

PETITION TO ADDRESS COUNCIL RULES FOR SPEAKING BEFORE ZANESVILLE CITY COUNCIL

Members of the public should understand that Council meetings are not public forums. These meetings are held to conduct City business and certain portions of the meetings may be deemed to be limited public forums. In a limited public forum, Council has the right to impose reasonable content-based restrictions as long as the restrictions remain viewpoint neutral. Council can impose reasonable time, place and manner restrictions to ensure the efficient administration of municipal business. Courts have upheld rules that limit public content to the agenda item at hand do not violate the First Amendment and that speakers can be cut off for being repetitious or irrelevant as long as they are not targeted because officials disagree with their views. With that in mind, Council wants to ensure that citizens have a right to express any views that are relevant to the affairs of the jurisdiction while working to ensure the efficient administration of City business.

Zanesville City Council welcomes, values, and appreciates the varied opinions and comments from members of the public. However, to ensure that the meetings are respectful, peaceful, and orderly, it is necessary to establish rules to prevent disruption and allow City business to be accomplished in an efficient and productive manner. Members of the public will be permitted to address Council for the purpose of commenting on legislation being considered by Council and/or for the purpose of commenting regarding City actions or services that the speaker believes should or should not be taken by Council or issues that should be addressed by Council or the Administration.

Addressing Council shall not be utilized for the following purposes:

1. To debate or make personal or critical attacks against members of the public or businesses.
2. To speak in support or opposition of candidates for public office or to announce that a speaker is a candidate for public office.

It is strongly recommended, but not required, that prior to submitting a Petition, the citizen contact their Council Representative (or any Council Representative) to discuss and possibly resolve the Citizen's concern. This would also provide an opportunity for the Council Representative to act as an advocate for the Citizen if warranted. For assistance, call the Clerk of Council at 740-455-0601 ext 149 or email council@coz.org.

Remarks are Limited to 3 minutes unless additional time is granted by Council (which shall be granted in 3 minute increments). To extend a speaker's time, a member of Council shall make a motion to waive this rule and extend the speaker's time by 3 minutes, followed by a second of the motion, and a majority vote in favor by Council. This time limit shall not apply to Special Guests, Subject Experts, City Employees, Elected Officials and City Administration who are invited to provide information, reports, or testimony to Council and they are not required to fill out a Petition to Address Council. Numerous courts have upheld ejections from Council meetings based on speakers going off topic, being unduly repetitive, yelling, or refusing to stop speaking after their allowed time expired. The 3 minute time limit will be strictly enforced.

Speaking before Council is limited to only once for each Communication, Resolution or Ordinance, and only once for a Private Petition/non-Agenda item per Council meeting. A completed petition is required for each request. All comments must be directed to the President or Council as a body.

The following General Rules of Decorum shall apply to all individuals addressing Council:

1. Individuals desiring to address Council shall wait to be recognized by the President. After having been recognized, he or she shall approach the podium, state his or her name and address and then proceed to address Council as a whole and not any individual.
2. All comments will be made in a courteous and respectful manner by all parties and not in an overly loud or boisterous manner.
3. No person who addresses Council shall make personal, impolite, repetitive, disrespectful, hostile, disparaging, slanderous, offensive, threatening, obscene, or profane remarks. Speakers shall not conduct themselves in a manner that disrupts or impedes the orderly conduct of the meeting or otherwise constitutes disorderly conduct. "Disruption" has been held to include any conduct that violates generally or specially established rules such that the orderly conduct of the meeting is harmed. The following example has been held to being disruptive- "speaking too long, by being repetitious, or by extending discussion of irrelevancies."
4. All comments made by the public shall be made from the speaker's podium. No comments shall be made from any other location (other than members of Council and the Administration), and anyone making "out of order" comments may be subject to removal.
5. The President shall have the sole discretion to determine whether or not a speaker's conduct is violating these Rules of Decorum. If in the President's discretion the rules are being violated, the President may take any action necessary to preserve the due conduct of the meeting, including but not limited to: (1) verbal warnings; (2) denial or termination of speaking privileges; (3) removal from the meeting; (4) banning an individual from speaking at future Council and Committee meetings; and (5) request for law enforcement to remove or arrest the individual (ORC 2917.12). These possible sanctions by the President need not be progressive in nature.

No repetition of remarks shall be permitted nor speaking on the same subject matter will be allowed at more than three meetings, unless there has been a substantive change to the legislation or situation as determined by the President.

To accommodate special needs or circumstances that are in the best interest of the City, Council may temporarily suspend any of these rules, by motion, second and 2/3 majority vote (6 votes), which includes the opportunity to address Council without written notice.

If a speaker does not speak on a matter concerning the legislative or administrative responsibilities of city government, the President may terminate the right to speak and refer the speaker to more appropriate public forum.

Signs and banners are not permitted in Council Chambers. This prohibition does not apply to charts, diagrams, enlarged photographs, or other demonstrative exhibits or visual media utilized by a speaker in presenting testimony to Council.

Any variance or waiver of these rules shall be by a 2/3 majority vote (6 votes) of Council.

PETITION TO ADDRESS COUNCIL

IT IS ADVISED THAT YOU READ AND FAMILIARIZE YOURSELF WITH THE ABOVE-LISTED RULES AS WELL AS ALL RULES SET FORTH IN CHAPTER 111 OF THE CODIFIED ORDINANCES OF THE CITY OF ZANESVILLE PRIOR TO SPEAKING BEFORE COUNCIL.

Those desiring to address Council must complete a "Petition to Address Council." These Petitions are available in the Clerk's office, online, by email request, and in Council Chambers. To speak on a non-agenda item, the completed Petition must be provided to the Clerk of Council by noon on Wednesday the week prior to the Council meeting to be eligible to speak at the meeting. To address Council on an item that is on the agenda, the Petition must be provided to the Clerk of Council fifteen minutes prior to beginning of the meeting. Council will not consider an incomplete Petition to Address Council, which requires the following: Name, Organization Representing (if any), Address, Telephone Number, Email Address (optional), Ordinance/Resolution Number and if For or Against the legislation, and if not speaking on an agenda item list the Subject. Also required is a Signature and Date to indicate "I Have read the restrictions and guidelines regarding speaking before Council, including those set forth in Chapter 111 of Zanesville's Codified Ordinances. I understand and agree to abide by these rules and acknowledge that my failure to abide by these rules may result in my request to speak being denied or terminated". It is recommended that any available supporting documentation be submitted with the Petition to ensure that Council and City Administration have the information necessary to effectively respond to the concern. All documents submitted to Council become public documents, so please ensure that all personal and private information is redacted (deleted or removed).

NAME: _____

REPRESENTING AN ORGANIZATION (IF YES, PLEASE LIST): _____

ADDRESS: _____

TELEPHONE : _____

EMAIL (OPTIONAL) : _____

COMMUNICATION/RESOLUTION/ORDINANCE #: _____ FOR OR _____ AGAINST

IF YOU ARE NOT SPEAKING ON AN AGENDA ITEM, YOU MUST INDICATE YOUR SUBJECT BELOW:

I HAVE READ THE RESTRICTIONS AND GUIDELINES REGARDING SPEAKING BEFORE COUNCIL, INCLUDING THOSE SET FORTH IN CHAPTER 111 OF ZANESVILLE'S CODIFIED ORDINANCES. I UNDERSTAND AND AGREE TO ABIDE BY THESE RULES AND ACKNOWLEDGE THAT MY FAILURE TO ABIDE BY THESE RULES MAY RESULT IN MY REQUEST TO SPEAK BEING DENIED OR TERMINATED.

SIGNATURE

DATE