

ORDINANCE NO. 1168

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DOWNEY AMENDING THE DOWNEY MUNICIPAL CODE RELATING TO RULES OF CONDUCT FOR CITY COUNCIL MEETINGS AND ENFORCEMENT THEREOF.

THE CITY COUNCIL OF THE CITY OF DOWNEY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 2105 of the Downey Municipal Code is hereby amended by revising paragraph (E) to read as follows:

“E. It is requested that all persons wishing to speak to the Council state their name, address, and the subject matter upon which they wish to speak for the record. All speakers who wish to address members of the City Council or staff must do so through the Mayor. No person shall address the Council until he or she has first been recognized by the Mayor. The decision of the Mayor to recognize or not recognize a person may be changed by order of the Council. In the interest of facilitating the business of the Council, all persons addressing the Council shall be limited to five (5) minutes unless such time is extended by the Mayor for good cause.”

SECTION 2. Section 2106 of the Downey Municipal Code is hereby amended to read as follows:

“Section 2106—REMOVAL FROM COUNCIL MEETING

The Mayor shall preside at the Council meeting and carry out the terms of these rules. In the event any person believes that the meeting is not being conducted in accordance with the Charter, this code or other applicable laws, such person may bring such a concern to the attention of the City Council in accordance with the rules of this Section and Section 2105, but shall not have the right to disobey such procedures. The Mayor may order, through the City Manager or his designee, the removal from the Council Chambers or other meeting place any person who, after fair warning, commits any of the following acts at a meeting of the City Council:

A. Violates any of the provisions of Sections 2105 or 2106 in such a manner as to disrupt, disturb or otherwise impede the orderly course of said meeting.

B. Engages in disorderly, contemptuous or insolent behavior toward the Council or any member thereof or persons addressing the Council, tending to interrupt the due and orderly course of said meeting.

C. Commits a breach of the peace, boisterous conduct or violent disturbance in such a manner as to disrupt, disturb or otherwise impede the orderly course of said meeting.

D. Disobeys any order of the Mayor, which shall include an order to be seated or to refrain from addressing the Council.


E. Engages in any other action or conduct, including speaking which disrupts, disturbs or otherwise interferes with the orderly course of said meeting.

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F. Any person so removed shall be excluded from further attendance on the item or matter pending before the Council at which time he or she has been removed. Upon completion of said item or matter, said person may reenter and attend the meeting. Any person so removed for a second time at such meeting shall be excluded from further attendance at the meeting from which he or she has been removed, unless permission to attend has been granted upon motion adopted by a majority of the Council.”

SECTION 3. This Ordinance shall be effective 30 days from and after the date of its adoption. The City clerk shall certify to the adoption of this Ordinance and cause the same to be published in the manner prescribed by law.

APPROVED AND ADOPTED this 9th day of November, 2004.


KIRK O. CARTOZIAN, Mayor

ATTEST:


KATHLEEN L. MIDSTOKKE, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss:
CITY OF DOWNEY)

I HEREBY CERTIFY that the foregoing Ordinance No. 1168 was introduced at a regular meeting of the City Council of the City of Downey held on the 26th day of October, 2004, and adopted at a regular meeting of the City Council of the City of Downey held on the 9th day of November, 2004, by the following vote, to wit:

AYES: 5 Council Members: Bayer, McCarthy, Perkins, Trejo, Mayor Cartozian
NOES: 0 Council Member: None
ABSENT: 0 Council Member: None
ABSTAIN: 0 Council Member: None

I FURTHER CERTIFY that a Summary of the foregoing Ordinance No. 1168, was published in the Press-Telegram, a newspaper of general circulation in the City of Downey, on October 29, 2004 (after introduction), and on November 12, 2004 (after adoption, including the vote thereon). It was also posted in the regular posting places in the City of Downey on the same dates.


KATHLEEN L. MIDSTOKKE, City Clerk