a NAPC's biennial conference. Forum is the *only* national conference dedicated to local preservation commissions and provides a unique interactive format where participants not only discuss the issues, but develop the solutions as well.

National Preservation Conference – NAPC assists the National Trust for Historic Preservation in the development of the Local Preservation Commission educational track and organizes such conference sessions as the Preservation Short Course, Advocacy 101 and others.

The Alliance Review – NAPC's newsletter, published six times per year, includes numerous articles and resources on current topics of interest to local commissions.

Training:

NAPC has provided training for thousands of commission members, staff, and elected officials. Our trainers are selected from NAPC's extensive network of experts throughout the country.

Commission Assistance and Mentoring Program – "CAMP" is NAPC's signature training program and is based upon a core curriculum of four elements: legal framework of preservation; identification and protection of historic resources; the local commission's role and responsibilities; and public support and outreach. CAMPs are tailored to meet local needs. In a fun yet effective "summer camp" format, training program help "campers" improve their preservation skills.

Speaker services – Drawing on our national network of experts and resources, NAPC frequently provides keynote speakers and trainers for conferences and workshops. We work closely with clients find the best person to address their particular topic or issue.

Advocacy:

Since 1983, NAPC has provided a voice for local preservation commissions.

At the national level – NAPC works with our national partners to provide information to decision-makers on current legislative issues involving local preservation programs.

Locally – NAPC provides community leaders with letters of support that cite solutions, successes, and precedents to aid them in presenting a stronger case on local preservation issues.

To learn more about NAPC and how you can join, visit www.uga.edu/napc or call 706-542-4731

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