

City of Davenport Rules of Decorum

1. Purpose and Authority

- 1.1 The purpose of these rules is to ensure City Council meetings are conducted in an orderly, safe, and efficient manner while protecting the public's right to observe and participate as allowed by law.
- 1.2 The Council adopts these rules under Iowa law, including the authority to make and enforce reasonable rules for the conduct of its meetings and to allow recording by the public.
- 1.3 These rules apply in a limited public forum. They regulate conduct and meeting procedure, not viewpoints or the content of speech (except for reasonable limits on time, place, manner, and topic set out below).

2. Scope and Applicability

- 2.1 **Meetings covered.** These rules apply to all meetings of the City Council—regular, special, workshop, and any other meeting where a quorum convenes—and to any Council-controlled boards and commissions **except** the Library Board and the Civil Rights Commission. Those two bodies shall adopt their own decorum rules.
- 2.2 **Spaces covered.** Council chambers, overflow rooms, hallways immediately adjacent to chambers when used for meeting overflow, and any other City-designated meeting spaces.
- 2.3 **Virtual participation.** The City is **not** accepting virtual or hybrid public comment at this time. Observers may watch livestreams where offered.

3. Definitions

- 3.1 **Presiding Officer** means the Mayor or designee, Topic Area Presiding Officer or designee, during their portion of the meeting.
- 3.2 **Clerk** means the City Clerk or designee handling meeting logistics.
- 3.3 **Public Comment Period** means the agenda segment for non-agenda topics.
- 3.4 **Warning** means a specific direction by the Presiding Officer identifying the conduct at issue and the rule being enforced.

3.5 **Actual Disruption** means conduct that **materially interferes** with the meeting so that the Council cannot effectively hear, be heard, deliberate, or conduct business. Examples include:

- 3.5.1 Speaking without recognition after a **warning**; refusing to yield the floor when time expires after a **warning**.
- 3.5.2 Shouting over the Presiding Officer or another recognized speaker; starting side-speeches from audience seats after a **warning**.
- 3.5.3 Sustained audible outbursts (applause, booing, chanting, call-and-response) that prevent hearing recognized speakers.
- 3.5.4 Blocking aisles, doorways, or exits; ignoring lawful safety directions; using amplification or sound-producing devices inside the chambers.
- 3.5.5 Physical interference with staff, elected officials, or attendees; threatening conduct that reasonably causes fear of imminent harm.

3.6 **Not Disruption (by itself)**. Mere criticism of the City or officials, sarcasm, profanity, anger, or offensive language is not a violation unless it results in Actual Disruption as defined above.

3.7 **Exclusion Order** means a written order issued after a removal that limits a person's in-person attendance for a defined period (see § 7.5).

3.8 **Language-Related Conduct**

3.8.1 **Principle**. The City does not regulate viewpoints or punish speech merely because it is harsh, offensive, profane, insulting, or critical of the City or its officials. A Warning may be issued only when language crosses into conduct that causes or risks Actual Disruption under §3.5, or falls within narrowly defined, unprotected categories.

3.8.2 **Language that may trigger a Warning**

3.8.2.1 Volume/Interruption: Using profanity or other language at a volume or in a manner that prevents recognized speakers from being heard or interrupts the Presiding Officer after a specific instruction to stop.

3.8.2.2 Refusal to yield: Continuing to speak (profane or otherwise) after time expires or without recognition following a specific instruction to stop.

3.8.2.3 Directed threats ("true threats"): Language that a reasonable person would understand as a serious expression of intent to commit unlawful violence against an identified person or group.

3.8.2.4 Incitement: Urging others in the room to imminently commit unlawful acts and where such violence or lawless action is likely to occur.

3.8.2.5 Fighting words (face-to-face epithets): Personally abusive epithets directed at a specific individual at close range, of such a nature that they are likely to provoke an immediate violent reaction.

3.8.2.6 Safety/Privacy: Disclosing sensitive personal identifiers (e.g., Social Security numbers, bank/credit numbers, medical record numbers) or prompting others to block aisles/exits while reacting to the speaker, after a specific instruction to stop.

3.8.2.7 Audible outbursts: Provoking or engaging in sustained audible reactions (e.g., call-and-response, chanting) that prevent hearing the recognized speaker after a specific instruction to stop.

3.8.3 Escalation. If the conduct continues after a Warning, the Presiding Officer may withdraw recognition (§7.3). If it still continues, the Presiding Officer may direct removal (§7.4). All actions must be viewpoint-neutral and documented in the Incident Log (§7.7).

4. Public Comment - limited forum

4.1 Topics. Public comment is limited to non-agenda items. The Presiding Officer may briefly direct a speaker to the appropriate agenda item or future meeting if the topic belongs elsewhere.

