

ORDINANCE NO. 2018-38

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE I, MAYOR AND COUNCIL, DIVISION 2, MEETINGS, SUBDIVISION I, IN GENERAL, SECTION 2-53, ADDRESSING COUNCIL; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Venice City Council desires to update and revise its public participation procedures, in part to prioritize the comment of City residents, City property owners and of businesses within the City limits.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA:

SECTION 1. The Whereas clause above is ratified and confirmed as true and correct.

SECTION 2. Chapter 2, Administration, Article I, Mayor and Council, Division 2, Meetings, Subdivision I, In General, Section 2-53, Addressing Council, is amended as follows:

Sec. 2-53. - Addressing council.

(a) Except for quasi-judicial public hearings, any person desiring to present his views on any matter over which the council has control may do so in the following manner:

(1) *Written communications.* Interested parties or their authorized representatives may address the council by written communications, including emails or other electronic means, in regard to matters under discussion. Such communications shall be copied to each member of the council by the city clerk.

(2) *Oral communications.* Members of the public or their legal representatives, may request to address the council by oral communications on any matter concerning the city's business or on any matter over which the council has control; provided that those persons have notified the city clerk by 12:00 noon of the Monday of the week immediately preceding the Tuesday council meeting of their desire to speak in order that their names may appear on the agenda. Those not making previous arrangements will be allowed to speak during audience participation as set forth in subsection (3) of this section.

(3) *Audience participation.* The council will hear comments, concerns or questions from ~~any~~ members of the public present at the meeting during defined time periods for public comment on the agenda. Any person wishing to speak~~All speakers shall complete and submit a request to speak card prior to the start of the applicable opportunity for public comment, it being understood that a~~Any single presentation must be limited to five minutes for city residents, city property owners, and owners of businesses within the city limits and two minutes for all other

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~~speakers unless another time limits are otherwise established.~~ Comments will be permitted on agenda items at the time the item is under consideration by the council if a request to speak card has been submitted to the city clerk.

(4) *Addressing council.* Each person addressing council shall speak into the microphone, ~~give his name and address for the record and, unless further time is granted by the council,~~ shall limit his address to:-

~~a. The time granted by subsection (3) above on the agenda; or~~

~~b. Five minutes if he is speaking during the time scheduled for audience participation or on an agenda item unless another time limit is otherwise established;~~

~~c. Time limits for any member of the public may be extended at the discretion of the presiding officer.~~

The time limits will be strictly enforced. Time limits for any member of the public may be extended at the discretion of the presiding officer. All remarks shall be addressed to the council as a body and not to any member thereof. There is to be no interruption during the presentation; however, at its completion, any councilmember may, through the chair, ask questions with the intent of receiving pertinent information but will not enter into a debate. The person will then be dismissed from the dais. Then council may, open the question for their discussion. In all areas other than public hearings or audience participation, the audience will not be allowed to speak, unless it is approved by four affirmative votes of council.

(5) *Improper remarks or conduct.* 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 presiding officer.

(6) *Enforcement of time limits.* The city clerk or his designee shall indicate by a bell, light, buzzer or voice when the allotted time has expired.

(7) *Order of audience participation.* Regardless of pro or con standing, citizens shall be asked to speak on the issue in the order called by the city clerk, with City residents, city property owners and owners of businesses within the city limits being called first.

(b) unchanged.

SECTION 3. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 4. If any part, section, subsection or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional or invalid for any reason, such part, section, subsection or other portion, or the prescribed application thereof, shall be severable and the remaining provisions of this ordinance, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The city

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council specifically declares that no invalid or prescribed provision or application was an inducement to the enactment of this ordinance and that it would have enacted this ordinance regardless of the invalid or prescribed provision or application.

SECTION 5. This ordinance shall take effect immediately upon approval and adoption as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA THIS 27TH DAY OF NOVEMBER, 2018.

First Reading: November 13, 2018
Final Reading: November 27, 2018
Adoption: November 27, 2018

John W. Holic, Mayor

ATTEST:

Lori Stelzer, MMC, City Clerk

I, LORI STELZER, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of an Ordinance duly adopted by the Venice City Council at a meeting thereof duly convened and held on the 27th day of November 2018 a quorum being present.

WITNESS my hand and the official seal of said City this 27th day of November 2018.

Lori Stelzer, MMC, City Clerk

(SEAL)

Approved as to form:

Kelly Fernandez, City Attorney

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