



**Rules of Procedure
for the
Town of Nags Head
Board of Commissioners
and the
Town's Boards and Committees**

October 2024

Adapted from: Suggested Rules of Procedure for a City Council

by A. Fleming Bell II©1986 University of North Carolina Press

**Amendments:
Jan 2016 – new Rule #21
Oct 2019 – modified Rule #7
Oct 2024 – modified Rules #5 and #27**

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Introduction:

This document is designed to guide deliberations of the Town of Nags Head's Board of Commissioners and the Town's Boards and Committees. The rules were drafted to:

- * Provide a common framework for procedure amongst boards,
- * Ensure that full discussion is given to issues facing those boards,
- * Allow public input in any and all debate without that input becoming disruptive,
- * Provide a fair opportunity for all members to participate in discussions, and
- * Provide a set of rules that allow meetings to run smoothly without the rules becoming an obstacle to discussion or a tool for avoiding that discussion.

To that end these rules should not be viewed as gospel but guidelines for meetings. Individual boards and their chairs should interpret and adapt these rules and procedures to meet the needs of the group and the goals outlined above.

An * next to a rule's title indicates the rule applies to all boards and committees. Those rules without * apply only to the Board of Commissioners. The Board of Commissioner specific rules usually derive from legal requirements placed on the board by state statute.

These rules were adapted from: Suggested Rules of Procedure for a City Council by A. Fleming Bell II (©1986 University of North Carolina Press. The comments from the original are collected and listed in Appendix A. The comments provide valuable information about the derivation and legal framework for each rule. Some rules have been changed to meet the style of the Town of Nags Head Board of Commissioners but the adapters believe the rules still meet all the legal requirements of the NC General Statutes and the intent listed above.

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Rule 1: Regular Meetings *

The Board of Commissioners shall hold a regular meeting on the first Wednesday of each month at 9:00 a.m. in the Council Chambers. If the regular meeting day is modified because of holidays or other reason it will be advertised via public notice in accordance with Open Meetings Law requirements. A copy of the council's current meeting schedule shall be filed with the clerk.

In addition, other Town Board and Committee meetings are as follows:

- a) Planning Board
- b) Board of Adjustment
- c) Personnel Grievance Panel
- d) Art Acquisition Committee

Rule 2: Special, Emergency, and Adjourned or Recessed Meetings

(a) Special Meetings. The mayor, the mayor pro tempore, or any two members of the Board of Commissioners may at any time call a special meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. At least 48 hours before a special meeting called in this manner, written notice of the meeting stating its time and place and the subjects to be considered shall be (a) delivered to the mayor and each Board of Commissioners member or left at his or her usual dwelling place; (b) posted on the Board of Commissioners' principal bulletin board, or if none, at the door of the Board of Commissioners' usual meeting room; and (c) mailed or delivered to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the city clerk. Only those items of business specified in the notice may be transacted at a special meeting called in this manner, unless all members are present or have signed a written waiver of notice.

Such notice shall also be mailed or delivered at least 48 hours before the meeting to each Board of Commissioners member not present at the meeting at which the special meeting was called or scheduled, and to the mayor if he or she was not present at that meeting and published on the Town's web site.

(b) Emergency Meetings. The mayor, the mayor pro tempore, or any two members of the Board of Commissioners may at any time call an emergency Board of Commissioners meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. The notice shall be delivered to the Mayor and each Board of Commissioners member or left at his or her usual dwelling place at least six hours before the meeting. Notice of the meeting shall be given to each local newspaper, local wire service, local radio station, and local television station that has filed a written emergency notice request, which includes the newspaper's, wire service's, or station's telephone number, with the city clerk and published on the Town's web site. This notice shall be given either by telephone or by the same method used to notify the Mayor and the Board of Commissioners members, and shall be given at the expense of the party notified.

Emergency meetings may only be called because of generally unexpected circumstances that require immediate consideration by the Board of Commissioners. Only business connected with the emergency may be considered at an emergency meeting.

(c) Adjourned or Recessed Meetings. A properly called regular, special, or emergency meeting may be adjourned or recessed by a procedural motion made and adopted as provided in Rule 18 in

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open session during the regular, special, or emergency meeting. The motion shall state the time and place when the meeting will reconvene. No further notice need be given of an adjourned or recessed session of a properly called regular, special, or emergency meeting.

