STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE) ORDINANCE NO. 2022-8

CITY OF WALHALLA)

AN ORDINANCE TO PROVIDE FOR RULES OF DECORUM AT CITY COUNCIL AND COMMITTEE MEETINGS

WHEREAS, Section 5-7-250 of the South Carolina Code requires that the Council shall determine its own rules and order of business and shall provide for the keeping of minutes of its proceedings which shall be a public record; and

WHEREAS, the defining characteristics of the City of Walhalla include its commitment to the democratic process, individual rights of expression, robust debate and tolerance for disparate views; and

WHEREAS, the Walhalla City Council all convene public meetings to address controversial issues that engender passionate and often conflicting opinions; and

WHEREAS, an atmosphere of incivility and disrespect at these meetings can stifle participation and debate, threaten the quality of decisions and undermine the local democratic process; and

WHEREAS, adopting rules of decorum applicable to all public meetings will help ensure that civic engagement and local democracy continue to flourish in Walhalla.

ARTICLE I

The purpose of the public comment/public hearing is to allow citizens of the municipality or others who have standing in the municipality an opportunity to tell members of city council their opinions or comments. It is not intended to be a debate or a dialogue. Therefore, no response by councilmembers during the public comment or public hearing should be expected. Meetings of the City Council shall be conducted, by the City Council, in an orderly manner to ensure that the City Council has an opportunity to hear members of the public and that the orderly and deliberative process of the City Council is maintained at all times by the City Council. The presiding officer of the City Council, who shall be the Mayor, Mayor Pro-Tempore or, in their absence, other member so designated by the City Council, shall be responsible for maintaining the order and decorum of meetings.

ARTICLE II

Rules of Decorum. While any meeting of the City Council is in session, the following rules of order and decorum shall be observed:

1. Councilmembers. The members of the City Council shall preserve order and decorum, and a member shall not by conversation or other means delay or interrupt the City Council proceedings or disturb any other member while that member, who has been recognized by the presiding officer to speak, so has the floor to speak.

a) Members of the City Council shall not use or make inappropriate, vulgar, opprobrious words or offensive comments.
b) Members shall maintain a civil manner and tone.
c) Members of the City Council shall only speak to the matter currently under consideration by the City Council.
d) During presentations, discussion or debate, members of the City Council shall refrain from communicating among each other, giving attention and due respect for the speaker or council member addressing the body.
e) While a member of the City Council has the floor, members of council and members of the public shall not interrupt the speaker unless the speaker is ruled out of order.
f) A member who violates any rule of decorum may be ruled out of order by the presiding officer.
g) A member who violates the rules of decorum may be removed from the meeting according to applicable rules.

2. City Staff Members. Employees of the City shall observe the same rules of order and decorum as those which apply to the City Council.

3. Persons Addressing the City Council. Public comment/public hearing at the City Council 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 public comment/public hearing is to allow citizens the opportunity formally to communicate with the City Council as a body, solely for matters that cannot be handled during the regular working hours of the City government. Each person who addresses the City Council shall do so in an orderly manner and shall not make personal, impertinent, defamatory, or profane remarks to any member of the City Council, staff, general public, or otherwise generally. 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 City Council meeting shall, at the discretion of the presiding officer or a majority of the City Council, be barred from further audience before the City Council during that meeting and/or any future meeting(s).

4. Members of the Audience. A person in the audience at a City Council meeting shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, applause, booing, stamping of feet, or other acts which the presiding officer and/or the City Council deem to disturb, disrupt, or otherwise impede the orderly conduct of any City Council meeting. Any person who conducts him or herself in the aforementioned manner shall, at the discretion of the

presiding officer or a majority of the City Council, be barred from further audience before the City Council during that meeting and/or any future meeting(s).

