

RULES & ORDERS OF THE PORTSMOUTH BOARD OF FIRE COMMISSIONERS (AS ADOPTED BY THE FIRE COMMISSION ON 9 / 22 / 2026)

RULE 1. REGULAR MEETINGS: The regular meetings of the Commission shall be held on the second Tuesday of each month starting no earlier than 6 p.m. and at a time set by the Commission. Additional work sessions may commence at any time with at least 48-hours public notice.

RULE 2. SPECIAL MEETINGS: Special meetings may be held following a written request via personal service or electronic mail by any Commissioner or the Fire Chief with at least 24-hour notice to the public regarding time, place and the subject matter of the meeting.

It shall be the duty of the Fire Chief, or his or her designee, immediately upon receipt of written request for a special meeting to make every diligent effort to notify each member of the Commission either in person, by telephone or electronic mail. The Fire Chief or his or her designee shall also post notices of the special meeting in a conspicuous place in City Hall and the Fire Department and shall make every effort to publicize the meeting on the City website and by way of local news media. Only matters set forth in the notice shall be discussed and/or acted upon during the meeting.

RULE 3. NONPUBLIC SESSIONS: Nonpublic sessions may be called for any of the listed purposes in NH RSA 91-A:3. The Motion to enter a non-public session must state the specific exemption the Commission is relying upon for the nonpublic session. If planned in advance of the regular meeting, the nonpublic session shall be noticed at least 24 hours in advance. Every effort shall be made to give the public prior notice of the date, time, location and general subject matter of the nonpublic session unless a matter is brought to the commission's attention during the current meeting. The Commission will only meet in a "non-meeting" as permitted by NH RSA 91-A:2(I)(a-d).

RULE 4. COMMISSION MEETING AGENDA: All topics, reports, communications, resolutions, or other matters to be considered during the Commission's next meeting shall be delivered to the Fire Chief or his or her designee by 12:00 P.M. on the Thursday of the prior week. The Chief or designee shall then arrange a list of such matters according to an agenda or "order of business." The Fire Chief or designee shall furnish each member of the Commission with a copy of the agenda no later than 12:00 P.M. on Friday, prior to the Commission meeting, and shall make copies of the agenda available to the public in the Office of City Clerk for posting on the City's website.

RULE 4A. AGENDA ITEMS: All members shall have equal right to submit items for the agenda. Agenda items shall be submitted to the Commission Chair or his/her designee no later than 12:00 P.M. on Wednesday, one week prior to the next Commission meeting. The

Chair shall not have a unilateral right to reject items submitted by other members of the Commission. No member, including the Chair, shall submit agenda items on behalf of other Commissioners without giving them prior notice and subject to their approval. Any violation of this rule by any member of the Commission shall result in public censure.

RULE 5. CALL TO ORDER: The Commission Chair shall take the chair at the hour appointed for the meeting and shall call the members to order.

RULE 6-A. ABSENCE OF ANY MEMBER: No meeting shall be held unless two members of the commission are present in person.

RULE 6-B. REMOTE ATTENDANCE OF MEMBERS: Pursuant to RSA 91- A:2, III, the Portsmouth Board of Fire Commissioners permits board members to participate in a meeting remotely. Members may only participate remotely if physical attendance is not reasonably practical and the reason must be stated in the minutes. The public must be able to discern remote participation at the meeting site, and members must be able to hear and speak with each other simultaneously (e.g., using a speakerphone, or TEAMS). All votes taken during such meeting shall be by roll call vote. Except in the case of an emergency, as defined in 91-A:2, III, a quorum of the Commission shall be physically present at the location specified in the meeting notice. In the event of remote participation of the Chairman, the Chair will open the meeting remotely and a motion by a physically present member shall be made to designate another member as temporary Chair for the meeting.

RULE 7. ORDER OF BUSINESS: The business of all regular meetings of the Commission shall be transacted in the following order, unless the Commission by vote of at least two-thirds of the members present suspend the rules and change the order:

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Acceptance of the Minutes of Previous Meeting(s)
- V. Public Comment
- VI. Staff Reports
- VII. Old Business
- VIII. New Business
- IX. Next Commission Meeting

X. Adjournment

RULE 8. CONSIDERATION OF MOTIONS: When a motion is made and seconded, it shall be considered by the Commission, and not otherwise.