Rule 3: Organizational Meeting

On the date and at the time of the first regular meeting in December following a general election in which Board of Commissioners members are elected, or at an earlier date, if any, set by the incumbent Board of Commissioners, the newly elected members shall take and subscribe the oath of office. The old Board is to take any necessary ceremonial actions prior to the new Board's swearing in. As the next order of business, the Board of Commissioners shall elect a mayor pro tempore. This organizational meeting shall not be held before the municipal election results are officially determined, certified, and published in accordance with Subchapter IX of Chapter 163 of the North Carolina General Statutes.

Rule 4: Agenda *

The town clerk shall prepare a proposed agenda for each meeting. The Mayor shall approve the agenda before it is advertised. Any board member, the Town Manager and the Town Attorney may, by a timely request, have an item placed on the proposed agenda. Other Boards and Committees shall prepare and use such agendas as meets their respective charges.

An agenda package shall be prepared that includes, for each item of business placed on the proposed agenda, as much background information on the subject as is available and feasible to reproduce. Each Board of Commissioners member shall receive an emailed link to the agenda and backup via the Town's web site. Site plans are to be hand-delivered to Board members. Agendas are to be published by the Tuesday before the Board of Commissioners meeting.

The Board shall follow the agenda as approved by the Mayor except the board may by consensus or majority vote adjust items on the agenda to meet the needs of the board and the public except that the Board of Commissioners may not add items to the agenda of a special meeting called by the mayor, mayor pro tempore, or two Board of Commissioners members, unless all members are present or those who are absent sign a written waiver of notice.

The Board of Commissioners shall not deliberate, vote, or otherwise take action on any matter by reference to a letter, number or other designation, or other secret device or method, with the intention of making it impossible for persons attending a meeting of the Board of Commissioners to understand what is being deliberated, voted, or acted on. However, the Board of Commissioners may deliberate, vote, or otherwise take action by reference to an agenda, if copies of the agenda, sufficiently worded to enable the public to understand what is being deliberated, voted, or acted on, are available for public inspection at the meeting.

Rule 5: Public Address to the Board of Commissioners *

The Board of Commissioners shall provide a time at each meeting for anyone to address them. The Mayor may set and enforce appropriate time limits for such comments but under these rules that limit may not be more than 5 minutes. Other boards shall provide access for the public as is appropriate to their charge and determined by each board.

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Rule 6: Order of Business *

Items shall be placed on the agenda according to the Order of Business. Closed Sessions are to be added as needed. The Order of Business for the Board of Commissioners for each regular meeting shall be as follows:

- A. Call to Order/Pledge of Allegiance
- B. Adoption of Agenda
- C. Recognition
- D. Public Comment
- E. Consent Agenda
- F. Public Hearings
- G. Reports and Recommendations from the Planning Board and the P&D Director
- H. Old Business/Items Tabled from Previous Meetings
- I. New Business
- J. Items Referred to and Presentations from Town Attorney
- K. Items Referred to and Presentations from Town Manager
- L. Board of Commissioners Agenda
- M. Mayor's Agenda
- N. Other Business
- O. Adjournment

The Order of Business for the Board of Commissioners for each adjourned session shall be as follows:

- A. Call to Order
- B. Adoption of Agenda
- C. Public Comment
- D. Consent Agenda
- E. Public Hearings
- F. Reports and Recommendations from the Planning Board and the P&D Director
- G. Old Business/Items Tabled from Previous Meetings
- H. New Business
- I. Items Referred to and Presentations from Town Attorney
- J. Items Referred to and Presentations from Town Manager
- K. Board of Commissioners Agenda
- L. Mayor's Agenda
- M. Other Business
- N. Adjournment

By general consent or majority vote of the board, items may be considered out of order. Other boards and committees shall adopt Orders of Business as are appropriate to their charge.

Rule 7: Office of Mayor/Chair *

The Mayor shall preside at all meetings of the Board of Commissioners and may vote in all cases and make and second motions. In order to address the Board of Commissioners, a member must be recognized by the mayor. Chair of each committee or board shall have the same powers as the mayor respective to their committee or board.

