



## Legislation Details (With Text)

**File #:** 15-1938      **Version:** 1      **Name:** Rule XVII  
**Type:** Resolution      **Status:** Tabled  
**File created:** 10/5/2015      **In control:** Municipal Council and City Clerk  
**On agenda:** 10/21/2015      **Final action:** 11/16/2015  
**Title:** Dept/ Agency: Offices of Municipal Council/City Clerk  
Action: ( ) Ratifying (X) Authorizing (X) Amending  
Type of Service: Council Rules  
Purpose: Resolution Amending the Rules of Procedure Governing the Conduct of Meetings of the Municipal Council of the City of Newark  
Additional Information: Rule XVII Addressing the Municipal Council; Time Limit  
Deferred 7R9-e 102115  
Deferred to Special 7R9-a 110515  
Failed 7R9-a (s) 111015

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
11/16/2015	1	Municipal Council	Tabled	Pass
11/10/2015	1	Municipal Council	Adopt	Fail
11/5/2015	1	Municipal Council	Defer to a Special Meeting	Pass
10/21/2015	1	Municipal Council	Defer	Pass

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**WHEREAS**, the Municipal Council of the City of Newark, New Jersey, wishes to amend Rule XVII of the established rules of procedure for its meetings, adopted by Resolution 7R9-d, February 1, 2012.

**NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

The Rules of Procedure Governing the Conduct of Meetings of the Municipal Council of the City of Newark, New Jersey, Rule XVII, shall be amended as follows:

Note: Additions are bold and underlined and deletions are shown with a strikethroughs.

## **RULE XVII. ADDRESSING THE MUNICIPAL COUNCIL: TIME LIMIT**

The Newark Municipal Council hereby affirms and supports the right of citizens to speak at public meetings of the Municipal Council in accordance with the Municipal Council's own rules of procedure and any applicable statutes of the State of New Jersey.

A Hearing of Citizens shall be held during the course of each regular meeting of the Municipal Council as set forth in Rule III.

Any person may be permitted to address the Municipal Council during the Hearing of Citizens session, provided that notice by such person is given to the Office of the City Clerk by either personal appearance, mailed correspondence or facsimile no earlier than 8:30 A.M. on the day following the Municipal Council meeting but no later than 4:00 P.M. on the Monday **the day and time of the finalization of the agenda (excluding Added Starters)** preceding the Municipal Council meeting at which the individual wishes to speak. The first twenty five (25) persons to register by the closing deadline will be eligible to speak during the Hearing of Citizens for the up-coming Municipal Council meeting. Once the Hearing of Citizens has commenced and the roll call of the list of speakers has begun, anyone who is not present or who does not respond at the time his name is called, shall be deemed as "not appearing" and his name shall not be recalled at a later time to address the Council at that session. Those persons wishing to address the Municipal Council shall provide by the above deadline the following information to the Office of the City Clerk: signature, printed legal name, place of residence, which shall not include a Post Office Box, day and evening telephone numbers and the nature or subject of the proposed topic. The City Clerk, or his designee shall have the authority to modify any proposed topic in order to avoid personally insulting, defamatory, malicious or derogatory statements on the list of speakers for the Hearing of Citizens.

The registration form for speakers for the Hearing of Citizens session shall contain a statement of the rules of decorum for the Hearing of Citizens. It shall also include a statement that the individual understands the rules of decorum for the Hearing of Citizens, acknowledges and agrees to conduct in accordance with the rules. This statement shall be signed by all persons wishing to speak at the Hearing of Citizens. Any person refusing to sign this statement shall not be placed on the list of speakers for the Hearing of Citizens. Any person who signs this statement but fails to abide by the rules shall not be permitted to register to speak at a Hearing of Citizens for the succeeding two (2) Municipal Council Meetings nor shall such person be recognized as a speaker in the public speaking period following a pre-meeting, conference meeting or Special meeting until they are eligible to speak at a Hearing of Citizens. Any person so barred from speaking who upon regaining eligibility to speak at a Hearing of Citizens again violates the rules of decorum, shall be barred from speaking at future Hearing of Citizens for a period to be established by the Presiding Officer.

All speakers during the Hearing of Citizens shall be permitted five(5) minutes to speak.

Prior to the conclusion of a pre-meeting conference, there shall be allocated a period of time not to exceed thirty (30) minutes wherein citizens may address the Municipal Council on any topic relevant to any Newark municipal government issue. Each individual speaker shall be limited to a maximum time period of three (3) minutes. Any person present at the pre-meeting, may speak within the limitation herein established. The Presiding Officer will select the person to be given the floor and establish the order of speaking.

Prior to the conclusion of a special conference meeting, there shall be allocated a period of time not to exceed thirty (30) minutes wherein citizens may address the Municipal Council on any topic relevant to any Newark municipal government issue. Each individual speaker shall be limited to a maximum time period of three (3) minutes. Any person present at the special conference meeting, may speak within the limitation herein established. The Presiding Officer will select the person to be given the floor and establish the order of speaking.

Prior to the conclusion of a special meeting, there shall be allocated a period of time not to exceed thirty (30) minutes wherein citizens may address the Municipal Council on any topic relevant to any Newark municipal government issue. Each individual speaker shall be limited to a maximum time period of three (3) minutes. Any person present at the special meeting, may speak within the limitation herein established. The Presiding Officer will select the person to be given the floor and establish the order of speaking.

In the event that a special meeting and a special conference meeting are held on the same day, there shall be only one (1) thirty (30) minute period allowed for comments by public speakers.

Any person addressing the Municipal Council during a public hearing for an Ordinance on Public Hearing, Second Reading and Final Passage, shall confine his remarks to the specifics of the Ordinance in question. No other matter may be discussed. Speakers will be permitted three (3) minutes to address the Municipal Council on the Ordinance.

Notwithstanding the separation of powers between the Executive and Legislative branches of the Newark Municipal government under state law, the Municipal Council may request, through the Mayor or Business Administrator, that representatives of the City Administration be present during all Hearing of Citizens sessions.

#### STATEMENT

Resolution authorizing and amending Rule XVII, Addressing the Municipal Council; Time Limit, of the established rules of procedure for its meetings.