

## CODE OF ORDINANCES

### Sec. 2-53. - Addressing council.

(b) Quasi-judicial hearings shall be conducted substantially the following manner:

- (1) All speakers shall sign and submit a request to speak card, which shall contain an oath or affirmation that the testimony to be given will be truthful.
- (2) The mayor, or designee, shall open the public hearing and call upon the city clerk to read the title of the proposal before council.
- (3) The mayor and councilmembers shall disclose any conflicts of interest and ex parte communications.
- (4) City attorney shall raise any preliminary matters including whether there are any requests for affected party status.
- (5) City council decides on any preliminary matters including affected party status.
- (6) Staff makes a presentation, if requested.
- (7) After the staff presentation, the applicant may make a presentation.
- (8) Any affected party may make a presentation.
- (9) Cross examination of witnesses may occur after each presentation.
- (10) City council shall hear any public comment whereupon the public comment portion of the public hearing shall be closed.
- (11) Staff shall make any response and summary.
- (12) Any affected party may offer rebuttal.
- (13) The applicant may offer rebuttal.
- (14) During the course of the hearing, councilmembers may ask questions through the mayor, or designee, of the person testifying. The timing of these questions shall be at the sound discretion of the mayor, or designee, in consultation with the presenter in order to facilitate and achieve an orderly public hearing process. After rebuttal, the mayor, or designee, shall close the public hearing but may allow staff, the applicant or any affected party to respond to specific questions from councilmembers.
- (15) Staff shall submit written material in accordance with the requirements of this Code. All other persons who wish to submit written material are encouraged to provide it to the city clerk as far in advance of the hearing as possible (at least five business days is recommended). All material submitted shall be made part of the record except for material specifically excluded by law.
- (16) Staff, the applicant and any affected party shall each be entitled to 30 minutes for presentation. All other persons shall be entitled to five minutes. Rebuttal shall be limited to 15 minutes except when there are multiple affected parties and additional time is requested by the applicant. In order to ensure that due process is afforded, time limits

may be extended by vote of the majority of councilmembers present. All time limits shall be enforced by the city clerk and shall not include the time for council questions or presenter's responses.

(17) Any person making personal, impertinent or slanderous remarks, or who shall become boisterous or disorderly, or who speaks longer than the allotted time without permission, or who speaks vulgarities, may be requested to leave the meeting and may be barred from further presentation before the council at that meeting by the mayor, or designee.

(18) City council shall vote on the matter within 30 days of closing the public hearing unless the mayor, or designee, announces at the close of the public hearing that a vote will be taken on a specific date beyond the 30-day period.

(2018)