



## Legislation Details (With Text)

**File #:** 1471-2022      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 5/17/2022      **In control:** Rules & Reference Committee

**On agenda:** 5/23/2022      **Final action:** 5/26/2022

**Title:** To amend section 111.12 of Chapter 111 of the Columbus City Codes to clarify the rules for speaking before City Council; and to declare an emergency.

**Sponsors:** Rob Dorans

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
5/26/2022	1	CITY CLERK	Attest	
5/25/2022	1	MAYOR	Signed	
5/23/2022	1	COUNCIL PRESIDENT	Signed	
5/23/2022	1	Columbus City Council	Approved	Pass

A review of the rules for speaking on an ordinance at a City Council zoning committee meeting, in addition to feedback from the community, has contributed to the need to amend section 111.12 of Chapter 111 to clarify the rules for speaking before City Council at scheduled Council meetings and zoning committee meetings.

**FISCAL IMPACT:** No funding is required for this legislation.

**Emergency Justification:** Emergency action is requested to ensure that amendments to Section 111.12, pertaining to the rules for speaking before Council, may be in effect immediately following passage of this legislation.

### ..Title

To amend section 111.12 of Chapter 111 of the Columbus City Codes to clarify the rules for speaking before City Council; and to declare an emergency.

**WHEREAS,** it has become necessary to clarify the rules for speaking before City Council; and

**WHEREAS,** feedback from the community, City Council, the City Clerk, and the City Attorney's Office has contributed to these amendments to section 111.12 of Chapter 111 to clarify the rules for speaking before Council at scheduled Council meetings and zoning committee meetings; and

**WHEREAS,** an emergency exists in the usual daily operation of the City Council such that the updated rules are required to go into immediate effect in order to be in place before the next City Council and zoning committee meeting following passage of this legislation; **NOW, THEREFORE,**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That Section 111.12 of the Columbus City Codes is hereby amended as follows:

Chapter 111.12 - SPEAKING BEFORE COUNCIL.

In all cases the member of council who shall first address the chair shall speak first; but when two (2) or more members of council address the chair at the same time, the president shall name the member of council who is to speak first.

No member of council shall be allowed to speak except from the council member's own desk. No member of council shall speak more than twice upon the same subject, nor longer than five (5) minutes at one time without leave. No member of council shall speak a second time upon the same motion before opportunity has been given each member of council to speak on that motion.

Any member of council, while discussing a question, may read from books, papers or documents, any matter pertinent to the subject under consideration without asking for leave.

No member of council shall pass before another member of council while speaking, or the clerk while reading, or otherwise interrupt, except to call a member of council to order.

(A) The following rules shall apply to the general public when they wish to speak before council at a scheduled council meeting:

1. Speakers slips must be filled out completely including name, address, organization represented and the ordinance number of the item to be addressed, if the individual will be speaking for or against the item, the subject if non-agenda and filed with the city clerk electronically via the Council website prior to 3:00 p.m. on the day the speaker wishes to speak before the council. The council encourages individuals to submit written testimony to the city clerk, on a form provided by the clerk, electronically via the Council website prior to 3:00 p.m. on the day of the meeting and/or contact the appropriate committee chairperson to discuss their concerns. The council will not entertain incomplete speaker slips.
2. For regular business meetings, individuals are permitted to submit a total of two (2) speaker slips. Of the two (2) slips, one may be used to address a non-agenda matter.
  - a) For agenda items that are not council variances speakers must only speak to the ordinance indicated on the speaker slip submitted to the clerk. Council will entertain three (3) speakers for and three (3) speakers against any ordinance, recognizing speakers in the order the slips are received by the clerk. Each speaker will be given three (3) minutes to speak.
  - b) For non-agenda items there will be a limit of six (6) speakers taken in order of receipt of speaker slips with no more than three (3) speakers on any subject. Each speaker will be given three (3) minutes to speak. If the subject does not concern the legislative or administrative responsibilities of city government, the president of council may refer the speaker to another public forum and/or deny the request.
3. Speakers' subject matter will not contain obscenity, defamation or slander nor shall speakers conduct themselves in violation of the disorderly conduct or disturbing a lawful meeting provisions of Chapter 2317 of the Columbus City Codes, 1959. If the council president determines that these rules are not being followed one warning will be given. Speaker's conduct shall be subject to the right of the council president to preserve the order and decorum of the forum. If the rules continue to be violated after one warning, the council president may revoke the individual's speaking privileges.
4. Speaker slips shall be presented to the president of council by the city clerk in the order received.
5. Any variance or waiver of these rules shall be by a majority vote of council.

(B) Notwithstanding the provisions in division (A), the following rules shall apply to parties who wish to testify at a hearing before the Council zoning committee on a Council Variance during a regular meeting:

1. Owners of record of property within one-hundred and twenty-five (125) feet of the exterior boundaries of the property identified in the title of the ordinance whose property may be directly impacted by an application before Council on a request for a Council Variance who wish to testify before the Council zoning committee either for or against the request for a variance shall fill out a speaker slip on a form provided by the City Clerk. Speaker slips on Council Variance hearings must be filled out completely

including name, address, the ordinance number of the item to be addressed, if the individual will be speaking for or against the item, and a written indication of how the property owner may be an impacted party. The slip shall be filed with the city clerk electronically via the Council website prior to 3:00 p.m. on the day the impacted party wishes to testify before the council.

2. Those testifying before the Council zoning committee on a Council Variance will not engage in the use of obscenity, defamation or slander nor shall those testifying conduct themselves in violation of the disorderly conduct or disturbing a lawful meeting provisions of Chapter 2317 of the Columbus City Codes, 1959. If the zoning committee chair determines that these rules are not being followed one warning will be given. The party's conduct shall be subject to the right of the zoning committee chair to preserve the order and decorum of the forum. If the rules continue to be violated after one warning, the zoning committee chair may revoke the individual's speaking privileges before the zoning committee.

3. Impacted parties testifying on a Council variance shall be afforded sufficient time to present their case to the body. The Chair of the Zoning Committee may, at their discretion, request the speaker to conclude their comments after the speaker has been given the opportunity to address Council regarding the variance. If the impacted party does not conclude their remarks after the request of the Chair to do so, and the speaker is not providing new evidence to the Council regarding the variance, the Chair may revoke the individuals' speaking privileges before the Zoning Committee on the variance at issue.

4. Speaker slips shall be presented to the zoning committee chair by the city clerk in the order received.

5. Any variance or waiver of these rules shall be by a majority vote of the zoning committee.

**SECTION 2.** That the existing Section 111.12 is hereby repealed.

**SECTION 3.** That, for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage or approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same