

**CITY OF WEST WENDOVER  
CITY COUNCIL MEETING  
DECORUM RULES, PROCEDURES, CONDUCT AND ENFORCEMENT**

**A. General Public Participation in City Council Meetings**

1. General Decorum. Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language; clapping; whistling; stamping; or other acts that disturb, disrupt, impede, or otherwise obstruct or interfere with the orderly conduct of the City Council meeting unfeasible. A member of the audience engaging in such conduct shall be given in the first instance a warning by the Presiding Officer and in the second instance may be subject to removal from the meeting by the Presiding Officer or a majority of the Council Members.
2. All electronic mobile or other devices shall be turned to the “off” or “vibrate only” position in order to maintain proper decorum. Exceptions may be made with regard to equipment on the person of emergency services personnel.
3. Members of the public may not bring signs or placards into the City Council Chamber during a meeting. Such signs or placards may be displayed or distributed outside the building or in the Lobby area of the City Hall.
4. Handouts or printed materials in relation to an agenda item shall be provided to the City Clerk for distribution to the City Council, Mayor and related Staff Members and if available to the Public.
5. Food and drink (except water) is prohibited in the City Council Chamber during a City Council Meeting.
6. Lights and mounted equipment are prohibited in the City Council Chamber. Members of the media may be permitted to bring lights or other than hand held audio or visual equipment into the City Council Chamber with advance approval of the City Council.
7. Persons of the audience may not request to be heard by speaking out during the Council Meeting, except in accordance with the procedures outlined in paragraphs (B)(1) through (6) below.
8. Second opportunities for an individual to speak on the same issues will not be permitted unless so mandated by state law.
9. Members of the media are subject to the same rules of decorum as the general public and are out of order and subject to removal from the meeting upon the same ground and in the same manner as members of the general public.

10. In all instances where recognition from the Presiding Officer is required, a person must raise his/her hand and wait to be acknowledged. This does not apply to Council Members.

## **B. Requests to Address the City Council**

### **1. Public Comment Period**

- a. Members of the public may address the City Council during Public Comments; however, no person shall address the Council without first being recognized by the Presiding Officer.
- b. Any person wishing to speak during the Public Comment period shall first complete a “Public Comment or Request to Speak Form” and submit this form to the City Clerk before the Presiding Officer calls for Public Comments.
- c. The primary purpose of oral communications is to allow the public the opportunity to formally communicate with the City Council as a whole, for matters that cannot be addressed or resolved with City Staff under the normal course of working hours of the City government. Each person who addresses the City Council shall do so in an orderly manner and shall not make personal, impertinent, slanderous or profane remarks to any member of the Governing Board, City Staff or General Public. Any person who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of any City Council Meeting shall be given in the first instance a warning by the Presiding Officer and in the second instance may be subject to removal from the meeting by the Presiding Officer or a majority of the Council Members.
- d. All persons addressing the City Council shall step up to the podium or microphone so provided for the use of the public and shall state for the record:
  - i. His/her name;
  - ii. His/her residency (city of residence); and,
  - iii. Any organization, which he/she represents, if any
- e. All remarks, comments or testimony shall be directed to the Presiding Officer and City Council as a whole. Dialogue between and inquiries from audience members at the podium (or microphone so provided for the use of the public), and individual Council Members, Staff Members or the seated audience is not permitted. Council Members seeking to clarify testimony or gain additional information may request the floor from the Presiding Officer and direct their question(s) to the speaker and the speaker may respond to such question(s) from said Council Member.
- f. Time Limit. In the interest of fairness to other persons wishing to speak and to other individuals or groups having business before the City Council, each speaker

shall limit comments to three (3) minutes. No person is allowed to defer any portion of the allotted time to any other person. If a large number of people wish to speak, the time may be reduced by the Presiding Officer so that the number of persons wishing to speak may be accommodated within the time available.

