

DUBLIN CORPORATION.

Bye-laws for regulating the Transaction of Business by the Council, and for defining the Powers and Duties of the Committees thereof, and the observance of Order during the Meetings of the Council.

1. **T**HAT the Meetings of the Council for the transaction of business shall be held in the Town Hall at the hour of One o'clock, P.M., unless otherwise specially directed by Act of Parliament, by an Order of Council, or at the discretion of the Right Honourable the Lord Mayor.

2. That in each of the eight months in the year in which a Quarterly Council shall not occur, a Special Council, for the facility of business, shall be summoned on the first Monday in the month; and that such Councils shall be denominated "Monthly Councils," and by that denomination shall be referred to and understood. That the Quarterly Councils shall be also Monthly Councils.

3. That strangers shall be permitted to attend uncovered at all Meetings of the Council, in that part of the Council Room which shall be provided for their accommodation, and shall be permitted to report and publish its proceedings, unless specially excluded by a vote of the Council, during any portion or the whole of any Council Meeting. And that strangers shall not be permitted in any

way to interfere in, or to cause any disturbance, during the proceedings of the Council.

4. That the Town Clerk shall place upon the summons or notice paper for each Meeting of the Council a statement of the business which should be brought before the Council at such Meeting, and also every Notice of Motion signed and lodged by any Member of the Council, and in the order and relation in which each motion or resolution shall be received by him. And, with the exception of matters which shall be brought specially before the Council by the Chairman, that no business shall be transacted at any Meeting of the Council which shall not appear upon such summons or notice paper.

5. That at all Meetings of the Council the business of the Council shall be considered, transacted, and disposed of in the following order, that is to say—

1st. The Town Clerk shall read the Minutes of the last preceding Meeting of the Council, which shall then, if correct, be signed by the Chairman.

2ndly. Matters which shall be specially brought before the Council by the Right Honourable the Lord Mayor or the Chairman.

3rdly. All memorials, petitions, letters, and documents of a special nature, which shall have been lodged with or received by the

Town Clerk, and which shall relate to the business of the Town Council.

4thly. The Reports from Committees to the Council. The Reports for confirmation to be first disposed of.

5thly. Motions of which notices have been given by any Member of the Council, and in the rotation in which such notices shall appear upon the summons paper.

6. That Notices of Motion must be given in open Assembly, or to the Town Clerk, four clear days before the Meetings of the Council at which such Notices are to be discussed. And all Notices shall be signed by the party giving same, and dated and numbered as received, and entered in a Book to be kept by the Town Clerk in his Office, which Book shall be open to the inspection of every Member of the Council.

7. That any Motion, of which Notice shall have been given by any Member, shall not be proceeded with in the absence of the Member in whose name such Notice shall stand, except such Member shall have given authority to have it moved by some other Member of the Council.

8. That each Member of the Council shall, when speaking, address himself to the Chairman, and not to any other Member of the Council; and that Members shall speak of each other during the Meetings of the Council by their respective titles of the Lord Mayor, Alderman, or Councillor, as the case may be, and shall only speak while standing at the benches or seats specially allocated for the use of Members.

9. That whenever any Member, while addressing the Council, shall be called to order by the Chairman or any other Member, the Member so called to order shall immediately resume his seat, and shall not again address the Council until the Chairman shall have disposed of the question of Order.

10. That whenever it shall be Moved and Seconded, "That the Council shall proceed to the other Business of the day," the Chairman shall forthwith put the Question, without permitting any discussion thereon; and if such Motion shall be carried in the affirmative, the previous Question shall be considered as disposed of for that day. Provided, however, that it shall not be competent for any Member to make such Motion until after the Mover and Seconder of the Original Question shall have had an opportunity of speaking to that Question.

11. That a Discussion shall not at any time be permitted upon a Motion for Adjournment.

12. That whenever two or more Members of the Council shall rise together to speak, the Chairman shall decide who shall have precedence.