The mayor or other presiding officer shall have the following powers:

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- a) To rule motions in or out of order, including any motion patently offered for obstructive or dilatory purposes;
- b) To determine whether a speaker has gone beyond reasonable standards of courtesy and time in his remarks and to entertain and rule on objections from other members on this ground;
- c) To entertain and answer questions of parliamentary law or procedure;
- d) To call a brief recess at any time;
- e) To adjourn in an emergency;
- f) To call for meeting cancellation in an emergency.

A decision by the presiding officer under (a), (b), or (c) may be appealed to the Board of Commissioners upon motion of any member. Such a motion is in order immediately after a decision under (a), (b), or (c) is announced and at no other time. The member making the motion need not be recognized by the presiding officer, and the motion if timely made may not be ruled out of order.

Rule 8: Office of Mayor Pro Tempore/Vice Chair *

At the organizational meeting, the Board of Commissioners and the other boards listed in Rule 1 above shall elect from among its members a mayor pro tempore to serve at the Board of Commissioner's pleasure. A Board of Commissioners member who serves as mayor pro tempore shall be entitled to vote on all matters and shall be considered a Board of Commissioners member for all purposes, including the determination of whether a quorum is present. In the mayor's absence, the Board of Commissioners may confer on the mayor pro tempore any of the mayor's powers and duties. If the mayor should become physically or mentally unable to perform the duties of his or her office, the Board of Commissioners may by unanimous vote declare that he or she is incapacitated and confer any of his or her powers and duties on the mayor pro tempore. When a mayor declares that he or she is no longer incapacitated and a majority of the Board of Commissioners concurs, the mayor shall resume the exercise of his or her powers and duties. If both the mayor and mayor pro tempore are absent from a meeting, the Board of Commissioners shall elect from among its members a temporary chairman to preside at the meeting.

Rule 9: Presiding Officer When the Mayor Is In Active Debate (Deleted)

Rule 10: Action by the Board of Commissioners

The Board of Commissioners shall proceed primarily by motion. Any member may make a motion. The board may proceed by consensus for matters including: direction to staff, information received with no action taken, ratify action already taken. The Mayor shall state the consensus reached and the minutes shall reflect the consensus.

Rule 11: Second Required *

A motion shall require a second except a motion to adjourn.

Rule 12: One Motion at a Time *

A member may make only one motion at a time.

Rule 13: Substantive Motions *

A substantive motion is out of order while another substantive motion is pending.

Rule 14: Adoption by Majority Vote *

A motion shall be adopted by a majority of the votes cast, a quorum being present, unless otherwise required by these rules or the laws of North Carolina.

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Rule 15: Voting by Written Ballot *

The Board of Commissioners and other boards and committees may choose by majority vote to use written ballots in voting on a motion. Such ballots shall be signed, and the minutes shall show the vote of each member voting. The ballots shall be available for public inspection in the office of the clerk immediately following the meeting at which the vote took place and until the minutes of that meeting are approved, at which time the ballots may be destroyed.

Rule 16: Discussion and Debate *

The order followed in considering an item:

- 1) Call of item by Mayor/Chair
- 2) Staff report
- 3) Public hearing or comment if required
- 4) Discussion of item by board
- 5) Motion
- 6) Debate on motion
- 7) Vote on motion - If vote fails return to #4
- 8) Clarify action, or direction if necessary
- 9) Next item

The Mayor/Chair shall state the motion and then open the floor to debate on it. The mayor/chair shall preside over the debate according to the following general principles:

- 1) The introducer (the member who makes the motion) is entitled to speak first;
- 2) A member who has not spoken on the issue shall be recognized before someone who has already spoken;
- 3) To the extent possible, the debate shall alternate between opponents and proponents of the measure.
- 4) The mayor/chair may recognize members of the public for comment on and discussion of the issue where individuals have special interest in or information about the issue under debate. Such recognition shall be at the discretion of the mayor/chair.

Rule 17: Ratification of Actions

To the extent permitted by law, the Board of Commissioners may ratify actions taken on its behalf but without its prior approval. Ratification may be by consensus or motion and vote.

Rule 18: Procedural Motions *

In addition to substantive proposals, the following procedural motions, and no others, shall be in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption. Debate on procedural motions shall be limited to 3 minutes under these rules, except for Motion 10: Motion to Amend which shall be treated as a substantive motion for the purposes of debate.

