

**City of Pittsfield  
Human Rights Commission Procedures**

**RULE 1: SCOPE:**

These rules govern the practice and procedure before the City of Pittsfield Human Rights Commission (hereinafter referred to as “the Commission”) in all matters arising out of, and are adopted, pursuant to Chapter 2, Article XXVII, Human Rights Commission, Section 2-136 through and including Section 1-46 of the Pittsfield City Code, as revised in 2018. In accordance with Chapter 2, Article XXVII, Human Rights Commission, Section 2-144, the Commission hereby adopts these rules of procedure. In accordance with Chapter 72 of the Acts of 2013 (hereinafter referred to as the “City Charter”), the Commission will follow the provisions of Section 10-6 of the City Charter setting forth “Uniform Procedures Governing Multiple Member Bodies”.

In any situation where these rules do not directly or specifically apply, the Commission or a Commissioner may exercise discretion so as to further the aims of the Ordinance; namely, to see that each individual shall have equal opportunity in or access to employment, housing, education, recreation and public accommodations; to assure that each individual shall have equal access to and benefit from all public services; to protect each individual in the enjoyment of her or his civil rights; and to encourage and bring about mutual understanding and respect among all individuals in the city by the elimination of prejudice, intolerance, bigotry, discrimination, and the disorder occasioned thereby.

**RULE 2: COMPOSITION:**

2.1 Method of Appointment, Number of Members, Terms, and Compensation: In accordance with the City Charter, the Commission is a multiple member body; which members are appointed by the Mayor with City Council approval as is required by Section 2-10 of the City Charter. The Commission shall be comprised of nine (9) members and shall be appointed in a manner wherein two (2) members serve for a term of one (1) year; and two (2) members shall serve for a term of two (2) years; and three (3) members shall serve for a term of three (3) years. After the expiration of the initial appointments, each member shall serve a term of three years. In the event of a vacancy, the Mayor shall appoint a successor as soon as practicable, subject to city council approval, and said successor shall fulfill the unexpired term of member whose seat was vacated. The other two (2) members shall be the Personnel Director of the School Committee or his/her designee and the President of the City Council or his/her designee. The members of the Commission shall serve without compensation.

2.2. OATH OF OFFICE: All members of the Human Rights Commission shall take the oath before the City Clerk to perform faithfully the duties of their office prior to attendance at their first meeting.

2.3. ELECTION OF OFFICERS: In accordance with Section 10-6 of the City Charter, the Commission shall elect annually a Chairperson and a Vice-Chairperson. The Commission may elect such other officers as it may deem advisable or necessary at any time; however, such

officers shall be re-elected, if deemed necessary, on the same election date as the Chairperson and the Vice-Chairperson.

2.4. PRESIDING OFFICERS: The Chairperson of the Human Rights Commission, if present, shall preside at the meetings. In the absence of the Chairperson, the Vice-Chairperson shall preside, and in the absence of both, a temporary chairperson as chosen by the Commission shall serve during the absence of both the Chairperson and the Vice-Chairperson.

2.5. DUTIES OF PRESIDING OFFICER: The presiding officer shall preserve decorum and order; may speak to points of order in preference to other members; shall decide all questions of order, subject to an appeal to the full Commission. In keeping decorum, the Presiding Officer shall stop any member of the public who is becoming abusive or is exceeding the three-minute time limit on public comment.

2.6. ADDITIONAL DUTIES OF THE PRESIDING OFFICER:

2.6.1. The Presiding Officer shall be allowed to vote on any question to appeal.

2.6.2. The Presiding Officer shall declare all votes and, if the result be in doubt, may require a roll call vote.

2.6.3. When the Presiding Officer desires to relinquish the chair, he/she may call on any Commissioner to it, but such substitution shall not continue beyond the will of the Presiding Officer in relinquishing the chair or beyond an adjournment.

2.6.4. The Presiding Officer may state facts and give opinions upon questions of order without relinquishing the chair.

2.6.5. The Presiding Officer shall be an ex-officio member of all committees.

2.6.6. Public members may be recognized to speak at the discretion of the Presiding Officer who may recognize others to speak in preference to any member of the public who has spoken to the Commission at that or at a recent meeting.

2.7. MINUTES: The Commission shall have a clerk take the minutes for every meeting and the clerk shall provide the minutes to the Commission for review and acceptance at least one week prior to the next meeting.

