

**ORDINANCE NO. 22-1502**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DOWNEY AMENDING AND RESTATING DOWNEY MUNICIPAL CODE ARTICLE II, CHAPTER 1, SECTION 2105 REGULATING THE RULES OF CONDUCT FOR CITY COUNCIL MEETINGS**

**WHEREAS**, meetings of the City Council constitute a government process with important government purposes; and

**WHEREAS**, the City Council has an agenda for each meeting that requires that important decisions be made for the best interest of the community and members of the public; and

**WHEREAS**, the City Council of the City of Downey declares that the business of the City is to be conducted in an orderly and efficient manner to facilitate thorough City Council deliberations and decision making; and

**WHEREAS**, behavior from the public that actually disturbs, disrupts or otherwise impedes the orderly conduct of a City Council meeting interferes with the rights of the public to speak to the City Council and observe the functioning of their government; and

**WHEREAS**, disruptive behavior at City Council meetings also prevents the City Council from accomplishing the peoples' business in a reasonably efficient manner, stifles participation and debate, and undermines the local democratic process; and

**WHEREAS**, in order to conduct city council meetings in an orderly and efficient manner without public disturbance and interference, the meeting rules are amended to allow public speakers three (3) minutes to address the City Council on any agenda, consent calendar and non-agenda items in one comment period and to make other clarifications to the meeting process.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DOWNEY DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** The City Council of the City of Downey hereby amends and restates Downey Municipal Code, Article II, Chapter 1, Section 2105 to read as follows:

**"SECTION 2105. RULES OF CONDUCT FOR CITY COUNCIL MEETINGS.**

Conduct at City Council meetings shall be in accordance with the following rules:

- (a) Unless addressing the City Council or entering or leaving the Council Chambers or other meeting place, all persons in the audience shall remain seated in the seats provided. No person shall stand or sit in the aisles or along the walls, unless permitted by the Mayor. No person shall block any doorways.
- (b) All demonstrations, including cheering, yelling, whistling, handclapping and foot stomping which disrupts, disturbs or otherwise impedes the orderly conduct of the Council meeting are prohibited.
- (c) No placards, signs, posters, packages, bundles, suitcases or other large objects or trash shall be brought into the Council Chambers or other meeting place if doing so would disrupt, disturb or otherwise impede the orderly course of the meeting.
- (d) Smoking is prohibited in the Council Chambers or other meeting place.

(e) It is requested that all persons wishing to speak to the Council at the time designated for oral communications shall 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.

(f) There will be one oral communication section near the beginning of the City Council Closed Session Agenda. During this time, members of the public may address the Council on closed session items. Each person speaking shall be limited to three (3) minutes. Members of the public may submit comments on closed session items in writing to the City Clerk prior to the closed session meeting which may be read during the comment period at the discretion of the Mayor. For good cause, the Mayor may extend or limit the time for individual speakers or the maximum time for oral communications.

(g) During formal public hearings, all interested parties will be allowed to address the Council. The Mayor shall request persons wishing to address the Council to signify their interest and may limit the time allowed and otherwise coordinate the hearing proceedings. The applicant shall speak after the staff report and shall have the opportunity for rebuttal. The applicant shall not be limited by the three (3) minute time limit, but shall not be repetitious nor digress from the issues before the Council. In the interest of facilitating the business of the Council, all persons addressing the Council shall be limited to three (3) minutes unless such time is extended or limited by the Mayor for good cause.

(h) There will be one oral communication section near the beginning of the City Council Agenda placed after public hearings. During this time, members of the public may address the Council on any agenda, non-agenda and consent calendar items. Each person speaking shall be limited to three (3) minutes and the maximum time allowed for oral communication shall be thirty (30) minutes. Members of the public may submit comments on agenda, non-agenda and consent calendar items in writing to the City Clerk prior to the meeting which may be read during the comment period at the discretion of the Mayor. For good cause, the Mayor may extend or limit the time for individual speakers and/or the maximum time for oral communications. The Mayor may rearrange the order of items on the agenda to ensure the orderly conduct of the meeting.

(i) At the end of the regular City Council meeting, staff and members of the City Council may present any other business that is appropriate for City Council consideration. Unless permitted by the Brown Act, the Council may not discuss such items or act upon them, but an individual Council Member may request that any such item be placed upon a future agenda for consideration by the Council. The procedures for placing an item on a future agenda may be set by resolution of the City Council.

(j) Members of the audience shall respect the rights of others and shall not create noise or other disturbances so as to disrupt or disturb persons who are addressing the City Council, Council Members who are speaking, or otherwise impede the orderly conduct of the meeting. All persons addressing the City Council shall speak in a civil and courteous manner and shall not yell, scream, or use foul language. Speakers shall address the agenda topic to which they are speaking on and shall not be repetitive.

(k) Photographs, audiotapes and videotapes may be taken from any seat within the Council Chamber or other meeting place or from the rear of the Council Chamber or other meeting

place. Except when presentations are being made, photographs, audiotapes and videotapes may not be taken from the side or middle aisles or from the front of the Council Chambers as such practices disrupt and disturb the audience, public speakers and Council Members, and interferes with the orderly conduct of the meeting. Photographs, audiotapes and videotapes shall not be taken in any manner which disturbs or disrupts the audience, speakers or Council Members or otherwise disrupts the Council meeting.

(l) The City Council may direct that city council meetings be viewed by members of the public utilizing video live stream, video conferencing software or similar technology. Public access instructions shall be included with the posted agenda.

(m) Animals are prohibited in the council chambers, except for trained K-9 police dogs and trained service animals as defined under State and Federal law.”

**SECTION 2.** If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases, or portions be declared invalid or unconstitutional.


**SECTION 3.** Upon the effective date of this amendment, the City Clerk is directed to place and maintain copies of the City Council meeting rules in the back of the Council Chambers for members of the public.

**SECTION 4.** The City Clerk shall certify the adoption of this Ordinance and cause the same to be published in the manner prescribed by law.

**APPROVED AND ADOPTED** this 13<sup>th</sup> day of December, 2022.

  
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CLAUDIA M. FROMETA, Mayor

**ATTEST:**

  
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MARIA ALICIA DUARTE, CMC  
City Clerk

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

**I HEREBY CERTIFY** that the foregoing Ordinance No. 22-1502 was introduced at an Adjourned Regular meeting of the City Council of the City of Downey held on the 10<sup>th</sup> day of November, 2022, and adopted at a Regular meeting of the City Council of the City of Downey held on the 13<sup>th</sup> day of December, 2022, by the following vote, to wit:

AYES:	Council Members:	Sosa, Trujillo, Mayor Frometa
NOES:	Council Member:	None.
ABSENT:	Council Member:	Alvarez
ABSTAIN:	Council Member:	None.

**I FURTHER CERTIFY** that a Summary of the foregoing Ordinance No. 22-1502, was published in the Downey Patriot, a newspaper of general circulation in the City of Downey, on November 24, 2022, (before adoption), and on December 15, 2022, (after adoption, including the vote thereon). It was also posted in the regular posting places in the City of Downey on the same dates.

  
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MARIA ALICIA DUARTE, CMC  
City Clerk