13. That every Member of the Council within the bar shall be seated during the transaction of business, except the Member who shall be addressing the Council, and that whenever the Chairman shall rise no Member shall continue standing, nor shall any one else rise until the Chair shall be resumed; and should any Member have occasion to move from one seat to another, he shall be uncovered until seated.

14. That at every Meeting of the Council all Motions, whether original Motions or Amendments, shall be reduced by the Mover into writing, and be delivered to the Town Clerk immediately on their being seconded, and shall be read to the Assembly before they shall be moved or spoken to, and that no Motion or Amendment when moved shall be withdrawn, unless by the leave of the Council.

15. That whenever an Amendment shall be moved on an Original Proposition, no second Amendment on an Original Question shall be taken into consideration until the first Amendment is disposed of.

16. That if a first Amendment be carried it shall displace the Original Question, and become itself the Question for consideration, on which any further Amendment may be moved, and should such further Amendment be received, then the Mover of the Amendment which shall have displaced the Original Question will be entitled to reply, and that the like proceeding shall be applicable as to any further Amendment.

17. That if the first Amendment shall be negatived, then a second or further Amendment may be moved to the Original Question, and that but only one Amendment shall be submitted to the Council for discussion at one time.

18. That any Member may move or second a Motion or Amendment, reserving his speech for a later period of the debate; and the Mover of any Original Motion shall be entitled to reply, but that the Mover of an Amendment shall not be entitled to any reply, save in the instance provided for in Order No. 16.

19. That no Member shall be permitted to speak more than once to any Question, save to order or in explanation.

20. That it is expected the confirmation of the Proceedings, Resolutions, and Reports of every Committee shall be moved by the Chairman or some Member of the Committee.

21. That the Chairman shall put all Questions from the Chair, and shall declare the result, which declaration shall be conclusive, unless a Division be then demanded by any Member of the Council; and that in the event of a Division, each Member present at the time of such Division shall vote, and that the vote on such Division shall be taken by a call of the names of all the Members, and by the Town Clerk recording on the Minutes the reply of each Member to the question put.

22. That whenever it shall be stated to the Chairman, during the transaction of business, by any Member of the Council, that there is not one-third of its Members present, the Town Clerk shall immediately call over the names of the Members of the Council; and if it shall appear that one-third of their number shall not be present, the Chairman shall declare the Meeting of the Council at an end, and the names of those Members who shall then be present, shall be recorded on the Minutes of the Council.

23. That no Resolution of the Council shall be rescinded or varied, except upon Motion made on a Notice, which shall specify the object, and refer to the Resolution to be rescinded or varied.

24. That no Protest or expression of Dissent in the form of a Protest shall be entered on the Minutes of the Council.

25. That any Member may, through the Chairman, and with his permission, ask any question of the Town Clerk or other Officer of the Council, which shall have reference to the Minutes or transactions of the Council, or any Document which shall have been read at that Meeting of the Council, or any Question of which notice shall have been given to such Officer on a previous day, but that a discussion shall not be permitted thereon.

26. That no Officer of the Council, or Person not a Member of the Council, shall be permitted to Speak at any Meeting of the Council, except with the permission of the Council obtained upon a Motion to that effect passed by the Council.

COMMITTEES.

27. That the Right Honourable the Lord Mayor shall "*ex-officio*" be a Member and Chairman of every Committee.

28. That at the Meeting of any Committee the last Member of the Quorum who shall enter the room, shall, in the absence of the Lord Mayor, and of the Chairman of the Committee, (if a Chairman shall have been Appointed by the Council,) be the Chairman of the Day, but that it shall be the Privilege of the Quorum of the Committee to allow another Member to be Substituted for such Person, if such last Member shall desire it.

29. That the Committee Meetings shall be Open to all the Members of the Council, but that no Members shall be permitted to take part in the Proceedings of the Committee by Voting, unless Members of the Committee.

30. That the period of the Continuance of every Standing Committee shall be until the 1st day of December in each year after appointment, unless sooner determined.

