

RESOLUTION 2024-004

A RESOLUTION OF THE OAKLEY CITY COUNCIL ADOPTING A CIVILITY POLICY AND RULES OF DECORUM FOR PUBLIC MEETINGS AND IN THE CONDUCTING OF CITY BUSINESS

WHEREAS, a majority of Americans believe that our society is increasingly uncivil and that this problem is particularly acute and detrimental in national, state, and local political arenas where it threatens a government's ability to function democratically and effectively;

WHEREAS, many local governments and entities have adopted policies and rules to enhance civility at public meetings and in interactions with the public including interactions during the conducting of government business and operations;

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

WHEREAS, adopting principles of civility applicable to all public City meetings and in all interactions in the workplace will help ensure that civic engagement and local democracy continue to flourish in Oakley City.

NOW THEREFORE BE IT RESOLVED, the City Council of Oakley City, Utah, adopts policy as follows:

SECTION 1. Purpose:

This resolution is for the purpose of adopting a civility policy and rules of decorum for all City Public Meetings and conducting of City business.

SECTION 2. Adoption of the Civility Policy and Rules of Decorum:

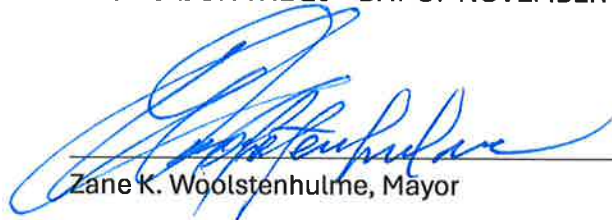
The Civility Policy and Rules of Decorum as attached hereto as "Exhibit A" and "Exhibit B."

SECTION 3. Effective Date:

This resolution shall take effect immediately upon passage and completion of all legal noticing requirements.

	Aye	Nay	Abstain	Absent
J. Frazier	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
K. Kimber	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
D. Neff	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
T. Smart	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
S. Wilmoth	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

ADOPTED AND PASSED BY THE OAKLEY CITY COUNCIL ON THE 20TH DAY OF NOVEMBER 2024.



 Zane K. Woolstenhulme, Mayor

ATTEST:



 Amy Rydalch, City Recorder

Oakley City, Utah



EXHIBIT A

OAKLEY CITY CIVILITY POLICY

RECITALS

1. Oakley City elected officials and employees will treat members of the public with respect and expect the same in return. The City is committed to maintaining orderly administrative processes in keeping City administrative proceedings free from disruptions. The City is committed to maintaining a safe, productive and harassment-free work environment for all of its City employees.
2. This policy promotes mutual respect, civility and orderly conduct among City employees, elected officials, and the public. This policy is not intended to deprive any person of his or her right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe, productive and harassment-free workplace for City staff and a safe and non-threatening environment for visitors and customers. The City encourages professional, respectful, and courteous communication and discourages hostile, intimidating, or otherwise disruptive actions. The City seeks public cooperation with this endeavor.

PROVISIONS:

A. Rules of Civility

1. All interactions between City staff, City elected officials and members of the public will be conducted in a respectful manner.
2. Threats, including threats of violence, will not be tolerated.
3. Members of the public will refrain from any behavior that disrupts or threatens to disrupt City government operations, including any of the following:
 - a. Insulting, demeaning, intimidating, or offensive communications;
 - b. Harassment or intimidation of any City staff, City elected official, or member of the public;
 - c. Willful destruction of property damages;
 - d. Conduct that threatens to provoke a violent reaction; and
 - e. A continuing pattern of disruptive behavior.

B. Enforcement Protocols

The City will take the following steps to promote compliance with this Civility Policy. The City reserves the right to take additional measures as necessary, including establishing a separate protocol for interactions between City staff and a member of the public.

1. Official Warning

If a member of the public violates this Civility Policy, staff will issue an oral warning and provide that person with a copy of this policy before taking further action unless the

behavior of the member of the public requires a more severe response. This warning, which should clearly identify both the offending behavior and potential consequences that will arise if such behavior persists, will provide the member of the public with an opportunity to improve his or her behavior before the City takes more serious action, such as removal from the premises.

