

**Ogemaw County Board of Commissioners
Meeting Rules of Conduct**

In an effort to promote good will and compliance with the state of Michigan's *Open Meetings Act*, the Ogemaw County Board of Commissioners has promulgated the following meeting rules of conduct. The rules prohibit only behavior that is actually disruptive. The rules will be applied in a "viewpoint neutral" manner.

The intended rules promote freedom of speech. Freedom of speech includes: The right not to speak or participate; the right to speak in favor of an unpopular view; the right to criticize; and, the right of members of a union to speak.

Freedom of speech does not protect "fighting words" or words that would likely cause an average person to fight or are likely to provoke a violent reaction.

In the instance of regularly scheduled board meetings, there will be two public comment times. The public has *no* right to address the body during its actual deliberations on a particular matter.

FOR COMMENT AT ITS MEETINGS:

- An individual must identify themselves;
- The individual will be allowed 3 minutes to speak unless the chairman of the board grants more time for comment;
- Groups will be encouraged to designate one or more persons to speak on their behalf. Such designation of individuals will allow an orderly and efficient manner of handling meeting business;
- Speakers will address the board of commissioners, not the audience; and,
- A speaker addressing the public body may be stopped from continued speaking IF the speech
 - o Is "irrelevant or repetitious"
 - o Disrupts, disturbs, or otherwise impedes the orderly conduct of the meeting

The public is encouraged to attend the Ogemaw County Board of Commissioners meetings. The right to attend includes the right to tape-record, videotape, broadcast live on radio, and telecast live on television the proceedings of a public meeting. Recordation or broadcasting of meetings shall not disrupt the meeting. No one will be excluded from a meeting otherwise open to the public except for a *breach of peace* actually committed at the meeting. Webster's dictionary defines *breach of peace* as "disorderly conduct that disturbs the public peace". In an 1898 case, the Court defined a breach of peace to be:

"...a violation of public order, a disturbance of the public tranquility, by any act or conduct inciting to violence, or tending to provoke or excite others to break the peace".

DISRUPTION OF A MEETING:

A speaker who...

- **Gets off topic**
- **Is unduly repetitive**
- **Yells, or**
- **Refuses to stop speaking after the allotted time are examples of speech that can plausibly be said to cause actual disruption of a meeting by**
 - o **Creating delays**
 - o **Blocking others from being heard**
 - o **Preventing the public body from addressing agenda items**

Furthermore, it is required that individuals will:

- **Turn off or mute cell phones, pagers, and similar devices**
- **Leave the room if making or accepting a call**
- **Appropriate attire must be worn, including shoes and shirt**
- **Common courtesy and respect are expected toward the elected officials**
- **Refrain from behavior or speech that interrupts or intimidates a speaker**
- **Refrain from creating, provoking, or participating in any disturbances that will disrupt the meeting**
 - o **Audible outbursts such as making loud noises, laughing, clapping, cheering, shouting, taunting, booing, hissing**
 - o **Interjection of comments or questions.**
 - o **Engaging in other activities, behavior, or conduct that disturbs, disrupts, or impedes the orderly conduct of the meeting**

When a member of the public violates the code of conduct, the Chair-may:

- **Interrupt**
- **Warn (at least once)**
- **Terminate (turn of the microphone)**
- **Request the individual leave the room**
- **Request the assistance of law enforcement to remove a disorderly person**
- **Call for a recess**
- **Call for an adjournment**
- **Clear the room**

Ref: [09/21/2016]