In order of priority (if applicable), the procedural motions are:

1) To Adjourn.

The motion may be made only at the conclusion of action on a pending substantive matter; it may not interrupt deliberation of a pending matter. A motion to adjourn [or recess] to a time and place shall also comply with the requirements of Rule 2(c).

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- 2) **To Take a Brief Recess.**
- 3) **Call to Follow the Agenda.**

The motion must be made at the first reasonable opportunity or it is waived.
- 4) **To Suspend the Rules.**

The motion requires for adoption by a vote equal to two-thirds of the actual membership of the Board of Commissioners, excluding vacant seats. The Board of Commissioners may not suspend provisions of the rules that state requirements impose by law .
- 5) **To Divide a Complex Motion and Consider It by Paragraph.**
- 6) **To Table.**

A substantive motion the consideration of which has been tabled expires 100 days thereafter unless a motion to revive consideration is adopted.
- 7) **Call of the Previous Question.**

The motion is not in order until there have been at least twenty (20) minutes of debate and every member has had an opportunity to speak once.
- 8) **To Table to a Certain Time or Day.**
- 9) **To Refer to a Committee.**

100 days or more after a motion has been referred to a committee, the introducer may compel consideration of the measure by the entire Board of Commissioners, whether or not the committee has reported the matter to the Board of Commissioners.
- 10) **To Amend.**

An amendment to a motion must be pertinent to the subject matter of the motion, but it may achieve the opposite of the intent of the motion. A motion may be amended, and that amendment may be amended, but no further amendments may be made. Any amendment to a proposed ordinance shall be reduced to writing before the vote on the amendment.
- 11) **To Revive Consideration.**

Any motion tabled expires 100 days after being tabled unless a motion to revive consideration is adopted.
- 12) **To Reconsider:**

This motion must be made by a member who voted with the prevailing side, and only at the meeting during which the original vote was taken, including any continuation of that meeting through adjournment or recess to a time and place certain. The motion cannot interrupt deliberation on a pending matter but is in order at any time before final adjournment of the meeting.
- 13) **To Rescind or Repeal.**

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Rule 19: Renewal of Motion (Deleted)

Rule 20: Withdrawal of Motion *

A motion may be withdrawn by the introducer at any time before a vote whether or not the motion has been seconded.

Rule 21: Duty to Vote *

Every member must vote unless excused by the remaining members according to law. A member who wishes to be excused from voting shall so inform the mayor or chair who shall take a vote of the remaining members. No member shall be excused from voting except when necessary (1) to avoid a conflict of interest, such as when acting upon matters involving the consideration of his or her own financial interest or official conduct; (2) because the member is prohibited from voting on the matter under N.C.S.G. 14-234 on a public contract with a direct benefit to the member; (3) under N.C.G.S. 160A-381(d) because the member is considering a zoning map or text amendment reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member; or (4) under N.C.G.S. 160A-388(e)(2) in quasi-judicial proceedings such as because the member has a fixed opinion not susceptible to change, the member has had undisclosed ex parte communications, the member has a close relationship with an affected person, or the member has a financial interest in the outcome.

In the case of zoning ordinance amendments considered under N.C.G.S. 160A-385, a failure to vote by a member who is physically present in the chamber, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an abstention.

In all other cases, a failure to vote by a member who is physically present in the chamber, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote.

[* means rule applies to all Boards and Committees)

Rule 22: Introduction of Ordinances

A proposed ordinance shall be deemed to be introduced on the date the subject matter is first voted on by the Board of Commissioners. A "vote on the subject matter" shall be a vote on the ordinance itself.

Rule 23: Adoption of Ordinances and Approval of Contracts

An affirmative vote equal to a majority of the Mayor and all the members of the Board of Commissioners not excused from voting on the question in issue shall be required to adopt an ordinance, to take any action that has the effect of an ordinance, or to make, ratify, or authorize any contract on behalf of the city. In addition, no ordinance or action that has the effect of an ordinance may be finally adopted on the date on which it is introduced except by an affirmative vote equal to or greater than two-thirds of all the actual membership of the Board of Commissioners, including the mayor, excluding vacant seats. No ordinance shall be adopted unless it has been reduced to writing before a vote on adoption is taken.

