

ORDINANCE NO. 2011 - 71

**AN ORDINANCE AMENDING THE BARTLETT MUNICIPAL CODE
AND ADOPTING RULES OF DECORUM FOR VILLAGE BOARD MEETINGS**

BE IT ORDAINED by the President and Board of Trustees of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois, as follows:

SECTION ONE: That Section 1-6-3:A. of Title 1, Chapter 6, of the Bartlett Municipal Code is hereby repealed and amended by deleting it in its entirety.

SECTION TWO: That Title 1, Chapter 6, of the Bartlett Municipal Code, as amended, is further amended by adding thereto, and in place of the deletion provided for in SECTION ONE of this Ordinance, new Section 1-6-3:A. as follows:

A. Regular Meetings: The regular meetings of the president and board of trustees of the village shall be held on the first and third Tuesdays of each month at the hour of seven o'clock (7:00) P.M., or upon such other dates as shall be prescribed by a motion adopted by a vote of the majority of those trustees present at any meeting.

SECTION THREE: That Section 1-6-4-2 of Title 1, Chapter 6, of the Bartlett Municipal Code is hereby repealed and amended by deleting it in its entirety.

SECTION FOUR: That Title 1, Chapter 6, of the Bartlett Municipal Code, as amended, is further amended by adding thereto, and in place of the deletion provided for in SECTION THREE of this Ordinance, new Section 1-6-4-2 as follows:

1-6-4-2: **ORDER OF BUSINESS:** The order of business of the board of the trustees of the village shall be as follows:

- A. Call to order.
- B. Roll call.
- C. Pledge of Allegiance
- D. Consent Agenda
- E. Approval of minutes of previous meeting(s).
- F. Approval of bill list.
- G. Treasurer's report.
- H. President's report.
- I. Question and answer session president and board of trustees.
- J. Town hall.
- K. Standing committee reports:
 - Planning and zoning
 - Building
 - Finance and golf
 - License and ordinance

- Police and health
- Public works
- L. New business.
- M. Question and answer among the president and board of trustees.
- N. Adjournment.

SECTION FIVE: The first paragraph of Section 1-6-4-3:A. of Title 1, Chapter 6, of the Bartlett Municipal Code is hereby repealed and amended by deleting it in its entirety.

SECTION SIX: That Title 1, Chapter 6, of the Bartlett Municipal Code, as amended, is further amended by adding thereto, and in place of the deletion provided for in SECTION FIVE of this Ordinance, a new first paragraph to Section 1-6-4-3:A. as follows:

1-6-4-3: COMMITTEES OF THE BOARD:

- A. Standing Committees: The following shall be the standing committees of the board of trustees:

- Planning and zoning
- Building
- Finance and golf
- License and ordinance
- Police and health
- Public works

SECTION SEVEN: That Title 1, Chapter 6, Section 1-6-4-4:C of the Bartlett Municipal Code is hereby repealed and amended by deleting it in its entirety.

SECTION EIGHT: That Title 1, Chapter 6, Section 1-6-4-4 of the Bartlett Municipal Code be further amended by adding thereto, and in place of the deletion provided for in SECTION SEVEN of this Ordinance, new subsection C as follows:

C. RULES OF DECORUM FOR BOARD MEETINGS.

1. Decorum. Meetings of the board shall be conducted in an orderly manner to ensure that the public has a full opportunity to be heard and that the deliberative process of the board is retained at all times. The presiding officer of the board, who shall be the president, or, in his or her absence, other member so designated by the board, or in the case of a committee of the whole meeting of the board when a matter is turned over by the president to the chairman of a standing committee, in which case said chairman or another member of the board acting as the chair of said standing committee in the chairman's absence shall be the presiding officer over matters of that standing committee, shall be responsible for maintaining the order and decorum of meetings.

2. Rules of Decorum. While any meeting of the board is in session, the following rules of order and decorum shall be observed:
 - a. Persons Addressing the Board. Public oral communications at the board meetings should not be a substitute for any item that can be handled during the normal working hours of the municipal government. The primary purpose of oral communications is to allow citizens the opportunity to formally communicate with the board as a whole, for matters that cannot be handled during the regular working hours of the village government. Each person who addresses the board shall do so in an orderly manner and shall not utter fighting words or make personal, impertinent, slanderous, obscene or profane remarks to any member of the board, staff or general public. Any person who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct, which disrupts, disturbs or otherwise impedes the orderly conduct of any board meeting shall, at the discretion of the presiding officer or a majority of the board, be barred from further audience before the board during that meeting.
 - b. Members of the Audience. No person in the audience at a board meeting shall engage in disorderly or boisterous conduct, including the utterance of fighting words, or use obscene, slanderous, threatening or abusive language, whistling, stamping of feet or other acts in a manner which disturbs, disrupts or otherwise impedes the orderly conduct of any board meeting. Any person who conducts himself in the aforementioned manner shall, at the discretion of the presiding officer or a majority of the board, be barred from further audience before the board during that meeting.
3. Addressing the Board. A person wishing to address the board regarding an item which is on the committee of the whole meeting agenda shall first submit a request on the form provided if so directed by the presiding officer, or he or she may seek recognition by the presiding officer of the board during discussion of any such item. Persons wishing to discuss an agenda or a non-agenda item at any regular or special meeting of the board may seek recognition by the presiding officer during the town hall portion of the meeting. No person shall address the board without first being recognized by the presiding officer. The following procedures shall be observed by persons addressing the board:
 - a. Each person shall step to the podium provided for the use of the public and shall state his or her name and address; the organization, if any, which he or she represents; and, if during the town hall portion of the regular or special meeting of the board, the subject he or she wishes to discuss.
 - b. During the town hall portion of any regular or special meeting of the board, any subject, whether or not on the board agenda for that meeting, shall be

open for discussion, but shall be subject to the time limitation set forth in subsection d. and compliance with the rules of decorum.

