

**LIVINGSTON CITY COMMISSION ADDENDUM
REGULAR MEETING 05.17.2022
ADDENDUM TO ACTION ITEMS**

G. DISCUSS/APPROVE/DENY: ACTION TO REMOVE CITIZEN FROM CITY COMMISSION MEETING, FOR A PARTICULAR TERM, FOR PERSONAL, IMPERTINENT, SLANDEROUS REMARKS, AND DISORDERLY BEHAVIOR (BRIAN DECKARD)

COMMUNICATIONS AND ADMONISHMENTS 5/3/2022 MEETING

- At 2:02:48 Chair Nootz calls out Mr. Deckard during his comment and admonishes him to not call out individuals and to keep his comments to process
- At 2:04:30 after Mr. Deckard is finished speaking Chair Nootz admonished everyone that talking about individuals is not appropriate and people making comments need to stick to the issue and process
- At 2:06:50 Administrative Services Director Lowy begins to speak
- At 2:07:44 Brian Deckard comes back into the Zoom room where Director Lowy is speaking and shouts, "Shut the Fuck ups Bitch!"

THE CURRENT COMMISSION HANDBOOK, pg 30-31

3. Addressing the Commission.

A. The City will provide sign-up sheets for each agenda item to be discussed at each meeting. Anyone desiring to address the City Commission shall sign the appropriate sheet which shall be collected by the City prior to the opening of the meeting.

1. At the appropriate time on the agenda, the chair will invite the person(s) who has signed up to the table. Each person shall then be given the opportunity to make his or her presentation.

2. Following the statements from those who signed up, the chair may ask for additional public comment from those who did not sign-up.

3. Once a person has made his presentation, that person shall not speak on the same subject unless granted permission by the presiding officer and then only if the presentation provides new information not previously presented.

B. The public is invited to speak: on any item under discussion by the Commission after recognition by the presiding officer.

C. The speaker should step to the front of the room, and sit at the table provided, provide the speaker's name and address on the signup sheet located at the table, and for the record, give his/her name and address and, if applicable, the person, firm or organization represented.

D. Prepared statements are welcomed and should be given to the Recording Secretary of the Commission. All prepared statements shall become a part of the permanent record.

E. While the Commission is in session, the members must preserve order and decorum. A member shall not delay or interrupt the proceedings or the peace of the Commission nor disturb any member while speaking or refuse to obey the orders of the Commission or its presiding officer.

F. Any person making personal, impertinent or slanderous remarks or who shall become boisterous or disruptive during the Commission meeting shall be forthwith barred from further presentation to the Commission by the presiding officer, and permission to continue be granted by a majority vote of the Commission.

Montana Code Annotated 2021

TITLE 45. CRIMES

CHAPTER 8. OFFENSES AGAINST PUBLIC ORDER

Part 1. Conduct Disruptive of Public Order

Disorderly Conduct

45-8-101. Disorderly conduct. (1) A person commits the offense of disorderly conduct if:

(a) the person knowingly disturbs the peace by:

(i) quarreling, challenging to fight, or fighting;

(ii) making loud or unusual noises;

(iii) using threatening, profane, or abusive language;

(iv) rendering vehicular or pedestrian traffic impassable;

(v) rendering the free ingress or egress to public or private places impassable;

(vi) disturbing or disrupting any lawful assembly or public meeting;

(vii) transmitting a false report or warning of a fire or other catastrophe in a place where its occurrence would endanger human life;

(viii) creating a hazardous or physically offensive condition by any act that serves no legitimate purpose; or

(ix) transmitting a false report or warning of an impending explosion in a place where its occurrence would endanger human life; or

(b) in the course of engaging in any of the conduct prohibited by subsections (1)(a)(i) through (1)(a)(vi), a peace officer recognizes the person's conduct creates an articulable public safety risk.

(2) (a) Except as provided in subsections (2)(b), (3), and (4), a person convicted of the offense of disorderly conduct shall be fined an amount not to exceed \$100.

(b) A person convicted of a second or subsequent violation of subsections (1)(a)(i) through (1)(a)(vi) within 1 year shall be fined an amount not to exceed \$100 or be imprisoned in the county jail for a term not to exceed 10 days, or both.

(3) A person convicted of a violation of subsections (1)(a)(vii) through (1)(a)(ix) shall be fined an amount not to exceed \$1,000 or be imprisoned in the county jail for a term not to exceed 1 year, or both.

(4) A person convicted of a violation of subsection (1)(b) shall be fined an amount not to exceed \$500 or be imprisoned in the county jail for a term not to exceed 1 day, or both.

History: En. 94-8-101 by Sec. 1, Ch. 513, L. 1973; R.C.M. 1947, 94-8-101; amd. Sec. 1, Ch. 508, L. 1989; amd. Sec. 8, Ch. 415, L. 1991; amd. Sec. 1693, Ch. 56, L. 2009; amd. Sec. 1, Ch. 250, L. 2013; amd. Sec. 16, Ch. 321, L. 2017; amd. Sec. 2, Ch. 372, L. 2019.