

CITY OF DALTON GARDENS

ORDINANCE NO. 87

AN ORDINANCE OF THE CITY OF DALTON GARDENS ESTABLISHING AND FIXING RULES OF PROCEDURE FOR PUBLIC HEARINGS BEFORE THE CITY COUNCIL, AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DALTON GARDENS, KOOTENAI COUNTY, IDAHO:

SECTION I: The following rules are hereby established, shall be observed in the conduct of any Public Hearing before the City Council of the City of Dalton Gardens, and shall be known as the "Dalton Gardens Rules of Procedure".

1. No person shall be permitted to testify or speak before the City Council at a Public Hearing, unless such person has signed his name and written his residential address thereafter on sign-up sheets to be provided by the City. This rule shall not apply to staff or technical witnesses directed by the mayor to give evidence or information to the City Council.

2. No person shall be permitted to speak before the City Council at a Public Hearing until such person has been recognized by the mayor.

3. All Public Hearing proceedings shall be recorded electronically or stenographically and all persons speaking at such Public Hearings shall speak before a microphone in such a manner as will assure that the recorded testimony or remarks will be accurate and trustworthy.

4. At the commencement of the Public Hearing, the City Council shall establish a time limit to be observed by all speakers. The time limit shall be established depending on the number of speakers who sign up for each Public Hearing and shall apply only to the speaker's comments.

5. The speaker shall not be interrupted by members of the City Council until his time limit has been expended or until he has finished his statement.

6. At the conclusion of a speaker's comments, each City Councilman, when recognized by the mayor, shall be allowed to question the speaker and the speaker shall be limited to answers to the questions asked. The question and answer period shall not be included in the speaker's time limit, as established.

7. When the Public Hearing is quasi-judicial in nature or one after which the City Council is required by law to make Findings of Fact, each speaker must swear or affirm that his testimony will be true and correct.

8. Any person not conforming to any of the above rules may be prohibited from speaking during the Public Hearing. Should any person refuse to comply with such prohibition, he may be removed from the room by order of the mayor.

9. The City Council may suspend or amend any one or more of these rules by vote of one-half plus one of the full City Council.

10. The mayor shall have the authority to interpret and apply the foregoing rules, subject to an appeal to the City Council, whose decision shall be determined by a majority vote of the council members present.

SECTION 2: All ordinances, resolutions, rules and policies in conflict with this ordinance are hereby repealed.

SECTION 3: This ordinance shall take effect and be in full force upon its passage, approval and publication.

PASSED by the Council and APPROVED by the Mayor this 7th day of October, 1982.

Ward B. Newcomb
Mayor

ATTEST:

Lucy A. Lowery
City Clerk

AFFIDAVIT OF PUBLICATION

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Ward B. Newcomb
Mayor

ATTEST:
Lucy A. Howey
City Clerk
Legal 107
Oct. 13, 1982

STATE OF IDAHO, }
County of Kootenai, } ss.

Allen Hancock being first duly sworn upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The Ord 87

of which the annexed is a printed copy, was published in the regular Wed issue of said newspaper for time consecutive time commencing on the 13 day of Oct, 1982 and ending on the 13 day of Oct, 1982 and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Allen Hancock

Subscribed and sworn to before me this 13 day of Oct, 1982

Roberta Dandy
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

LEADER