Rule 24: Adoption of the Budget Ordinance

Notwithstanding the provisions of any city charter, general law, or local act:

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Any action with respect to the adoption or amendment of the budget ordinance may be taken at any regular or special meeting of the Board of Commissioners by a simple majority of those present and voting, a quorum being present;

No action taken with respect to the adoption or amendment of the budget ordinance need be published or is subject to any other procedural requirement governing the adoption of ordinances or resolutions by the Board of Commissioners; and

The adoption and amendment of the budget ordinance and the levy of taxes in the budget ordinance are not subject to the provisions of any city charter or local act concerning initiative or referendum.

During the period beginning with the submission of the budget to the Board of Commissioners and ending with the adoption of the budget ordinance, the Board of Commissioners may hold any special meetings that may be necessary to complete its work on the budget ordinance. Except for the notice requirements of the Open Meetings Law, which continue to apply, no provision of law concerning the call of special meetings applies during that period so long as each member of the board has actual notice of each special meeting called for the purpose of considering the budget, and no business other than consideration of the budget is taken up. This rule does not allow, and may not be construed to allow, the holding of closed meetings or executive sessions by the Board of Commissioners if it is otherwise prohibited by law from holding such a meeting or session.

Rule 25: Closed Sessions

The Board of Commissioners may hold closed sessions as provided by law. The Board of Commissioners shall only commence a closed session after a motion to go into closed session has been made and adopted during an open meeting. The motion shall state the purpose of the closed session. If the motion is based on G.S. 143-318.11(a)(1) (closed session to prevent the disclosure of privileged or confidential information or information that is not considered a public record), it must also state the name or citation of the law that renders the information to be discussed privileged or confidential. If the motion is based on G.S. 143-318.11(a)(3) (consultation with attorney; handling or settlement of claims, judicial actions, or administrative procedures), it must identify the parties in any existing lawsuits concerning which the public body expects to receive advice during the closed session. If the motion is based on G.S. 143-318.11(a)(5) (negotiation of price and terms of a contract concerning the acquisition of real property), it must disclose before the closed session these items: the property's current owner, the property's location, and the intended use for the property.)

The motion to go into closed session must be approved by the vote of a majority of those present and voting. The Board of Commissioners shall terminate the closed session by a majority vote.

Only those actions authorized by statute may be taken in closed session. A motion to adjourn or recess shall not be in order during a closed session.

Rule 26: Quorum *

A majority of the actual membership of the Board of Commissioners or a town board or committee except for the Board of Adjustment including the mayor or chair, excluding vacant seats, shall constitute a quorum. A member who has withdrawn from a meeting without being excused by majority vote of the remaining members present shall be counted as present for purposes of determining whether or not a quorum is present.

A quorum for the Board of Adjustment shall be as detailed in the town Code of Ordinances Sec. 48-594. Quorum.

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Rule 27: Public Hearings

Public hearings required by law or deemed advisable by the Board of Commissioners shall be organized by a special order, adopted by a majority vote, that sets forth the subject, date, place, and time of the hearing as well as any rules regarding the length of time for each speaker, and other pertinent matters except that staff may schedule public hearings on matters required by statute or ordinance without a vote of the board provided the hearing is scheduled for the first meeting of the board as allowed by notice requirements. The rules may include, but are not limited to, rules fixing the maximum time allotted to each speaker which shall be no more than 5 minutes; (ii) providing for the designation of spokespersons for groups of persons supporting or opposing the same positions; (iii) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall (so long as arrangements are made, in the case of hearings subject to the Open Meetings Law, for those excluded from the hall to listen to the hearing); and (iv) providing for the maintenance of order and decorum in the conduct of the hearing.

All notice and other requirements of the Open Meetings Law applicable to Board of Commissioners meetings shall also apply to public hearings at which a majority of the Board of Commissioners is present. A public hearing for which any required notices have been given may be continued to a time and place certain without further advertisement. The requirements of Rule 2(c) shall be followed in continuing a hearing at which a majority of the Board of Commissioners is present.