31. That every Committee is Authorized to take up all References by the Council to the Preceding Committee which may not have been fully Discharged.

32. That each of the Standing Committees shall, once at least, in every Month, submit to the Council a Report of the Proceedings of such Committee, and that every such Report shall contain a Breviate, or short Statement of the Proceedings of the Committee, from the Period included in the last preceding Monthly Report of such Committee, and that Special Reports shall be made from time to time by each of the said Standing Committees, whenever the Committee shall think fit, or the Council shall, by Special Resolution in that behalf, require.

33. That every Report, from any of the said Standing Committees, or from any Special Committee, shall be signed by the Chairman for the time being of such Committee, or in case of his neglect or refusal so to do, or of his absence, then by three other Members of such Committee; and that every Report shall be read aloud by the Town Clerk in open Council, and shall then remain on the table for one week at the least, for the Examination of the Members of the Council, after which time such Report shall be read aloud at a further Meeting of the Council, and, if approved of, shall be adopted by the Council.

34. That the Minutes and Records of the Proceedings of each of the Standing Committees, and of each Special Committee, shall be open to the inspection and examination of the Council and every Member thereof, daily, from Ten o'Clock a.m. until Four o'Clock p.m., except upon Sundays and holidays.

35. That it shall not be lawful for any Committee to enter into any Contract or Agreement for or on behalf of the Council or the Corporation at large, except subject to the approval of the Council, or unless specially authorized by the Council in that behalf.

36. That each of the Standing Committees shall be at liberty, from time to time, to advertise for such tenders as the Committee may consider expedient, and to arrange the conditions of any proposed Contract, or Contracts, subject to the approval of the Council, and to reject or to report and recommend for such approval such Tenders or proposed Contracts, and such terms and conditions in that behalf as from time to time may appear to such Committee to be most expedient.

37. That each Standing Committee shall be at liberty, from time to time, without previous Order

of the Council, to engage and employ such fit and proper person, or persons, as the Committee shall consider necessary for the due execution of the several powers and duties of such Committee, and at such salaries not exceeding the rate of thirty shillings weekly for any such person, with power to remove and dismiss every such person without notice or cause assigned, at the discretion of such Committee; and that each such Committee shall also be at liberty, in like manner, from time to time, to employ at such wages, and to dismiss such tradesmen, labourers, and servants, as such Committee shall deem fit.

38. That each Standing Committee shall report to the Council, at its next Meeting after the employment of any such person, or persons, (other than tradesmen, labourers, or servants,) engaged or employed in pursuance of the last preceding Bye-law, as aforesaid, the employment, duties, and salary of each such person; and if the Council shall disapprove of such employment, such person shall thereupon forthwith cease to fill such employment, and his services and salary shall be discontinued, and that in such case no other person shall be engaged or employed in his room or place, without the previous direction or authority of the Council.

39. That the several officers, servants, labourers, tradesmen, and contractors employed or engaged in any work, duty, or contract connected with the department of any Standing Committee, and for or on behalf of the said Corporation or Council, shall be subject, in all respects, to the superintendence, management, direction, and control of the Standing Committee appointed, or having authority from the Council to carry into execution the powers and duties of the said Council or Corporation in that behalf.

40. That each Standing Committee shall be at liberty, from time to time, without previous Order of the Council, to do all things necessary and proper for preserving in full and sufficient repair the works and properties, and all matters under the charge, regulation, and management of such Committee.

41. That each Standing Committee shall, from time to time, estimate the extent, description, and expense of every work (other than that referred to in the Bye-law, No. 40,) which such Committee, in the discharge of its duties, shall consider it expedient to undertake, and shall submit a Report of such Estimate to the Council, and such Committee shall not enter upon such work unless and until such report shall be adopted, or such work be authorized by the Council.

42. That each Standing Committee shall, from time to time, estimate the quantity and description of Materials, (other than that referred to in Bye-law No. 40,) which shall be required for the execution of the service, duties, and works intrusted to such Committee, and shall also estimate the expense thereof, and shall, from time to time, submit a Report of such Estimates to the Council, and such Committee shall not be at liberty to use or apply such Materials, unless and until such Report shall be adopted, or such use or application of the Materials be authorized by the Council.