2. Suspension from the Government Building

If a member of the public does not improve their behavior in response to an official warning, the City will request the individual leave the premises (for a period of time i.e., the remainder of the day). This temporary suspension from City property provides the member of the public with an opportunity to “cool down” and reflect on his or her treatment of City staff and or administration.

3. Cease and Desist Letter

If a member of the public does not improve his or her behavior in response to an official warning of brief suspension, the City will respond by sending a “cease and desist” letter. The letter will identify both the prohibited conduct and the City’s potential remedies. A cease and desist” letter will put the member of the public on notice of the potentially serious consequences of their conduct.

4. Additional Measures

As noted above, nothing in this policy precludes additional action where warranted.

EXHIBIT B

RULES OF DECORUM FOR PUBLIC MEETINGS

Oakley City recognizes the impact that civility has on the effective operation of the City, including its role in creating a safe and positive community environment. The Oakley City Administration believes that each person should be treated with dignity and respect in their interactions within the City and in conducting City business.

Oakley City Administration understands the First Amendment provides strong protection for speech. However, the City expects that all speech and expression will comport with norms of civil behavior in the conducting of Oakley City business, including usage of City Facilities, City meetings, activities, events, and in the usage of City electronic and digital platforms.

Civil behavior is polite, courteous, and reasonable behavior which is respectful to others and involves, actively listening, refraining from interruptions, and avoiding personal insult or disparaging remarks.

The Oakley City Council, the Oakley Planning Commission, the Oakley Rodeo Committee, and other public bodies convene public meetings that at times address controversial issues that engender passionate and often conflicting opinions. 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.

In adopting rules of decorum applicable to all public meetings Oakley City intends to ensure that civic engagement and local democracy continue to be productive in Oakley City.

PROVISIONS:

A. General Guidelines

The City has numerous public meetings such as City Council meetings, Commission meetings, Board meetings, etc. (hereinafter "Public Meetings"). To safeguard participatory democracy in Oakley City, all persons attending Public Meetings in Oakley City 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

B. Rules of Decorum

1. No person attending 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 Mayor or the Chair and not to any other member of the public or to any single Council, Board, Commission, or Committee 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 Chair or Presiding Member of the Council, Board, Commission, or Committee to enforce the Rules of Decorum
6. If a member of the public wishes to attend a Public meeting via a digital online platform all provisions of the City's Civility policy apply and additionally:
 - a. All participants must use their full name as their virtual ID so they are identified correctly. Individuals without a full name will not be allowed to provide public comment.
 - b. All participants attending online must mute their microphone upon entering the meeting to eliminate background noise and distractions.
 - c. Participants who wish to comment should use the appropriate "raise hand" feature on the software platform and remain muted until recognized by the meeting chair.
 - d. The chat function should only be used for the sharing of information and with the understanding that it is available for public view.
 - e. Brutal, insulting, derogatory, threatening language, or disruptive behavior will not be tolerated.

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. If 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 Member or Chair to do so, the presiding Member or Chair may order any law enforcement officer on duty to remove that person from the Public Meeting.
5. If any person or body of persons disturb, disrupt, impede the orderly conduct of the meeting, after being given instructions to cease the behavior, and refuse to leave, the Chair or Presiding Member can at their discretion end the meeting.

D. Virtual Meeting

If a member of the public has not followed the rules of decorum as outlined for a virtual meeting, they will be given an oral warning and provide the member of the public to correct the behavior. If the meeting participant continues to disregard the rules a second warning will be given by the meeting chair.

If despite a second warning, the participant continues to use in appropriate or derogatory language and deliberately ignores the rules of polite conversation they will be excluded from the virtual meeting. This exclusion will apply to this meeting only and the excluded person will be allowed to participate in future meetings.

In the rare event that an online participant repeatedly displays disrespectful or offensive behavior over several meetings, additional ethics procedures may be considered.

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