At the time appointed for the hearing, the mayor or his or her designee shall call the hearing to order and then preside over it. When the allotted time expires or when no one wishes to speak who has not done so, the presiding officer shall declare the hearing ended.

Rule 28: Quorum at Public Hearings

A quorum of the Board of Commissioners shall be required at all public hearings required by state law. If a quorum is not present at such a hearing, the hearing shall be continued until the next regular Board of Commissioners meeting without further advertisement.

Rule 29: Minutes *

Full and accurate minutes of the Board of Commissioners and other formal boards and committees proceedings, including closed sessions, shall be kept. The minutes shall be open to inspection of the public, except as otherwise provided in this rule. The exact wording of each motion and the results of each vote shall be recorded in the minutes, and on the request of any member of the Board of Commissioners, the "ayes" and "no's" upon any question shall be taken.

Minutes of closed sessions may be sealed by action of the Board of Commissioners. Such sealed minutes may be withheld from public inspection so long as public inspection would frustrate the purpose of the closed session.

Rule 30: Appointments

The council may consider and make appointments to other bodies only in open session. The council may not consider or fill a vacancy among its own membership except in an open meeting. The Town Board/Committees Policy establishes the parameters for appointments to state-mandated, regional, and/or Town-developed boards/committees to include the Town Governing Board.

The Board of Commissioners shall use the following procedure to make appointments to various boards and offices: The mayor shall open the floor to nominations, whereupon all names of possible appointees shall be put forward by the members and debated. Nominees shall be nominated for specific positions either to replace or reappoint a specific existing member or by term of office

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specifying the duration of the appointment. *[e.g. I nominate Jones to fill the seat currently held by Smith or I nominate Jones to fill a 3 year term ending May 30, 2000]* When the debate ends, the mayor shall call the roll of the members and each member shall cast his or her vote for the slate or for each position on the board as applicable.

Rules 31: Committees and Boards *

The presiding officer or board may appoint such standing and ad hoc committees as deemed necessary. But no committee shall have as members a quorum of any board or committee unless the committee is a committee of the whole.

The requirements of the Open Meetings Law shall apply to all elected or appointed authorities, boards, commissions, councils, or other bodies of the city that are composed of two or more members and that exercise or are authorized to exercise legislative, policy-making, quasi-judicial, administrative, or advisory functions. However, the law's requirements shall not apply to a meeting solely among the city's professional staff.

Rule 32: Issues not provided for in these rules *

To the extent not provided for in these rules, and to the extent it does not conflict with North Carolina law or with the spirit of these rules, the mayor or presiding officer shall determine any questions arising under these rules as provided in Rule 7.

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APPENDIX 1: MOTIONS

ORDINANCES

Make a motion:

- (1) to adopt the ordinance (state what ordinance is) as presented to become effective (give date).
- (2) to adopt the ordinance (state what ordinance is) to become effective (give date) with the following changes: (state changes you wish made)
- (3) to table the ordinance until (give date you wish tabled to)
- (4) to table the ordinance until (give date you wish tabled to) and to direct Staff to (state direction you wish to give Staff).
- (5) to table the ordinance indefinitely or to not adopt the ordinance

NOTE: No motion has the same effect as making a motion NOT to adopt.

RESOLUTIONS

Make a motion:

- (1) to adopt the resolution (state what resolution is) as presented.
- (2) to adopt the resolution (state what resolution is) with the following changes (list changes)
- (3) to table the resolution until (give date you wish tabled to)
- (4) to table the resolution until (give date you wish tabled to) and to direct Staff to (state directions you wish to give Staff).
- (5) to table the resolution indefinitely or to not adopt the resolution (you may include reason here for not adopting the resolution).

NOTE: No motion on has the same effect as making a motion NOT to adopt.

PROCLAMATIONS:

Make a motion to proclaim (state what proclamation is proclaiming).

NOTE: No motion has the same effect as making a motion NOT to proclaim a special day, emergency, etc.

SITE PLANS:

Make a motion:

- (1) to approve the site plan for (state site plan name) as presented
- (2) to approve the site plan for (state site plan name) as presented with the following conditions (list conditions).
- (3) to deny approval of the site plan for (state site plan name and give specific reasons for denial. i.e. the plan does not meet the requirements of the zoning ordinance

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- (4) to table the site plan until (give date you wish tabled to)
- (5) to table the site plan until (give date you wish tabled to) and to direct Staff to (state directions you wish to give Staff).
- (6) to table the site plan indefinitely or to not approve it. (you should include reason here for not approving the site plan).