**RULE 3: MEETINGS:**

In accordance with Section 10-6 of the City Charter, the Commission shall comply with the following rules regarding meetings:

3.1. **REGULAR MEETINGS:** The Commission shall meet at least (4) times per year at any suitable public building within the City of Pittsfield at a date and time as set by the Commission.

3.2. **SPECIAL MEETINGS:** Special meetings may be held at the call of the Chairperson, the Mayor, the City Council, or on the call of five (5) or more members of the Commission by email notice containing a listing of the items to be acted upon. Except in the case of an emergency, of which the Chairperson or Presiding Officer will be judge, such notice shall be posted upon the City notice board and delivered at least 48 hours in advance of the meeting.

3.3. **QUORUM:** The presence of half of the seated members of the Commission plus one shall constitute a quorum for the transaction of business.

3.4. **ATTENDANCE:** All members are expected to attend all meetings except for vacation, illness or other good cause. If any members has more than three unexcused absences, then any member may make a motion that the Commission vote to request that the Mayor appoint a successor.

3.5. **ORDER OF BUSINESS:** The order of business at every regular meeting of the Commission shall be as follows; and shall not be departed from except at the discretion of the Chairperson.

1. Call to Order
2. Roll call of members
3. Approval of Minutes of previous meeting
4. Public Comment
5. Presentations to Commission
6. Unfinished Business
7. New Business
8. Reports of Commissioners
9. Adjournment.

3.6. DISPOSITION OF AGENDA ITEMS: All items of business appearing upon the Commission Agenda shall be taken up in the order of their appearance and be fully and openly debated and disposed of by vote of the Commission previous to consideration of any other item of business.

**RULE 4: COMMITTEES:**

4.1. APPOINTMENT: The Commission may establish such committees as are deemed necessary to carry out the work of the Commission. The Chairperson shall seek Commissioners' requests for Committee appointments and then appoint members as s/he deems necessary. The committees shall meet at such times and places as each committee deems suitable.

4.2. COMPOSITION:

A. Publicity. To consist of 1 or more Commission members to publicize the activities of the Commission, to ensure the Commission maintains a visible profile in the press and a known presence within the City.

B. Rules and Procedures. To consist of 1 or more Commission members to consider the advisability and merit of any adoption or change in any rule of procedure of the Commission, and to refer to it as well as to its form and legality thereof.

C. Local, State and Regional Matters. To consist of 1 or more Commission members who will research and monitor matters of human or civil rights matters that are occurring locally or regionally; and to propose any correspondence or other advocacy by the Commission in the furtherance of any such rights.

D. Outreach and Liaison. To consist of 1 or more Commission members to serve as liaison between the Commission and the Mayor, the City, and any boards or commissions, schools, city departments and community groups; to bring any matters to the attention of the Commission wherein it may make response or advocacy to any outside group or city entity to further its function and purpose.

E. Report. To consist of 1 or more Commission members to maintain statistics, activities of the Commission and other such matters to be included in its Annual Report of the state of human rights in the City.

F. Finance. To consist of the Chair, Vice-Chair and one other Commission member to receive and acknowledge donations of money or goods and services, to review quarterly reports of the HRC account,

to advise on the disbursements of funds, with the signature of two of this subcommittee's members to disburse funds as approved by the Commission and to prepare a summary report of fiscal activity for inclusion in the Commission's Annual Report.

G. Ad hoc. To consist of 1 or more Commission members for the purpose of performing duties as set forth by the Commission.

**RULE 5:**  
**VOTING:**

5.1 ROLL CALL: The Commission in the first instance will operate by consensus in its deliberations and decision-making. Any Commissioner may request the Chairperson to conduct a roll call vote on any matter before the Commission.

5.2 VOTE: Every Commissioner present when the question is put shall vote yes, no, or abstain.

5.3 CHANGE: Prior to the announcement of the Chairperson of a result of a roll call vote, any Commissioner may ask to have his/her name called again in order to record themselves differently.

5.4 CONFLICT OF INTEREST: Commissioners shall not vote on any question or serve on any Committee in a manner inconsistent with Massachusetts General Law 206A.

**RULE 6: DEBATE:**

6.1 GENERAL: The Commission in the first instance, and in recognition of Rule 5.1 above, will encourage the free flow of debate in its deliberations. The Chairperson, or any single Commissioner, may request that formal debate procedures as provided for in Rule 6 herein be adhered to under any agenda item. Upon such a request, the Chair will instruct the Commissioners to so comply.

