

#13

13-0-0508

(Do Not Write Above This Line)

AN ORDINANCE BY COUNCIL MEMBER FELICIA A. MOORE

AN ORDINANCE TO AMEND SECTION 2-104 (a) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA (ENTITLED "REMARKS FROM PUBLIC") SO AS TO CHANGE "SHALL" TO "MAY" WITH REGARD TO A SPEAKER YIELDING HIS/HER TIME TO ANOTHER SPEAKER CAUSING THE PERSON TO WHOM THE TIME HAS BEEN YIELDED TO BE PLACED AT THE END OF THESPEAKERS' LIST THUS LEAVING THAT ISSUE TO THE DISCRETION OF THE PRESIDING OFFICER; TO WAIVE CONFLICTING ORDINANCES AND CODE SECTIONS; AND FOR OTHER PURPOSES. ADOPTED BY

substitute

MAR 18 2013

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred: 3/4/13
 Referred To: Comm on Council
 Date Referred:
 Referred To:
 Date Referred:
 Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee: coc
 Date: 3/18/13
 Chair: J. Moore
 Action: Fav. Adv, Hold (see rev. side)
 Other: substitute
 Members: [Signatures]
 Refer To: _____

Committee _____
 Date _____
 Chair _____
 Action: Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action: Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action: Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____
 Refer To _____

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Consent
- V Vote
- FC Vote

CERTIFIED

CERTIFIED
 MAR 18 2013
 ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
 MAR 18 2013
 Rhonda Daughlin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
 MAR 27 2013
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



AN ORDINANCE

BY COUNCIL MEMBER FELICIA A. MOORE

AS SUBSTITUTED BY COMMITTEE ON COUNCIL

AN ORDINANCE TO AMEND SECTION 2-104 (a) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA (ENTITLED "REMARKS FROM PUBLIC") SO AS TO CHANGE "SHALL" TO "MAY" WITH REGARD TO A SPEAKER YIELDING HIS/HER TIME TO ANOTHER SPEAKER CAUSING THE PERSON TO WHOM THE TIME HAS BEEN YIELDED TO BE PLACED AT THE END OF THE SPEAKERS' LIST, THUS LEAVING THAT ISSUE TO THE DISCRETION OF THE PRESIDING OFFICER; TO ELIMINATE THE 60 MINUTE TIME RESTRICTION; TO WAIVE CONFLICTING ORDINANCES AND CODE SECTIONS; AND FOR OTHER PURPOSES.

WHEREAS, currently, a speaker who has been ceded time by another speaker during the public comment section of the city council meeting, must go to the end of the line; and

WHEREAS, the better practice would be to place that decision in the discretion of the presiding officer; and

WHEREAS, the 60 minute time restriction has always been waived when the number of persons signed up to speak exceed that 60 minute time restriction thus obviating the need for the rule.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:



Section 1. Section 2-104 (a) of the code of ordinances of the City of Atlanta (entitled "remarks from public") which currently provides as follows:

Sec. 2-104. - Remarks from public.

(a)

The council shall only hear remarks from those members of the public who sign up to speak prior to the convening of each regularly scheduled Council meeting. The sign-up sheets or speaker cards will be made available to the public, by the municipal clerk, at the entrance of the Council Chambers or other authorized meeting location 30 minutes prior to the scheduled council meeting time; and sign up will terminate upon the convening of each meeting with the lists or cards delivered to the presiding officer at that time. The time frame for public remarks shall not exceed 60 minutes, with each person being allowed to speak a maximum of two minutes. Any member of the public may speak to the council on matters of public concern, including matters of general policy, efficiency and the conduct of city government, provided that the president may rule out of order personal, abusive or indecorous language, or matters that the city has no purview over. No person shall cede his/her time to another person who has not previously signed up to speak. However, a speaker may yield his/her time to another speaker on the list; provided that the person to whom time has been yielded **shall** be placed at the end of the speakers' list. Such yielded time shall be heard only during the 60-minute remarks by the public period. Under no circumstances shall any person to whom time has been yielded be allowed to speak during any extensions of the initial remarks by the public period.



Is hereby amended by changing the word "shall" to "may" and eliminating the "60 minute time restriction" so that when amended, said code section shall provide as follows:

(a)

The council shall only hear remarks from those members of the public who sign up to speak prior to the convening of each regularly scheduled Council meeting. The sign-up sheets or speaker cards will be made available to the public, by the municipal clerk, at the entrance of the Council Chambers or other authorized meeting location 30 minutes prior to the scheduled council meeting time; and sign up will terminate upon the convening of each meeting with the lists or cards delivered to the presiding officer at that time. Each person shall be allowed to speak for a maximum of two minutes. Any member of the public may speak to the council on matters of public concern, including matters of general policy, efficiency and the conduct of city government, provided that the president may rule out of order personal, abusive or indecorous language, or matters that the city has no purview over. No person shall cede his/her time to another person who has not previously signed up to speak. However, a speaker may yield his/her time to another speaker on the list; provided that the person to whom time has been yielded **may** be placed at the end of the speakers' list.

Section 3: All code sections, ordinances, and parts of code sections and ordinances in conflict herewith are hereby waived for the sole purpose of this ordinance only and shall otherwise remain in full force and effect.

A true copy,

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

MAR 18, 2013
MAR 27, 2013

Deputy Clerk

RCS# 2618
3/18/13
4:30 PM

Atlanta City Council

13-O-0508

AMEND SECTION 2-104 OF THE COA CODE
REMARKS FROM PUBLIC
ADOPT ON SUB

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
NV Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	NV Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

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