CONDITIONAL USE APPLICATIONS:

Make a motion:

- (1) that the Board of Commissioners make the following three findings of fact:

- 1) The application has met the requirements of the Nags Head Zoning Ordinance and Subdivision Ordinance.
- 2) The use will not materially endanger the public health and safety if located where it is proposed and developed according to the plan as submitted.
- 3) The use, as proposed, will not overburden the fire fighting capabilities and the municipal water supply capacity of the Town as said facilities and capabilities will exist on the completion date of the conditional use for which application is made and that we grant the Conditional Use Application for _____ as presented.

- (2) that the Board of Commissioners make the following three findings of fact:

- 1) The application has met the requirements of the Nags Head Zoning Ordinance and Subdivision Ordinance.
- 2) The use will not materially endanger the public health and safety if located where it is proposed and developed according to the plan as submitted.
- 3) The use, as proposed, will not overburden the fire fighting capabilities and the municipal water supply capacity of the Town as said facilities and capabilities will exist on the completion date of the conditional use for which application is made and that we grant the Conditional Use Application for (state name) as presented with the following conditions (list conditions). These conditions are usually

A) A condition /conditions required by the ordinance. (These conditions are normally recommended in Staff's memo.)

B) A condition added or expanded due to some finding of fact about the submission. i.e. The Board finds that the site will create more noise than would be normally created by such a use, therefore buffering shall be installed at a minimum of five feet in height.

- (3) to deny the Conditional Use Application for (state name) (state reason here for denial).

- (4) to table the Conditional Use Application until (give date you wish tabled to)

- (5) to table the Conditional Use Application until (give date you wish tabled to) and to direct Staff to (state directions you wish to give Staff).

- (6) to table the Conditional Use Application indefinitely or to not approve it. (you may include reason here for not approving the site plan).

RULES OF PROCEDURE

SUBDIVISION PLATS:

Make a motion:

- (1) to approve the preliminary subdivision plat for _____ as presented.
- (2) to approve the preliminary subdivision plat for _____ as presented with the following conditions (list conditions).
- (3) to deny approval of the preliminary plat for _____ and give reason for denial).
- (4) to table the preliminary subdivision plat until (give date you wish tabled to)
- (5) to table the preliminary subdivision plat until (give date you wish tabled to) and to direct Staff to (state directions you wish to give Staff).
- (6) to table preliminary subdivision plat indefinitely or to not approve it. (you may include reason here for not approving the site plan).

NOTE: No motion has the same effect as making a motion NOT to approve the subdivision plat.

BIDS:

Make a motion:

- (1) to accept the bid from _____ in the amount of _____ with the funds coming from _____.
- (2) to accept the low bid from _____ in the amount of _____ with funds coming from _____ and to instruct Staff to negotiate with the low bidder to _____.
- (3) to reject all bids and re-advertise the (state project or item) project/item)
- (4) to reject all bids and direct Staff to re-write the specifications and re-bid the project or item (you may want to include instructions regarding the re-write of the specs).
- (5) to find the bid from _____ is not a responsible bid for the following reasons (list reasons) and to accept the lowest responsible bid from _____ in the amount of _____ with the funds coming from _____.

CONTRACTS:

Make a motion:

- (1) to approve the contract and to authorize the Mayor/Manager and Town Clerk to execute the contract.

REPORTS:

Make a motion:

- (1) to accept the _____ report as presented.
- (2) to accept the _____ report and to authorize _____ as recommended by _____.

MOTION TO AMEND:

RULES OF PROCEDURE

If you want to add, delete, or change a motion on the floor made by someone else, make a motion

- (1) to amend Comr. _____ motion to
 - (a) include _____
 - (b) add _____
 - (c) strike out _____
 - (d) insert _____
 - (e) any combination of (a) through (d)

MINUTES:

Make a motion:

- (1) to approve as presented
- (2) to approve as corrected (Use this motion when corrections are made to minutes)
- (3) to approve as amended (Use this motion when the draft minutes are changed to include additional information)