

**CITY OF FREEPORT
STEPHENSON COUNTY, ILLINOIS**

ORDINANCE NO. 2018-33

**AN ORDINANCE AMENDING TITLE FOUR, LEGISLATION, CHAPTER 220,
COUNCIL, SECTION 220.10 OF THE CODIFIED ORDINANCES OF THE CITY OF
FREEPORT, ILLINOIS REGARDING RULES OF COUNCIL**

**ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF FREEPORT, ILLINOIS
THIS ___ DAY OF _____, 2018**

**Published in pamphlet form by authority of the
City Council of the City of Freeport,
Stephenson County, Illinois, this
_____ day of _____, 2018.**

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WHEREAS, the City of Freeport, Illinois (“City”) has Codified Ordinances of the City (the “Code”); and

WHEREAS, Section 220.10 of the Code is entitled “Rules of Council” and governs the public comment; and

WHEREAS, the City now desires to amend Section 220.10, Subsection (23) regarding the rules of public comment under Chapter 220 to add rules of public comment; and

WHEREAS, the City Council finds that such amendment is in the best interest of the public health, safety, morals and general welfare of the residents of the City of Freeport.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS AS FOLLOWS:

Section 1. The above-recitals are incorporated herein and made a part hereof.

Section 2. That Section 220.10, Subsection (23) of the Code regarding Address by Non-Members is hereby amended to read as follows (deletions shown as strikethroughs and new language in **bold**):

“(23) Address by Non-Members. Any person not a member of the Council or officer of the City may address Council **at a public meeting, standing or special committee** in accordance with the following rules. He or she shall rise (if not physically impaired), **approach the podium and speak into the microphone,** ~~and state~~ **stating** his or her name ~~and address~~ for the record. All remarks shall be addressed to the Council as a body and not to any member thereof. No person, other than the Alderpersons and the person having the floor, shall be permitted to enter into any discussion, directly or through a member of the Council, without the permission of the Chair. No question shall be asked of an Alderperson except through the Chair. Any person making personal, impertinent abusive, **profane or slanderous** remarks, or who shall become boisterous, while addressing the Council, shall be forthwith evicted from the chamber by the Chair. **The Chair will preserve order and decorum and the Chair reserves the right to halt or suspend the public meeting to a later date if the rules are not being followed. No written comments will be accepted in advance or at a public meeting to be read into the record at a meeting, speakers wishing to address the Council must do so in person.**

A. Any member of the public wishing to address an item on that meeting's agenda must sign-in with the Clerk prior to commencement of the meeting indicating which item they wish to address and whether they will speak in favor or in opposition to such item. Unless further time is granted by the Council, such comments shall be limited to three minutes. There shall be no more

than six number of speakers to any issue. If there are more than six registered speakers, then each side will be granted the same number of speakers.

B. Any member of the public wishing to address an item not on that meeting's agenda may do so only during that portion of the meeting designated for the same. Unless further time is granted by the Council, such comments shall be limited to three minutes.

C. Public hearings. Any member of the public wishing to speak during a public hearing must sign-in with the Clerk prior to commencement of the meeting. Any person wishing to offer evidence in the form of testimony at a hearing shall testify under oath. Anyone wishing to cross-examine a witness must register in advance of the public hearing and assert an interest beyond that of the general public. Whether such interest exists shall be determined by the Council prior to the commencement of the public hearing. The Chair may impose reasonable limitations on evidence or testimony presented by persons and parties, such as time limits and barring repetitious, irrelevant or immaterial testimony. Unless further time is granted by the Council, comments shall be limited to three minutes.”

Section 3. This Ordinance shall be effective upon its passage by the City Council, its approval by the Mayor, and its publication as provided by law.

Section 4. This ordinance is expressly adopted pursuant to the Home Rule Powers of the City of Freeport under Section 6 of Article VII of the Illinois Constitution of 1970.

Section 5. All ordinances or parts of ordinances in conflict with this Ordinance are repealed insofar as they conflict.

Section 6. If any section, clause or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid, and this City Council hereby expressly declares that it would have enacted this Ordinance even with the invalid portion deleted.

PASSED BY A ROLL CALL VOTE OF THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS this ____ day of _____, 2018.

Dovie L. Anderson, City Clerk

YEAS:
NAYS:
ABSTAIN:
PRESENT:

APPROVED by the Mayor of the City of Freeport this ____ day of _____, 2018.

Jodi Miller, Mayor

Date Published:
Date Effective:

Approved as to form:

City Legal Counsel