4.2 Time limits. Each speaker's time is set by the Council's Rules of Order, which are incorporated by reference. The Presiding Officer announces the time limit at the start of Public Comment.

4.3 No pooling. Speakers may not transfer or combine time.

4.4 Relevance and repetition. The Presiding Officer may direct a speaker to remain on non-agenda topics and may end repetitive remarks after a specific Warning.

4.5 Presiding Officer's discretion is limited. The Presiding Officer must apply these standards uniformly and may not favor or disfavor any viewpoint.

5. Audience Conduct

5.1 Quiet rule. Audience members must remain quiet so recognized speakers can be heard.

5.2 No audible reactions. Applause, booing, chanting, and other audible reactions are prohibited except brief ceremonial acknowledgments during awards or recognitions when invited by the Presiding Officer.

5.3 No signs. Signs, placards, and banners are not permitted in chambers or overflow rooms.

5.4 **Safety and access.** Aisles, doorways, and exits must remain clear. Seating and standing locations must follow directions from the Clerk or security for safety.

6. Recording and Streaming

6.1 The public may record, photograph, or stream an open meeting.

6.2 Equipment and placement must not impede exits/egress or create a safety hazard.

6.3 Recording activity that itself causes Actual Disruption (e.g., use of bright lights or loud devices) is subject to enforcement under § 7.

7. Enforcement Protocol (graduated and documented)

7.1 **General principle.** Rules are enforced in a content- and viewpoint-neutral manner based on conduct and Actual Disruption.

7.1.1 **Step 1 – Specific Warning.** The Presiding Officer issues a specific Warning referencing the rule (e.g., “Your time has expired; please stop speaking”).

7.1.2 **Step 2 – Loss of recognition / brief recess.** If conduct continues, the Presiding Officer may withdraw recognition or call a brief recess and deliver the Recess Script in Appendix A.

7.1.3 **Step 3 – Removal.** If conduct continues, the Presiding Officer may direct removal. Security acts only as necessary to restore order. The Clerk documents the conduct and steps taken.

7.1.4 **Step 4 – Exclusion Order (post-removal; repeated conduct only).**

7.1.4.1 Issuance. After documented, repeated Actual Disruption across meetings, the Presiding Officer may issue a written Exclusion Order for up to **60 days**.

7.1.4.2 Contents. The order states the facts, the specific rules violated, the duration, the appeal process, and an exceptions process allowing attendance for agenda items that directly affect the person’s rights or duties (e.g., a hearing on property or license).

7.1.4.3 Service. The Clerk serves the order in writing (in person or by mail/email if provided).

7.1.4.4 Appeal. See § 9.

7.1.4.5 Limited scope. The order limits in-person attendance only; it does not bar observing a livestream where available.

7.2 **Selective enforcement prohibited.** Similar conduct must be treated similarly regardless of viewpoint.

7.3 **Recordkeeping.** The Clerk completes an Incident Log entry for each Warning, removal, or Exclusion Order and retains related audio/video.

8. Appeals

8.1 **Who may appeal.** A person removed under § 7.4 or subject to an Exclusion Order under § 7.5 may file a written appeal.

8.2 **Where to file.** File with Corporation Counsel.

8.3 **Deadline.** The appeal must be received within 10 calendar days of the removal or service of the Exclusion Order.

8.4 **What to include.** Name, contact information, date of incident, the action appealed, and a brief statement of why the action should be modified or rescinded.

8.5 **Record.** The Clerk promptly provides Corporation Counsel with the Incident Log entry and any relevant audio/video.

8.6 **Decision timeline.** Corporation Counsel issues a written decision within 7 business days of receiving the appeal record.

8.7 **Effect of appeal.** An Exclusion Order is stayed during the appeal except for the meeting at which it was issued. The stay does not prevent the City from enforcing these rules at subsequent meetings if new conduct causes Actual Disruption.

8.8 **Finality.** Corporation Counsel's written decision is the City's final administrative decision.

9. Roles and Training

9.1 **Presiding Officer.** Maintains order; issues Warnings; applies time/topic rules; invokes recess and removal as needed; may request assistance from the sergeant-at-arms.

9.2 **Clerk.** Manages sign-up; tracks time; keeps the Incident Log; coordinates seating/egress; provides scripts and forms to the Presiding Officer.

9.3 **Security/Sergeant-at-Arms.** Enforces the Presiding Officer's lawful directions focused on conduct and safety; does not police speaker viewpoints.

9.4 **Training.** At least annually, the Clerk or designee provides training and the Quick Card to the Presiding Officer, Council, staff, and security.

10. Severability and Effective Date

10.1 If any provision of these rules is held invalid, the remaining provisions remain in effect.

10.2 These rules take effect upon adoption. Council-controlled boards and commissions (other than the Library Board and Civil Rights Commission) shall apply these rules at their next regular meeting and may adopt them by reference.