

RESOLUTION NO. 13-12

A RESOLUTION OF THE TOWN OF INDIAN RIVER SHORES,
FLORIDA, ADOPTING A PROCEDURE TO COMPLY WITH
FLORIDA STATUTES SECTION 286.0114 REGARDING PUBLIC
INPUT AT COUNCIL AND BOARD MEETINGS.

WHEREAS, Florida Statutes Section 286.0114 codifies rules for public input at local government meetings; and

WHEREAS, the Town Council desires to adopt rules in compliance with said Statute to comply with the law and to encourage public input at Council and Board meetings; and

WHEREAS, the Town Charter (Article 2, Section 2-11) provides that Rules of Procedure governing Town meetings may be adopted by ordinance or resolution; and

WHEREAS, for many years the Town Council has included a place on the agenda to provide the opportunity for public input at all meetings.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Indian River Shores, Florida, as follows:

Section 1. Applicability.

The guidelines and procedures set forth in this Resolution are intended for all public meetings of the Town Council and Boards of the Town subject to the limitations noted herein.

Section 2. Public Opportunity to be Heard.

Members of the public shall be given a reasonable opportunity to be heard on each agenda item except as provided for below. Public input shall be limited to three (3) minutes with the Chair having the option to allow additional time. This right does not apply to:

1. An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the Council or Board to act;
 2. An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
 3. A meeting that is exempt from Section 286.011; or
 4. A meeting during which the Council or Board is acting in a quasi-judicial capacity.
- This paragraph does not affect the right of a person to be heard as otherwise provided by law.

Section 3. Limitation on Remarks.

Any person who desires to address the Town Council or any Board of the Town may be recognized by the presiding officer, and when recognized shall step to the microphone, give his or her name and address, and then give his or her remarks, limiting his or her remarks to three (3) minutes unless additional time is granted by the presiding officer.

Section 4. Address by Groups.

Representatives of groups or factions on a proposition may be required to address the Town Council or any Board of the Town, rather than all members of such groups or factions, at meetings in which a large number of individuals wish to be heard.

Section 5. Incorporation As Law.

This Resolution shall become a part of the governing Code of the Town and said resolutions may be renumbered or redesignated to comply with the numbering and indexing systems of the Town.

Section 6. Conflicts.

All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Section 7. Severability.

If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

Section 8. Effectivity.

This Resolution becomes effective immediately upon approval and adoption by the Town Council of the Town of Indian River Shores.

PASSED AND ADOPTED this 13th day of December, 2013.

/s

Brian M. Barefoot, Mayor

ATTEST:

/s

Laura Aldrich, Town Clerk