

RESOLUTION No. 2022-

***RELATIVE TO RULES OF DECORUM
AT CITY COUNCIL MEETINGS***

BY:

Council Chairman John Spanbauer
Council Member Traci Bax
Council Member Kenny Tompkins

WHEREAS, a growing number of Americans believe that our society is increasingly uncivil and that this problem is particularly acute and particularly detrimental in national, state and local political arenas, where it threatens government’s ability to function democratically and effectively; and

WHEREAS, furthermore, an atmosphere of incivility and disrespect at legislative or administrative meetings can stifle participation and debate, threaten the quality of decisions and undermine the local democratic process; and

WHEREAS, two recently published editorials in the Niagara Gazette focused on the City Council rules for public speakers and how Council members must do a better job of enforcing the rules currently in place to ensure a more effective and organized meeting; and

WHEREAS, the current speaking rules, which were adopted by the Niagara Falls City Council on January 15, 2020, are as follows:

1. You must sign the appropriate sign-in sheet at least ten (10) minutes before the meeting begins.
2. You may sign-in to speak regarding a specific agenda item and/or “for the good of the community.”
3. Each speaker is given up to five (5) minutes maximum, although you may use less than that if you make your point in less time.
4. If speaking about an agenda item, please refer to that agenda item at the very beginning of your five minutes.
5. You may not transfer the balance of your time to another speaker.

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6. The Chairman may limit the number of speakers on a topic or agenda item or the overall speaking time if the same will unduly delay the commencement of the agenda.
7. Speakers are addressing the City Council as a body. If you would like to address an individual Council Member or anyone else, please do that separately, not during these meetings.
8. Please remain focused on the agenda item you signed up for, or for “the good of the community.”
9. The Council will not respond to questions or statements during the meeting. This is an opportunity to share your ideas, not to engage in conversation.
10. This portion of the meeting is not for personal grievances
11. Please use the decorum expected speaking before a deliberative assembly in the United States of America.
12. The Chairman will enforce these rules; and

WHEREAS, while the Niagara Falls City Council certainly desires that the current rules for public speaking are adhered to, this Council has determined that the unruly and disorderly conduct at recent City Council meetings has made it necessary for it to adopt additional policies and rules to enhance civility and promote decorum at future public meetings; and

WHEREAS, the City Council believes that such guidelines will further its commitment to the democratic process, individual rights of expression, robust debate and tolerance for disparate views and will help ensure that civic engagement and local democracy continue to flourish in at City Council meetings.

NOW, THEREFORE IT BE RESOLVED THAT the City Council of the City of Niagara Falls, NY does hereby adopt the following rules, policies and procedures, in addition to the rules, policies and procedures currently in effect, at all regular meetings of the City Council:

ADDITIONAL SPEAKING RULES:

1. No person shall address the City Council without first being recognized and called up to the podium by the City Clerk and/or representative. The person shall respond when his/her name is called by the City Clerk and/or representative. Speakers once called should address the Council from the podium.

2. Each person addressing the City Council shall do so in an orderly manner and shall not engage in any conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of the City Council meeting. Any person who so disrupts the meeting may be subject to removal from that meeting.
3. Persons addressing the City Council shall address the Council as a whole and shall not engage in a dialogue with individual Councilmembers, City Staff, or with other members of the audience.
4. Members of the public addressing the City Council shall have five (5) minutes to speak. The City Clerk will notify the speaker when their time is expired. Once the City Clerk notifies the speaker that their time is expired, the speaker should immediately stop speaking and return to their seat.
5. Any public requests for City staff comment shall be made to the Council Chair, who may then direct such inquiries to the City Administration as appropriate.
6. Pursuant to *Robert's Rules of Order*, any Council member may interrupt a speaker and can raise a "point of order" if they believe the speaker rules have been broken. If a point of order is raised by a Council member, the Council member will inform the Council Chair of the infraction and the Chair will make a ruling. In addition, if dialogue among Council members is interrupted and/or hindered by a person attending the meeting, Council members may raise a point of order and request that such person be given a warning and/or removed from City Hall.
7. All persons in attendance at any City Council proceeding, either as a recognized speaker or not, are required to show proper decorum at all times during any proceeding and shall refrain from any conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of the meeting. Any person in attendance at any City Council proceeding engaging in such disruptive and/or disturbing conduct or impedes the conduct of the proceeding shall be subject to the rules of enforcement below.

ENFORCEMENT OF RULES

1. The Niagara Falls Police Department will have a member of the force present at each meeting to serve as the "Sergeant-at-Arms"
2. The Sergeant-at-Arms is available to assist the Council in maintaining order and decorum in the City Council Chambers. The Sergeant-at-Arms shall enforce the rules of decorum and, in doing so, may remove any person(s) from the City Council Chambers and/or take any other appropriate action, either upon the direction of the Council Chair or upon his or her own discretion, as applicable.
3. Upon a violation of the rules of decorum, the Council Chair will issue a warning by requesting that a person who is violating the rules cease such conduct. Should the person persist in violating these rules after receiving a warning from the Council Chair and/or a Council Member, the Council Chair will request the Sergeant-at-Arms to remove the person from City Hall.

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4. The Sergeant-at-Arms is also authorized to warn any person attending the meeting that their conduct is violating the rules and that they are requested to cease such conduct. If inappropriate conduct persists, the Sergeant-at-Arms shall have the authority to remove the person from the meeting and request the person to exit City Hall.
5. In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible, and order cannot be restored by the removal of the individuals who are willfully interrupting the meeting, the City Council may, by a majority vote, order that the Council Chambers be cleared, and the meeting shall continue in session. Only matters appearing on the agenda may be considered in such session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend this session; and

BE IT FURTHER RESOLVED that the foregoing rules, policies and procedures shall take effect immediately.