

ORDINANCE 2014-035 Passed: October 13, 2014

**AMENDING CHAPTER 2, SECTION 2.04,
SUBSECTION D), "PUBLIC PARTICIPATION"
OF THE MUNICIPAL CODE OF THE CITY OF
DEKALB, ILLINOIS.**

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 City of DeKalb currently maintains Section 2.04 of the City Code of Ordinances which pertains to the conduct of City Council meetings of the City of DeKalb; and,

WHEREAS, the City Council finds that certain updates to this section is required to properly promote the public health, safety, welfare and morals; and,

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

Section 1. Ordinance Amended.

Subsection (d) of Section 2.04 of the City Code of Ordinances shall be amended as follows:

- d) The public shall have the right to speak to the City Council on agenda items as they come up on the agenda. Public speaking on such matters, as well as Citizen Comments, shall be limited to comments addressed to the Council and the public shall not engage in debate with the members of the Council. Public comments provided in connection with a listed agenda item shall be limited to comments germane to that agenda item. Persons wishing to speak to an item *not listed on the agenda* shall have the right to speak under Citizen Comments, and may speak to any item germane to the City Council or public concerns. The Council shall have no obligation to respond to public comments. Public comments shall be limited to three (3) minutes per speaker, per agenda item, except by consent of the Council. Speaker Request Forms should be completed by each member of the public wishing to speak to the City Council and submitted to the City Clerk before the beginning of the regular City Council meeting. In order to ensure accurate record keeping, members of the public are encouraged to provide their address, but provision of an address shall not be required in order to provide public comment. Where public comment is provided as a component of a public hearing required by applicable law, the three minute speaking limitation shall not be enforced, but the presiding officer at the public hearing shall have the ability to limit duplicative, cumulative or irrelevant testimony. Testimony received at a public hearing must be limited in scope to matters germane to the conduct of that public hearing. Persons who engage in violations of these regulations shall be asked to conform to the regulations or discontinue their comments and, failing such remedial action, may be removed from a meeting.

- (1) The provisions of this subsection (d) shall be read to apply to City Council meetings of the City of DeKalb, and also to meetings of all public committees and subsidiary public bodies of the City Council or City of DeKalb including but not limited to the Planning and Zoning Commission (and in such instances, references to the City Council shall be deemed to refer to the subsidiary body). The adoption of this subsection (d) shall be deemed to expressly constitute the adoption of these rules as rules binding upon the conduct of any meeting of a public body of the City or City Council. Any agenda of any such public body shall be deemed, by the adoption of this subsection (d) to provide an opportunity for public comment in accordance with these regulations, whether or not such opportunity is expressly designated via the public body's meeting agenda. Persons seeking the opportunity to provide public comment shall notify the clerk or presiding officer at the meeting at which they seek to comment.

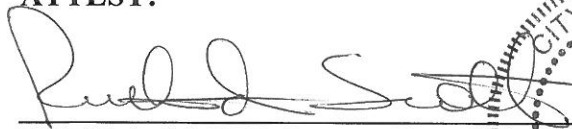
Section 2. All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

Section 3. Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

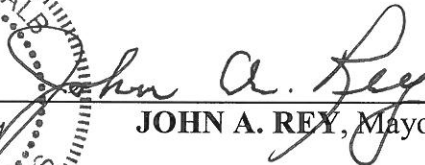
Section 4. This Ordinance shall be in full force and effect after passage and publication pursuant to law. Publication date: October 14, 2014. Effective date: October 24, 2014.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a regular meeting thereof held on the 13th day of October, 2014 and approved by me as Mayor on the same day. Passed by Omnibus roll call vote of 8 – 0 on the Consent Agenda. Aye: Jacobson, Finucane, Lash, Snow, Naylor, Baker, O'Leary, Rey.

ATTEST:



RUTH A. SCOTT, Deputy City Clerk



JOHN A. REY, Mayor