5. Addressing the City Council. A person wishing to address the City Council regarding an item which is on the City Council meeting agenda shall submit a request on the form provided, or that person may orderly seek recognition by the presiding officer of the City Council during discussion of any such item. Persons wishing to discuss a non-agenda item may seek recognition by the presiding officer during the public comment/public hearing portion, if any, of the meeting. No person shall address the City Council without first being recognized by the presiding officer. The following procedures shall be observed by persons addressing the City Council:

a) Each person shall step to the podium, if one is provided for the use of the public, or otherwise step to a place generally viewable by all members of City Council near the center of the meeting room, shall state the person's name and address, the organization, if any, which that person represents, and the subject that person wishes to discuss.
b) Each person shall confine that person's remarks to the City Council agenda item or approved public comment/public hearing subject being discussed.
c) Each person shall limit that person's remarks to five (5) minutes, unless further time is granted by the presiding officer.
d) All remarks shall be addressed to the City Council as a body and not to any single member thereof, unless in response to a question asked by a City Council member of the person speaking.
e) No question may be asked of a member of the City Council or of the City staff without permission of the presiding officer.
f) The presiding officer may determine the subject of a person's comments are not relevant for consideration and may direct the person speaking to suspend comments on that particular subject or otherwise to yield the floor.

No person, other than a Member of City Council and the speaker, shall be permitted to enter into any discussion, either directly or through a member of City Council, without the permission of the presiding officer. Failure to comply with this rule by those in attendance may lead to the termination of the public comment and/or the public hearing.

ARTICLE III

1. Enforcement of Decorum. The rules of decorum set forth above shall be enforced in the following manner:

2. Warning. The presiding officer shall request that any person who is breaching the rules of decorum be orderly and silent. If, after receiving a warning from the presiding officer, any person persists in disturbing the meeting, then the presiding officer shall order that person to leave the City Council meeting. If the person directed to leave fails to

do so immediately, then the presiding officer may order any available City law enforcement officer to remove that person from the City Council meeting. The presiding officer is entitled to warn and remove the entire audience from any City Council meeting.

3. Removal. Any available City law enforcement officer shall carry out all instructions given by the presiding officer for the purpose of maintaining order and decorum at the City Council meeting.

4. Resisting Removal. Any person who resists removal from a City Council meeting may be charged with a violation of this section.

5. Penalty. A person who violates any provision of this Ordinance may be criminally charged with a violation of South Carolina law with, for example, disorderly conduct, breach of peace, and assault.

6. Motion to Enforce. If the presiding officer of the City Council fails to enforce any portion of this Ordinance, then any member of the City Council may move to require the presiding officer to do so, and an affirmative vote of a majority of the City Council shall require the presiding officer to do so. If the presiding officer of the City Council fails to carry out the will of a majority of the City Council, then the majority may designate another member of the City Council to act as presiding officer for the limited purpose of enforcing this Ordinance.

7. Adjournment. If a meeting of the City Council is disturbed or disrupted in such a manner as to make infeasible or improbable the restoration of order, then the meeting may be adjourned or continued by the presiding officer or a majority of the City Council, and any remaining City Council business may be considered at the next meeting.

8. Roberts Rules of Order shall be considered as prevailing should anything arise that is not addressed by this ordinance.

ARTICLE IV

1. Repeal of Conflicting. If anything in this ordinance conflicts with prior ordinances, that is repealed and replaced by this ordinance.

2. Should a disagreement result from a ruling by the chair, Roberts Rules of Order, current edition, shall be used as prevailing.

BE IT ORDAINED by the Mayor and the City council of the City of Walhalla in Council duly assembled and by the authority of the same:

DONE AND RATIFIED in council duly assembled this 15TH day of Nov 2022.

(SEAL)

By: _____
Danny Edwards, Mayor

ATTEST:

By: Timothy B. Burton
Timothy B. Burton, City Administrator

Introduced By: MR. PACE

First Reading: SEPT 20, 2022

Second Reading: NOV 15, 2022

STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE) **ORDINANCE NO. 2022-9**

CITY OF WALHALLA)

AN ORDINANCE TO PROVIDE FOR RULES OF DECORUM AT PUBLIC MEETINGS OTHER THAN AT CITY COUNCIL AND CITY COMMITTEE MEETINGS

WHEREAS, Section 5-7-250 of the South Carolina Code requires that the Council shall determine its own rules and order of business and shall provide for the keeping of minutes of its proceedings which shall be a public record; and

WHEREAS, the defining characteristics of the City of Walhalla include its commitment to the democratic process, individual rights of expression, robust debate and
tolerance for disparate views; and

WHEREAS, the Walhalla City Council, the City's boards and commissions, other public bodies and various community groups all convene public meetings to address controversial issues that engender passionate and often conflicting opinions; and

WHEREAS, an atmosphere of incivility and disrespect at these meetings can stifle participation and debate, threaten the quality of decisions and undermine the local democratic process; and

WHEREAS, adopting rules of decorum applicable to all public meetings will help ensure that civic engagement and local democracy continue to flourish in Walhalla.