6.2 QUESTION: Every Commissioner when about to speak, shall respectfully address the chair and wait to be recognized. They shall confine themselves to the question under debate and shall avoid discussion of personalities.

6.3 WITHDRAWING QUESTION: After a motion is stated or read by the chair it shall be deemed to be in possession of the Commission, and shall be disposed of by vote, but the mover may withdraw it at time before a decision or amendment.

**RULE 7: PUBLIC COMMENT:**

7.1 PUBLIC COMMENT CONDUCT: Any member of the public desiring to address the Commission shall be recognized by the Chair, shall state his/her name and address in an audible tone for the record, and shall limit his/her remarks to matters of Commission business. Public comment speakers must avoid personal attacks. Commission members should not respond to speakers other than to notify speaker that they will forward relevant information requested or as may be deemed appropriate.

7.2 LIMIT: The Public Comment portion of the Commission Agenda shall be limited to thirty (30) minutes unless a majority of the Commission so votes to extend this time at any regular meeting. Any citizen or petitioner shall be limited to three (3) minutes unless a majority of the Commission so votes to extend any single petitioner's time.

7.3 NON-RESIDENTS: Members of the public who are not residents of Pittsfield may speak when all residents who wish to do so have spoken.

7.4 PRESENTATIONS TO THE HRC: Presentations to the HRC shall be by invitation from the HRC. Individuals or organizations wishing to make a presentation to the HRC should make a request via email (mbenjamin@cityofpittsfield.org) or in writing to the City Clerk (City Clerk, 70 Allen Street, Pittsfield MA 01201), or in person during the Public Comment portion of an HRC meeting, identifying the organization and/or individuals wishing to make a presentation, including contact information, the topic of the presentation, and the relevance of the presentation to the HRC. Providing time for any individual or group to make a presentation at an HRC meeting is completely up to the discretion of the HRC. The HRC will vote to accept or reject applications for presentations as promptly as possible, within the constraints of Massachusetts Open Meeting law. A majority vote will be sufficient to accept or reject such applications. Presentations to the HRC, as much as possible, shall be limited to 30 minutes per group or individual making a presentation.

**RULE 8: PARLIAMENTARY PROCEDURE:**

8.1.1 VOTE: Insofar as these rules are not of statutory source or origin, the same may be amended, repealed or suspended at any meeting by the two-thirds vote of Commissioners present.

8.1.2 CONCURRENCE: If any action is taken inconsistent with these rules, the same shall be construed to have been taken in the suspension of the rules thereof, provided that the Commission concurs in such action.

8.2 DEMETERS' RULES: In all matters of parliamentary procedure not provided for in these rules, the Commission shall be governed by the current edition of Demeters' Rules of Parliamentary Procedure.

8.3 MINUTES: The minutes of the Commission meetings shall include the Commissioner who makes a motion and also the Commissioner who seconds same.

**RULE 9: SECRETARY TO THE COMMISSION:**

9.1 STAFF: The Secretary of the Commission (whether staff from the City Clerk's office, an assigned staff person, or other designee as may be made for record keeping) will maintain records of all Commission business.

9.2 DOCUMENTS-RECORDS: The Secretary shall accept, distribute and file items to be placed on the Commission agenda or in the Agenda Packet including:

A. Reports and communications from the Commission committees, Mayor, City Council, City boards and committees;

B. Motions, orders, proclamations, resolutions or other forms of business to be presented to the Commission for action at meetings.

All requests and proposals shall be submitted to the Secretary in a form that is identifiable and readable. Failure by an author or his/her designee to attend the Commission meeting and be prepared to present any explanation may cause the item not to be considered at that time. The Presiding Officer shall be informed of all items brought to the Secretary.

9.3 **LISTING OF MATTERS**: The Commission Agenda Packet, complete with copies of all items for consideration and documentation shall be delivered to the Commissioners no later than 5:00 p.m. *two* days preceding the regular Commission meeting.

9.4 **FILING OF PAPERS**: Any motion, resolution or other form of business to be presented to the Commission at its regular meeting for its consideration or action shall be submitted to the Chairperson or Secretary of the Commission no later than 12:00 p.m. of the 4th day preceding the regular meeting.

9.5 **COMMUNICATIONS TO THE COMMISSION**: All communications addressed to the Commission as a body, or to the Secretary of the Commission, or the Presiding Officer on matters of interest to the entire Commission and which would not in the normal course of the Commission business be referred to the Commission for consideration or action will be kept in the possession of the Secretary available for Commissioner's inspection.