- c. During the committee of the whole meetings, only matters on the agenda for that meeting may be discussed and members from the public will be given an opportunity to be heard on each agenda item only after a presentation of the matter by village staff and/or the petitioner and the petitioner's consultants; the board members have had an opportunity to ask questions of the village staff, the village's consultants, the petitioner and the petitioner's consultants; and to discuss the matter among themselves. Each person shall confine his or her remarks to the committee of the whole agenda item or an approved oral communications subject being discussed, subject to the time limit set forth in subsection d. and compliance with the rules of decorum.
 - d. Each person shall limit his or her remarks to three minutes, unless further time is granted by the board.
 - e. The three minute time limit shall not apply to any public hearings required by law, statute or ordinance. Cross examination of the village staff, village consultants, a petitioner or a petitioner's consultants shall not be allowed except in the case of a public hearing before the board and only by a person, or his or her attorney, who lives within 250 feet of a development project or otherwise has standing to do so as determined by the presiding officer in consultation with the village attorney. In the event evidence is presented by an objector, or his or her consultants during a public hearing before the board, limited cross examination may be allowed by the presiding officer in consultation with the village attorney
 - f. All remarks shall be addressed to the board as a whole and not to any single member thereof, unless in response to a question from such member, or when authorized by the presiding officer to conduct cross examination of a person during a public hearing before the board.
4. Enforcement of Decorum. The rules of decorum set forth above shall be enforced in the following manner:
- a. Warning. The presiding officer shall request that a person who is breaching the rules of decorum be orderly and silent. If, after receiving a warning from the presiding officer, a person persists in disturbing the meeting, the presiding officer shall order him or her to leave the board meeting. If such person does not remove himself or herself, the presiding officer may order any law enforcement officer who is on duty at the meeting to remove that person from the board room. Any law enforcement officer on duty and present at such meeting who is ordered by the presiding office to remove an individual from a meeting shall automatically be deemed the sergeant-at-arms of the board without formal appointment.

- b. Removal. Any law enforcement officer who is serving as sergeant-at-arms of the board shall, upon confirmation that an actual disturbance, disruption or action impeding the conduct of the meeting occurred and that the requisite warning was given, carry out all lawful orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the board meeting. Upon instructions of the presiding officer and making said confirmations, it shall be the duty of the sergeant-at-arms to remove from the board room any person who is disturbing the proceedings of the board, and if the sergeant-at-arms deems it necessary to avoid further disturbance, to further remove the person violating the rules of decorum from the municipal building.
 - c. Resisting Removal. Any person who resists removal by the sergeant-at-arms shall be charged with a violation of this section.
 - d. Motion to Enforce. If the presiding officer of the board fails to enforce the rules set forth above, any member of the board may move to require him or her to do so, and an affirmative vote of a majority of the board shall require him or her to do so. If the presiding officer of the board fails to carry out the will of a majority of the board, the majority may designate another member of the board to act as presiding officer for the limited purpose of enforcing any rule of this section which it wishes to enforce.
 - e. Adjournment. If a meeting of the board is disturbed or disrupted in such a manner as to make infeasible or improbable the restoration of order, the meeting may be adjourned or continued by the presiding officer with the concurrence of a majority of a quorum of the board in attendance, and any remaining board business may be considered at the next meeting. If no law enforcement officer is on duty at the meeting to act as sergeant-at-arms to carry out a removal order of the presiding officer, the meeting may be adjourned temporarily for the purpose of calling an on-duty law enforcement officer to the board room to investigate and confirm that an actual disturbance, disruption or action impeding the conduct of the meeting occurred, that the requisite warning and order of removal were given, and upon such confirmation, to act as sergeant-at-arms to carry out any such lawful order of removal. After any such temporary adjournment, the meeting may be reconvened to conduct any remaining board business, or continued by the presiding officer with the concurrence of a majority of a quorum of the board in attendance, and any remaining board business may be considered at the next meeting.
5. Penalty. Any person who is convicted of a violation of any provision of this section shall be fined not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for each offense.

SECTION NINE: That Section 1-6-4-6 of Title 1, Chapter 6, of the Bartlett Municipal Code is hereby repealed and amended by deleting it in its entirety.

SECTION TEN: SEVERABILITY. The various provisions of this Ordinance are to be considered as severable, and if any part or portion of this Ordinance shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION ELEVEN: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION TWELVE: EFFECTIVE DATE. This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form.