PURPOSE:

The purpose of the public forum/public hearing is to allow citizens of the municipality or others who have standing in the municipality an opportunity to tell members of city council their opinions or comments. It is not intended to be a debate or a dialogue. Therefore, no response by councilmembers during the public forum or public hearing should be expected. Meetings of boards and commissions 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 or commission is retained at all times. The presiding officer of the board or commission, who shall be the chair, vice chair, or, in their absence, other member so designated by the board or commission, shall be responsible for maintaining the order and decorum of meetings.

PROVISIONS:

A. General Guidelines

The City has numerous public meetings such as Commission meetings, Board meetings, etc. (hereinafter "Public Meetings"). In order to safeguard participatory democracy in Walhalla, all persons attending Public Meetings in Walhalla should strive to:

- Treat everyone courteously
- Listen to others respectfully
- Exercise self-control
- Give open-minded consideration to all viewpoints
- Focus on the issues and avoid personalizing debate
- Embrace respectful disagreement and dissent as democratic rights that are inherent components of an inclusive public process and tools for forging sound decisions.

B. Rules of Decorum

1. No person attending a Public Meetings shall engage in disorderly or boisterous conduct—including but not limited to applause, whistling, stamping of feet, booing, or making any loud, threatening, profane, abusive, personal, impertinent, or slanderous utterance—that disturbs, disrupts, or otherwise impedes the orderly conduct of the meeting.
2. All remarks by members of the public shall be addressed to the Chair (hereinafter "Presiding Officer") and not to any other member of the public or to any single Board or Commission Member unless in response to a question from that Member.
3. Signs, placards, banners, or other similar items shall not be permitted in the audience during a Public Meeting if the presence of such item disturbs, disrupts or otherwise impedes the orderly conduct of the meeting.
4. All persons attending a Public Meeting shall remain seated in the seats provided, unless addressing the body at the podium or entering or leaving the meeting.
5. All persons attending a Public Meeting shall obey any lawful order of the Presiding Officer to enforce the Rules of Decorum.

C. Enforcement of the Rules of Decorum

1. The Presiding Officer shall be responsible for maintaining the decorum at the Public Meeting and uniformly enforcing the Rules of Decorum.
2. In the event that any person breaches the Rules of Decorum in a manner that disturbs, disrupts, or otherwise impedes the orderly conduct of the meeting,

the Presiding Officer shall order that person to cease the offending conduct.

3. If any person continues to breach the Rules of Decorum in a manner that disturbs, disrupts, or otherwise impedes the orderly conduct of the meeting following an order from the Presiding Officer to cease the offending conduct, the Presiding Officer may order that person to leave the Public Meeting.
4. If any person refuses to leave the Public Meeting following an order from the Presiding Officer to do so, the Presiding Officer may order any law enforcement officer on duty to remove that person from the Public Meeting.
5. A person who violates any provision of this Ordinance shall be criminally charged with a violation of South Carolina law with, for example, disorderly conduct, breach of peace, and assault.
6. Roberts Rules of Order, current edition, shall be considered as prevailing should anything arise that is not addressed by this ordinance.
7. Should a disagreement result from a ruling by the chair, Roberts Rules of Order, current edition, shall be used as prevailing.

The City Council, all City Boards and Commissions, and City staff shall promote the use of and adherence to these guidelines for behavior at all public meetings within the City.

Repeal of Conflicting. If anything in this ordinance conflicts with prior ordinances, that is repealed and replaced by this ordinance.

BE IT ORDAINED by the Mayor and the City council of the City of Walhalla in Council duly assembled and by the authority of the same:

DONE AND RATIFIED in council duly assembled this 15TH day of NOV 2022.

(SEAL) CITY OF WALHALLA INCORPORATED 1855 OCONEE COUNTY, S.C.

By: _____
Danny Edwards, Mayor

ATTEST:

By: Timothy B. Burton
Timothy B. Burton, City Administrator

Introduced By: MR. PACE

First Reading: SEPT 20, 2022

Second Reading
and Public Review: NOV 15, 2022