RULE 9. WRITTEN MOTIONS / ROLL CALL: Every motion shall be reduced to writing if the Chair so directs, or if any member of the Commission requests it. Upon request of any member, a roll-call shall be taken on any motion before the Commission.

RULE 10. DIVISION OF QUESTION: The division of a question may be requested by any Commissioner when a motion contains two or more independent parts.

RULE 11. READING: When the reading of a paper, meaning a document, letter, report, or written motion is read aloud to the assembly, is called for and the same is objected to by any Commissioner, it shall be determined by vote of the Commission.

RULE 12. ADJOURNMENT: The Chair shall consider a motion to adjourn always in order pursuant to Rule 8 above, with the time of the next meeting having been agreed on, unless a Commissioner has possession of the floor or if any motion has been put out and not decided. Such motion shall be decided without debate.

RULE 13. DISPOSITION OF MOTIONS: After a motion is seconded, it shall be considered, and after stated by the Chair, it shall be disposed of by vote of the Commission unless the mover withdraws it before a decision or amendment. Members may vote in the affirmative, in opposition, or abstain. A motion passes when at least two of the three members vote in the affirmative.

RULE 14. MOTIONS DURING DEBATE: When an issue is under debate, only the following motions shall be received: adjourn; take a recess; raise a question of privilege; call for orders of the day; move the previous question to stop debate and immediately vote on the issue at hand; limit or extend limits of debate; postpone debate to a date certain; commit or refer or recommit; amend; questions of order and appeal; suspend the rules; division of a question; or, division of the assembly.

RULE 15. ORDER OF QUESTIONS: The Chair shall put all motions in the order in which they are moved, unless a subsequent motion was previously tabled.

RULE 16. MOTION FOR RECONSIDERATION: A motion for the reconsideration of a vote shall be open to debate, but such motion shall not be considered unless made by a member of the voting majority and must be made at the meeting at which such vote is passed; or, in the alternative, notice of such motion is given at said meeting, in which case the motion shall be made at the next meeting, and only one motion for the reconsideration of any vote shall be permitted.

RULE 17. TABLING: A motion that has been tabled may only be acted upon after being removed from the table, either at the same meeting or the next. If no motion is made to remove the item from the table, the item will die and can only be returned to the agenda through the normal process.

RULE 18. SPEAKING PRIORITY: When more than one member wishes to speak, the Chair shall name the member who is entitled to the floor.

RULE 19. SPEAKING: When any member is about to speak in debate or to deliver any matter to the Commission, the member's comments are to be limited to the question under debate and avoid *ad hominem* and other personal attacks.

RULE 20. INTERRUPTION OF SPEAKING MEMBER: No Commissioner shall be interrupted by another, except by rising for a call to order to correct a mistake, or for explanation or clarification. If any Commissioner, when speaking transgresses the Rules of the Commission, any Commissioner may call the offending Commissioner to order. The transgressing Commissioner shall be permitted to explain. If disagreement remains, the Commission shall decide on the case without debate.

RULE 21. CONFLICTS OF INTEREST: No member shall vote on any motion in which the member has a direct, personal and/or pecuniary interest.

RULE 22. VOTING REQUIRED: Every Commissioner present when a motion is put, if not excluded by interest, shall vote. If a quorum has been established at the beginning of a meeting and a Commissioner later in the meeting leaves with or without permission, the remaining two Commissioners may continue with the agenda and make and vote on motions.

RULE 23. PROCEDURE FOR QUESTIONS TO THE CITY ATTORNEY: Whenever a Commissioner during a meeting has a question for the City Attorney regarding Commission rules, the Portsmouth City Charter, or parliamentary procedure, the commissioner shall, through the Chair, be given the immediate right to state the question which shall be referred to the City Attorney.

RULE 24. THE HOUR FIRE COMMISSION MEETINGS TO CONCLUDE: Fire Commission meetings shall conclude no later than 9:00 p.m. or at such time as any agenda item being discussed at 8:00 p.m. is acted upon. If because of this rule any agenda items remain to be taken up, the Commission shall recess the meeting to a time at which the remainder of the agenda shall be acted upon, unless a majority of the Commission wishes to suspend the rules in order to continue.

RULE 25. SUSPENSION OF RULES: No standing rule or order of the Commission shall be suspended unless a majority of the members of the Commission shall consent thereto, for a specific purpose.

