

**An Ordinance Rescinding Ordinance No. 68-OR-10 and
Resolution 00-R-010 and Ordinance 93-OR-023 and Resolution 1993-
R-004**

**An Ordinance Establishing Rules of Order and Procedures
For Public Comment At Meetings of the Jeffersonville City Council**

WHEREAS, the Jeffersonville City Council is obligated to establish rules of procedure for conducting meetings for the purpose of doing the business of the people of the City of Jeffersonville;

WHEREAS, the Jeffersonville City Council recognizes and understands that Indiana Law does not mandate that citizens be permitted to participate and offer discourse during public meetings;

WHEREAS, the Jeffersonville City Council believes that public input is essential to the process of representative democracy;

WHEREAS, the Jeffersonville City Council is desirous of providing a public forum within the frameworks of free speech and public decorum and public expediency;

WHEREAS, the City of Jeffersonville has adopted numerous procedures regarding council procedure and public discourse dating back to 1968;

WHEREFORE, the Jeffersonville City Council, in order to guarantee fairness, continuity and expediency adopt the following rules of procedure and decorum:

Section One: Meeting Dates and Time:

The Common Council shall meet on the first and third Mondays of each month beginning at 7:30 p.m. unless public notice setting forth alternative dates and times is published pursuant to the Indiana Open Door Law;

Section Two: Presiding Officer and Procedure:

The Mayor shall serve as the chair of said meetings. In his absence the President of the City Council shall preside. If a quorum is present the meeting shall be called to order and shall proceed as follows:

A. Call To Order;

- B. Invocation and Pledge of Allegiance;
- C. Roll Call;
- D. Approval of Minutes;
- E. Approval of Agenda;
- F. Public Comment- Related to Agenda Items;
- G. Public Comment- Not Related to Agenda Items;
- H. Council Comments;
- I. Approval of Claims;
- J. Approval of Purchase Orders;
- K. Department Head Reports;
- L. Old Business;
- M. New Business;
- N. Committee Reports-Council Comments;
- O. Public Comment- Not Related to Agenda Items; and
- P. Adjournment

Section Three: Roberts Rules of Order: All meetings of the Jeffersonville City Council shall be conducted pursuant to Roberts Rules of Order insofar as same are applicable.

Section Four: Public Comment: Public comment shall be conducted in the following manner:

- A. Any individual that wishes to address the council, mayor or make general comments as permitted in this ordinance, shall sign up on the date of the meeting, but prior to the meeting being called to order;
- B. No individual shall be permitted to speak more than three (3) minutes;
- C. No individual shall be permitted to yield his or her time to speak to another individual;
- D. An individual who speaks pursuant to agenda Item "D" shall limit their comments to addressing an issue that has been placed upon the council's agenda for the meeting during which the individual wishes to speak. ***An individual who speaks pursuant to agenda Item "G" shall be permitted to speak upon any issue. However, said speaker's comments shall be subject to all other provisions of this ordinance.***

- E. The President of the Jeffersonville City Council shall be obligated to time each speaker and notify each speaker that their time has expired.
- F. The City Council may extend the time for public comment at any time upon vote of the majority of the council members in attendance;
- G. The City Council may limit discussion, comment or debate upon motion of a member and upon vote of the majority in attendance;

Section Five:

Public Decorum and Order: Free speech and interaction as between the public and elected officials is the framework of our government and earmarks the evolution of our country. However, free speech does not include the following:

No one, member of the public or government, shall be permitted to:

- A. **Engage in gratuitous profanity during their discourse;**
- B. **Engage in the gratuitous use of racial slurs or undertake gratuitous attacks upon individuals or groups based upon race, color or creed;**
- C. **Become loud, insolent or angry such that their behavior constitutes disorderly conduct as defined by Indiana Code; and**
- D. **Undertake personal attacks against members of government by engaging in 'name calling', baiting or engaging in conduct that would otherwise be liable, slanderous or defamatory.**

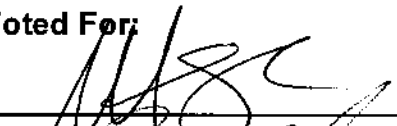
Section Six:

Punishment: If any individual violates Section Five of this ordinance they shall be subject to summary removal from said meeting.

Section Seven: **Severability Clause:** If any provision of this Ordinance or application thereof to any person or circumstance is held unlawful or otherwise invalid such invalidity does not affect other provisions or applications of this Ordinance which can be given effect without the invalid application or provision and to this end each such invalid provision or application of this Ordinance is severable it is hereby declared to be the intent of the Jeffersonville City Council that this Ordinance would have been issued had any such unlawful or otherwise invalid provision or application not be included.

This Ordinance shall be in full force and effect from and after its passage and approval.

Voted For:



David J. Swann

Richard Wilson

Conner Sellers

Edward M. [unclear]

Mike Smith

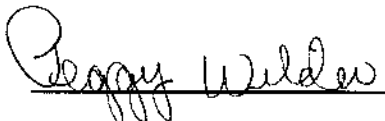
Voted Against:

Passed this 17 day of March, 2008.



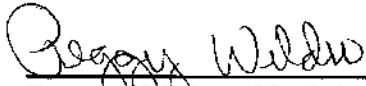
Mayor Thomas Galligan

Attest:



Peggy Wilder, Clerk-Treasurer

Presented by me, Peggy Wilder, as the Clerk and Treasurer to the Mayor of said City of Jeffersonville, Indiana on this 18th day of March, 2008.



Peggy Wilder, Clerk-Treasurer

This ordinance approved and signed by Thomas Galligan, Mayor of the City of Jeffersonville, Indiana on this 20 day of MARCH, 2008.



Thomas Galligan, Mayor