

Wilmington, Delaware
September 18, 2025

#0112

Sponsor:

**Council
Member
Johnson**

WHEREAS, the 109th Session of Wilmington City Council believes openness, transparency, and accountability are fundamental in carrying out its duty to the citizens of Wilmington; and

WHEREAS, at the June 23, 2025, Finance & Economic Development Committee meeting, a controversy arose whether Ordinances need to be voted out of Committees before appearing on an agenda for 3rd and Final voting; and

WHEREAS, historically, Committee Members voted Ordinances out of Committee for a final vote before Council as a whole; and

WHEREAS, to resolve the controversy, City Council wishes to amend its Rules to rectify the confusion; and

WHEREAS, Committee of the Whole meetings are useful in having City Council meet to discuss issues; and

WHEREAS, attending monthly Committee of the Whole meetings, in addition to Councilmembers' other duties, drains resources; and

WHEREAS, it is better to have these Committee of the Whole meetings quarterly to maintain a balance; and

WHEREAS, in light of the foregoing, City Council deems it necessary and appropriate to amend City Council Rules 9 and 10-2.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that Rule 9 of the City Council Rules is hereby amended by deleting the stricken language and adding the underlined language to read as follows:

RULE 9 - ORDINANCES

An ordinance shall be introduced only by a Council Member, either as sponsor or on behalf of the sponsor, or by order of the President.

Every ordinance shall be accompanied by a brief statement of its purposes and objectives and a policy statement. In addition, and more specifically, every ordinance prior to its enactment shall be accompanied by a brief but specific statement of its expected fiscal impact, and a copy of such fiscal impact statement shall be filed with the City Clerk.

When a Council Member introduces an ordinance, the Clerk shall read it twice by title only, unless a member requests that it be read in full. After the two readings, the sponsor or another member on behalf of the sponsor shall move that the ordinance be received, recorded and filed, and referred to the appropriate committee. Upon seconding, introduction is complete.

~~Ordinances shall be reviewed in the appropriate committee prior to final vote by Council, or held or withdrawn by the sponsor.~~

Ordinances shall be voted out of the appropriate committee prior to final vote by Council.

Ordinances shall not continue to another session of Council. All ordinances shall be acted upon during the Council session that it was introduced, and if not the legislation dies at the end of that Council session.

Except as provided in the City Charter for emergency ordinances, an ordinance shall not be read for the third and final time, nor acted upon, at the same meeting at which it was introduced nor in the absence of the Council Member who introduced the same without the consent of that member, unless there is a sponsor or co-sponsor present who requests that the ordinance be brought up for its enacting vote.

When the President is the primary sponsor of an ordinance and the member who introduced such ordinance on the President's behalf is absent, the President shall be free to have another member bring the ordinance to the floor for its third and final reading.

No ordinance shall be repealed unless notice shall have been given and entered on the minute book of the Council at a stated meeting that at the next succeeding stated meeting, an ordinance would be introduced for such repeal.

An ordinance may be reviewed by the committee to which it was referred, either at the request of a sponsor or as determined by the chair of the committee. At any meeting subsequent to the introduction of an ordinance, it shall be subject to debate by

the members. The Council Member who introduced the ordinance, on seeking the floor, shall be first entitled to recognition.

After an ordinance has been properly introduced and presented to Council, it shall be before the Council for action, but the Council Member who introduced it may withdraw or hold it at any time prior to final action upon it.

An ordinance before Council may be amended at any time prior to final action upon it.

After an ordinance has been given its third and final reading, debate is in order.

Whenever an ordinance amends the zoning district map, the public hearing concerning which has been concluded, and after any debate by the members, the President shall call on each Council Member in turn to state for the record the reasons the Member supports or opposes the proposed ordinance. Each Member's statement may refer to or adopt findings in documents or reports, or parts of them that are already on record concerning such ordinance.

An ordinance that has appeared on the agenda for third and final reading at two meetings of Council without its sponsor moving for its consideration shall not thereafter be placed on the agenda for consideration at another meeting, except by a majority vote of members present at a meeting preceding the meeting for which agenda listing is sought.

After debate has concluded and required statements of members have been made, the President shall instruct the Clerk to call the roll. When the roll call is completed, the Clerk will tally the vote and announce the result.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that Rule 10-2 of the City Council Rules is hereby amended by deleting the stricken language and adding the underlined language to read as follows:

RULE 10-2 COMMITTEE OF THE WHOLE

Council shall convene as a Committee of the Whole ~~on a regular basis~~ once a quarter, subject to the FOIA requirements detailed in Rule 11.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution amends City Council Rules 9 and 10-2.