## 2. Agenda Item

- a. Except as otherwise set forth herein, any person wishing to speak on an agenda item shall first complete a “Public Comment or Request to Speak Form” and submit this form to the City Clerk before the Presiding Officer calls for the particular agenda item.
- b. At the discretion of the Presiding Officer, because of excusable neglect or other good cause, a person who has not filled out a Public Comment Card or Request to Speak Form may be recognized and address the City Council after those who have complied with completion of the proper forms. The person recognized must fill out such form immediately thereafter.
- c. All persons addressing the City Council shall step up to the podium or microphone so provided for the use of the public and shall state for the record:
  - i. His/her name;
  - ii. His/her residency (city of residence); and,
  - iii. Any organization, which he/she represents, if any
- d. With regard to an agenda item, any presenter(s) of an individual or group (non City Staff) shall be allowed twenty (20) minutes for an initial presentation and an additional ten (10) minutes for rebuttal following other comments on the matter.
- e. Audience members wishing to speak shall limit comments to three (3) minutes. No person is allowed to defer any portion of the allotted time to any other person. If a large number of people wish to speak, the time may be reduced by the Presiding Officer so that the number of persons wishing to speak may be accommodated within the time available.

## 3. Public Hearings.

- a. Members of the public may address the City Council during specifically noted “Public Hearings” after the Presiding Officer opens the floor for public comment.
- b. No person shall address the Council without first being recognized by the Presiding Officer. For purposes of specifically noted Public Hearings, a Public Comment or Request to Speak Form is not required. However, all persons addressing the City Council shall step up to the podium or microphone so provided for the use of the public and shall state for the record:
  - i. His/her name;

- ii. His/her residency (city of residence); and,
  - iii. Any organization, which he/she represents, if any
- c. At Public Hearings the presenter/applicant (non City Staff) has the burden of proof, in relation to such requests, and therefore shall be allotted twenty (20) minutes for an initial presentation and an additional ten (10) minutes for rebuttal following the other comments on the matter. The Presiding Officer may allow more time if required to provide due process for the presenter/applicant.
- d. A spokesperson for an organized group of residents residing within the noticed area of the any property involved in a Public Hearing shall be allowed up to ten (10) minutes to speak during the hearing and shall not be allowed to defer any portion of their time to other speakers.
- e. All other members of the public may speak during the Public Hearing for a maximum of three (3) minutes and shall not be allowed to defer any portion of their time to other speakers. In the event the time required for members of the public to speak would exceed sixty (60) minutes, the Presiding Officer may reduce the maximum time limit for members of the public to speak.

### **C. Comments, Queries and Discussions by Governing Board and Staff**

1. Members of the City Council desiring to speak shall first address the Chair, gain recognition by the Presiding Officer, and shall confine himself/herself to the question under debate.
2. Members of the City Council desiring to question City Staff shall, after recognition by the Presiding Officer, address his or her questions to the appropriate Staff Member who shall be entitled to answer the inquiry himself/herself or to designate a member of his/her staff for that purpose.
3. A Council Member once recognized, shall not be interrupted when speaking unless called to order by the Presiding Officer. Members of the City Staff, after recognition by the Presiding Officer, shall hold the floor until completion of their remarks or until recognition is withdrawn by the Presiding Officer.
4. No Council Member shall be allowed to speak more than once on any particular agenda item until every other Council Member desiring to do so shall have spoken.
5. There shall be no set time limits with regard to statements, participation, questions or comments by the Governing Board and Staff. The Presiding Officer may establish a time limit for statements, participation, questions or comments of the Governing Board and Staff through motion of the Council.

### **D. Motion to Enforce**

If the Presiding Officer fails to enforce the rules of decorum set forth herein, any Council Member may move to require the Presiding Officer to do so, and an affirmative vote of a majority of the Council shall require the Presiding Officer to do so. If the Presiding Officer fails to carry out the will of the majority of the Council in this matter, the majority may designate another Council Member to act as the Presiding Officer for the limited purpose of enforcing the rules of decorum established herein.

#### **E. Motion to Clear the Chamber**

In the event that any meeting is willfully interrupted by a person or group of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, by majority vote of the City Council, the meeting shall be called into Recess and the chamber room cleared. The meeting may be reconvened once all reasonable efforts have been made to limit the continued and willful interruption of said meeting.