RULE 26. AMENDMENT OF RULES: No rule or order of the Commission may be repealed or amended without said rule or order appearing on the agenda for a regular meeting in compliance with these rules, subject to public input and then voted on during the following regular meeting by a majority of the Commission.

RULE 27. PARLIAMENTARY AUTHORITY: Except where specifically controlled by Charter, Statute, Ordinance or these Rules, proceedings of the Fire Commission shall be conducted pursuant to the parliamentary authority of the most recent revision of Robert's Rules of Order, Newly Revised.

RULE 28. ADDRESS BY PUBLIC: Members of the public-at-large may address the Commission on any issue being discussed by the Commission, but only after a motion to allow same has been made by any Commissioner and passed by a majority vote of the Commission, provided that no person shall speak for more than five minutes. If the list of speakers is substantial, the Commission may limit each public comment to three minutes.

RULE 29. PUBLIC'S RIGHT TO KNOW GUARANTEED: All letters, memos, reports and other information provided or circulated to the Fire Commission by staff members or received as communications to the Fire Commission from any person shall be included with the Agenda packet of a Fire Commission meeting and made publicly available by 12:00 P.M. on Friday prior to each Commission meeting or, if sent separately to Commission members, shall be made publicly available in the Office of City Clerk. Exemptions under this rule are documents that would not be deemed public records under the New Hampshire Right to Know Law (RSA 91-A) or personal communications.

In addition to the foregoing, any emails which are received by the Fire Commission or the Fire Chief directed to the Commission, shall be entered into the public record. Any person addressing an email to the entire Fire Commission shall be provided with the option to have such person's email entered into the Commission's Agenda packet and public comment record for the meeting. Only emails which include the name and address of the sender shall be provided to the Commission and thus be subject to the rule. Any public comment received by email subject to this rule shall be updated after the agenda packet is released and prior to noontime on the day of the Commission meeting to which the packet is addressed. Any public comments received after such noontime deadline shall be distributed to the individual Commissioners but shall not become part of the public record of the meeting.

RULE 30. PUBLIC COMMENT SESSION: A public comment session shall appear on the agenda of all “regular” Fire Commission meetings. This session shall not exceed 45 minutes during which any member of the public may have a total of three minutes to address any topic relevant to the Commission or Fire Department’s work. Residents, business owners, and taxpayers of the City shall be given priority over any other speaker. Any person abusing the provisions of this rule may be prohibited from speaking at future public comment sessions by a majority vote of the Commission.

RULE 31. PUBLIC HEARINGS: Fire Commission public hearings shall be subject to the following terms and conditions: A. The order in which speakers shall be called, the duration of time permitted for each speaker, and the number of opportunities which any person shall be provided to speak on any issue may be regulated by the Chair in the interest of efficiency. B. All speakers shall limit their presentation to the matter for which the public hearing has been called. Any speaker not in compliance with this provision shall be ruled out of order by the Chair.

Rule 32. CONTRACTS: The Fire Commission shall not enter into contractual agreements until a majority of the Commission has voted to ratify a contract. All three members are required to view contracts. Each contract requires the full signatures of all three members of the Commission. If one Commissioner votes against entering into a contract, he or she shall initial the document rather than use full signature. This will indicate the contract was viewed but not accepted by that Commissioner.

Rule 33. SEMI-ANNUAL REPORTS: In accordance with the Portsmouth City Charter, the Commission Chair, or his/her designee, shall report at least semi-annually to the City Council on the state of the Fire Department and its operation. Such reports shall include a summary of the Department's budget, workforce, equipment, promotions, retirements and other related matters. The Commission, in its discretion, may allow the Fire Chief to submit a letter to the Council as part of any such report. A report will be submitted to the City Council each June and January after review and approval by the Fire Commission.

Rule 34. UNILATERAL ACTIVITY PROHIBITED: No Commissioner shall act unilaterally on any matter of consequence or take any action of consequence without a majority vote of the Commission.

Rule 35. EMPLOYEE CONFRONTATION OR DISCIPLINE: The only employee the Commission may confront or discipline directly without notice is the Chief of the Department. Any concerns or matters a Commissioner has involving all other employees of the fire department shall be brought to the attention of the Commission and Fire Chief. If the Fire Chief fails to take action that satisfies the Commission, the Commission shall then decide

by majority vote whether further action is necessary to resolve the initial concern and/or matter brought to the Commission's attention, subject to and in accordance with any provisions of an applicable collective bargaining agreement.