43. That all the Monies required for the payment of Contractors, Tradesmen, Labourers, and Servants, or other ordinary Expenses, and of the Salaries of persons employed by or acting under any of the Standing Committees, and also all Monies specially authorized by the Council to be expended or applied for carrying into execution any of the powers or duties of such Committee, shall be disbursed and paid by the Borough Treasurer, under and subject to the direction, authority, and control of such Committee.

44. That previous to any Payment being made under the Bye-law next immediately preceding, the Committee shall require that all Accounts for Payment to be duly examined and certified by the proper Officer, and to be entered on the Minutes of the Committee, and that each of the Standing Committees, in ordering any such Payment, shall, in the obtaining of proper Receipts and Discharges therefor, act in the same manner and in all respects as if such Payment had been specially ordered by the Council.

45.—That no Appointment of emolument shall be made by the Council, until the expiration of One Week at least after the appointment shall have been declared necessary by a vote of the Council, and shall also have been communicated in the Summons.

46.—That no Situation of emolument shall be filled up by the Council, except after Public Advertisement in two or more of the Newspapers published in the Borough.

47.—That the Council, at each election to places of emolument, shall vote by Ballot, and if any person on such Ballot shall have a number of votes equal to a moiety of the Members of the Council then present, such person shall be declared duly elected, and if such shall not be the case, then the Council shall select the three persons having the greatest number of votes, and shall proceed to a further Ballot, and if any person on such further Ballot shall have a number of votes equal to a moiety of the Members of the Council then present, such person shall be declared duly elected, and if such shall not be the case, then the Council shall select the two persons having the greatest number of votes, and shall proceed to a further Ballot, and the person who shall have the greatest number of votes on such Ballot shall be declared duly elected, and in case of an equality of votes in any of such Ballots, then the Chairman shall decide by giving the casting vote.

48.—That to preserve the freedom of choice, and the independence of the Members of the Council and Committees, and to avoid private solicitation, which may open the door to favoritism, or undue influence, no Member of the Council shall bind himself, by any Pledge or Promise to vote for particular persons or motions, but that each Member shall keep himself free to decide on every question upon its merits, when it shall be brought before the Council for decision.

49.—That the Members present at the inauguration of the Right Honourable the Lord Mayor, and on such other occasions as the Lord Mayor may direct, shall appear in their robes, under a penalty of Twenty Shillings.

50.—That every Member of the Council intending to absent himself from the Borough for any period over two months, shall intimate such his intention, in writing, to the Lord Mayor, under a penalty not exceeding Five Pounds.

51.—That any Alderman or Town Councillor elected by the Council to the office of Lord Mayor, who shall not accept, or, after acceptance, shall refuse to discharge the duties of the said office, shall pay a fine of One Hundred Pounds.

52.—That any Alderman or Town Councillor who shall resign his office, shall pay as a fine such sum, not exceeding Twenty Pounds, which the Council may direct.

53. That any Auditor who shall resign his office shall pay, as a fine, such sum not exceeding Five Pounds, as the Council may direct.

54. That the fine for the resignation of the Assessor of the Borough shall be fixed at such sum not exceeding Five Pounds, and for the resignation

of Assessor of the Wards at such sum not exceeding Ten Shillings, as the Council may direct.

55. That no property of the Corporation shall be disposed of except by auction, after Public Advertisement, subject, however, to confirmation by the Council; provided, however, that if after being thus set up to a public competition on two occasions without a sale or letting being effected, the Council shall, upon a special report thereof, have the power to dispose of such property in the manner by them considered most judicious.

56.—That any of the foregoing Standing Orders for the Government of the Council may, with reference to any proceeding in Council be suspended for the time, by an unanimous vote of the Members of the Council present at any Meeting of the Council.

WILLIAM FORD,
Town Clerk, Borough of Dublin.