#### **F. Other Motions**

##### 1. Subsidiary Motions.

- a. **Lay on the Table.** Any Council Member may move to lay the matter under discussion on the table. This motion temporarily suspends any further discussion of the pending motion without setting a time certain to resume debate. To bring the matter back before the Council, a motion must be adopted that the matter be taken from the table. A motion to take from the table must be made at the same meeting at which it was placed on the table or at the next meeting of the Council. Otherwise the motion that was tabled dies, although it can be raised later as a new motion. A motion to lay on the table is not debatable.
- b. **Move Previous Question.** Any Council Member may move to immediately bring the question being debated by the Council to a vote, suspending any further debate. The motion must be made and seconded without interrupting one who already has the floor. A majority vote of the quorum present is required for passage. A motion to move previous question is not debatable.
- c. **Limit or Extend Limits of Debate.** Any Council Member may vote to put limits on the length of debate. The motion must be made and seconded and requires a majority vote of the quorum present to pass. A motion to limit or extend limits of debate is not debatable.
- d. **Postpone to a Time Certain.** Any Council Member may move to postpone debate and action on a motion to a date and time certain. A motion to postpone to a time certain is debatable.
- e. **Commit or Refer.** Any Council Member may move that the matter being discussed should be referred to staff, a committee, or a commission for further study. The motion may contain directions for the staff, committee, or commission,

as well as a date upon which the matter will be returned to the Council's Agenda. If no date is set for returning the item to the Council Agenda, any Council Member may move, at any time, to require that the item be returned to the Agenda. A motion to commit or refer is debatable.

- f. **Amend.** Any Council Member may amend the main motion or any amendment made to the main motion. Before the main motion may be acted upon, all amendments and amendments to the amendments must first be acted upon. An amendment must be related to the main motion or amendment to which it is directed. Any amendment that substitutes a new motion rather than amending the existing motion is out of order and may be so declared by the Presiding Officer. A motion to amend is debatable.
2. **Motions of Privilege, Order and Convenience.** The following actions by the Council are to ensure orderly conduct of meetings and are for the convenience of the Presiding Officer and Council Members. These motions take precedence over any pending main or subsidiary motion and may be debated except as noted.
    - a. **Recess.** Any Council Member may move for a recess. No second is required, and the Presiding Officer must comply unless the Council, by majority vote, sets aside the motion.
    - b. **Adjourn.** Any Council Member may move to adjourn at any time by specifying the date, time and place and reason for adjournment, even if there is business pending. The motion must be seconded, and a majority vote is required for passage. A motion to adjourn is debatable.
    - c. **Point of Order.** Any Council Member may require the Presiding Officer to enforce the rules of the Council by raising a point of order. The point of order shall be ruled upon by the Presiding Officer.
    - d. **Appeal.** Should any Council Member be dissatisfied with a ruling from the Presiding Officer, he or she may move to appeal the ruling to the Council. The motion to appeal requires a second, and the ruling of the Presiding Officer may be overturned by a majority vote subject to the veto power of the Mayor.
    - e. **Suspend the Rules.** Any Council Member may move to suspend the rules if necessary to accomplish a matter that would otherwise violate the rules. The motion requires a second, and a majority vote is required for passage.
    - f. **Division of Question.** Any Council Member may move to divide the subject matter of a motion, which is made up of several parts so that Council Members can vote separately on each part. This motion may also be applied to complex ordinances or resolutions. A majority vote for passage is required.
    - g. **Reconsider.** Except for votes regarding matters that are quasi-judicial in nature or matters that require a noticed Public Hearing, the Council may reconsider any vote taken at the same meeting, but no later than the same or next regular

meeting, to correct inadvertent or precipitant errors or to consider new information not available at the time of the vote. The motion to reconsider must be made by a Council Member who voted on the prevailing side, must be seconded, and requires a majority vote of the quorum for passage, regardless of the vote required to adopt the motion being reconsidered. If the matter is to be reconsidered at the next regular meeting, a Council Member on the prevailing side must ask the City Clerk to place the matter on the Agenda or otherwise comply with the City Code. If the matter to reconsider is successful, the matter to be reconsidered takes no special precedence over other pending matters and any special voting requirements related thereto still apply. Except pursuant to a motion to reconsider, once a matter has been determined and voted upon, the same matter cannot be brought up again at the same meeting.

- h. **Rescind, Repeal, or Annul.** The Council may rescind, repeal, or annul any prior action taken with reference to any legislative matter so long as the action to rescind, repeal, or annul complies with all the rules applicable to the initial adoption, including any special voting or notice requirements or unless otherwise specified by law.