

Resolution No. 5-93

**RESOLUTION:** To adopt rules regarding the conduct of persons attending Mayor and Council meetings and the videotaping, televising, p h o t o g r a p h i n g , broadcasting or recording of its meetings.

WHEREAS, the State Open Meetings Act which became effective on July 1, 1992, requires all public bodies to adopt and enforce reasonable rules regarding the conduct of persons attending its meetings and the videotaping, televising, photographing, broadcasting or recording of its meetings; and

WHEREAS, the Open Meetings Compliance Board has recommended a model regulation to assist public bodies in complying with the law; and

WHEREAS, it is the desire of the Mayor and Council to adopt this model regulation with some minor modifications.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that:

The following rules pertaining to open meetings be, and the same hereby are adopted by the Mayor and Council:

1. Public Attendance.

(a) At any open session of the Mayor and Council of the City of Rockville, the general public is invited to listen and observe.

(b) At each regularly scheduled session of the Mayor and Council, there is a Citizens Forum which provides the public with an opportunity to address the Mayor and Council on any subject, including agenda items. At the time Citizens Forum is announced,

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citizens will be called forward to the speakers podium by the Mayor. Although there is no time limit, individuals should be mindful of their speaking time in order to ensure that all interested individuals have an opportunity to be heard.

(c) Except for Citizens Forum and in instances when the Mayor and Council expressly invite public testimony, questions, comments, or other forms of public participation, no member of the public attending an open session may participate in the session.

## 2. Disruptive Conduct.

(a) A person attending an open session of the Mayor and Council may not engage in any conduct that disrupts the conduct of the session or that interferes with the opportunity of members of the public to observe and listen to the session.

(b) The presiding officer may order any person who engages in disruptive conduct to be removed from the session.

## 3. Recording, Photographing and Broadcasting of Open Session.

(a) A member of the public, including any representative of the news media, may record discussions of the Mayor and Council at an open session by means of a tape recorder, or any other recording device, if the device is operated from the person's seat, is in plain view, and does not create a noise that disturbs members of the Mayor and Council or other persons attending the session.

(b) A member of the public, including any representative of the news media, may photograph or videotape the proceedings of the Mayor and Council at an open session by means of any type of camera if the camera is operated from a position that does not

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block the view of any other person and does not create noise or light that disturbs members of the Mayor and Council or other persons attending the session.

(c) A representative of the news media may broadcast or televise the proceedings of the Mayor and Council at an open session if the equipment is operated from a position that does not block the view of any other person and does not create noise or light that disturbs members of the Mayor and Council or other persons attending the session.

(d) Except with the unanimous consent of the members of the Mayor and Council, no microphone may be placed on tables used by members of the Mayor and Council or its staff.

(e) A representative of the news media who desires arrangements for use of a recording device, camera, broadcasting or televising equipment in a manner not consistent with the provisions of this section may request special arrangements in advance by contacting the City's Public Information Officer.

4. A recording of an open session made by a member of the public or any transcript derived from such a recording may not be deemed a part of the record of any proceeding of the Mayor and Council.

5. These rules, except for the provisions pertaining to Citizens Forum, shall govern the open meetings of all boards, commissions and other public bodies appointed by the Mayor and Council that have not adopted their own rules governing the conduct, recording, photographing and broadcasting of open meetings.

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I HEREBY CERTIFY that the foregoing is a true and correct copy of the Resolution adopted by the Mayor and Council at its meeting of February 1, 1993.

  
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Sharon A. Gran, City Clerk