

ORDINANCE 12-90 Passed: November 26, 2012

AMENDING THE MUNICIPAL CODE OF THE CITY OF DEKALB, ILLINOIS, CHAPTER 2, CITY COUNCIL, SECTION 2.12 "RULES OF ORDER AND PROCEDURE PERTAINING TO PUBLIC PARTICIPATION.

WHEREAS, the City of DeKalb, DeKalb County, Illinois is a home rule community with those powers granted under the provisions of the Illinois Constitution and the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et. seq.*; and,

WHEREAS, the Corporate Authorities wish to provide rules for public participation to ensure open discussion and compliance with all applicable laws; and,

WHEREAS, the Corporate Authorities have previously established a City Code of Ordinances for the City; and,

WHEREAS, the City continues to strive to find ways of providing City services to its residents in the most transparent and open means possible;

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of DeKalb, DeKalb County, Illinois, as follows;

Section 1. SECTION 2.12 AMENDED.

Section 2.12 of the City Code shall be amended with the addition subsection (ad), as provided below.

ad) Rules for Public Comment. The public shall be permitted to comment at meetings of the City of DeKalb City Council and at other public meetings convened by committees or subcommittees of the City, in accordance with the following rules.

1. Public Comment Permitted: The public shall be permitted to comment during a meeting by submitting a speaker request form prior to the start of a public meeting, asking to be recognized by the meeting chair for that purpose. Said person shall be permitted to speak for a period of time designated by the chair, typically three minutes, after being recognized by the chair. Comments directed at items listed on the meeting agenda shall generally be received at the time of discussion of such item. Comments directed at items not listed on the agenda shall generally be received at the public comment section of the meeting.

2. Public Hearings: Public hearings that are required by law shall be conducted in accordance with all applicable rules of procedure and statutory processes for the proponents or opponents of the topic at issue.

3. Public Comment Not Permitted: The City reserves the right to conduct public meetings at which public comment is not received, when the chair of the meeting determines that it is necessary to do so in order to provide for orderly and

efficient governance. Notwithstanding the foregoing, unless the City is responding to an actual emergency or is otherwise permitted by law to act in such a fashion, as determined by the chair, the City shall not take final action on any item of public business when the sole discussion of such item has been at a meeting where public comment was not permitted.

4. Authority of the Chair: The chair of any meeting shall be authorized to suspend comments by or to interrupt any speaker who engages in any disruptive, insulting or unlawful behavior, and to suspend all or any part of these Rules for Public Comment, to the extent permitted by law. The chair shall also be permitted to exercise any authority permitted under other sections of the City Code, the Illinois Municipal Code, or Roberts Rules of Order. The chair shall be permitted to promulgate other rules as deemed necessary to prevent duplicative comments or to ensure that comments received relate to public business of the City, or the topic(s) or issue(s) then under discussion.

Section 2. GENERAL PROVISIONS.

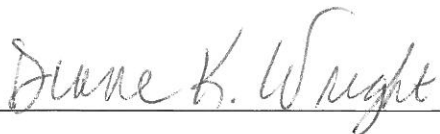
REPEALER: All ordinances or portions thereof in conflict with this Ordinance are hereby temporarily suspended during the term that this Ordinance remains enforceable.

SEVERABILITY: Should any provision of this Resolution be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Resolution.

This Ordinance shall be in full force and effect on and after its approval, passage and publication in pamphlet form as provided by law. On the tenth day after the date of publication, this Ordinance shall be in full force and effect. Publication date: November 27, 2012. Effective date: December 6, 2012.

ADOPTED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a regular meeting thereof held on the 26th day of November, 2012 and approved by me as Mayor on the same day. Passed in omnibus form under the Consent Agenda by roll call vote 7-0-1. Aye: Jacobson, Teresinski, Lash, Gallagher, Naylor, O'Leary, Povlsen. Absent: Baker.

ATTEST:



DIANE K. WRIGHT, City Clerk





KRIS POVLSSEN, Mayor