ORDINANCE # 2024-03
INTRODUCED BY VERRET
DATE INTRODUCED 02-06-2024
ITEM NUMBER 2024-02-02
PUBLIC HEARING 03-05-2024
ADOPTED/TABLED 03-06-2024
EFFECTIVE 03-20-2024
BOOK # _____ PAGE # _____
RECORDATION # _____
AMENDED BY ORDINANCE # _____
DATE AMENDED _____

ADOPTION

INTRODUCTION

CITY OF COVINGTON
STATE OF LOUISIANA

ORDINANCE NUMBER 2024-03

AN ORDINANCE OF THE COVINGTON CITY COUNCIL CREATING CHAPTER 2, ARTICLE VII OF THE CODE OF ORDINANCES TO ESTABLISH OPEN MEETINGS PARTICIPATION PROCEDURES TO FACILITATE PARTICIPATION AND VOTING VIA ELECTRONIC MEANS IN ACCORDANCE WITH LA R.S. 42:17.2.1 AND 42:14 (E)

WHEREAS, the City Council encourages public participation during all public meetings and desires to establish policies and procedures consistent with State Law; and

WHEREAS, Act 393 of the 2032 Regular Session amended La. R.S. 42:17.2.1 (board participation) and 42:14(E) (public participation) to require public bodies to accommodate members of the public and board with a disability recognized by Americans with Disabilities Act (ADA) such that those members of the public can participate during the open meetings; and

WHEREAS, the City Council desires to provide viable alternative methods for members of the public with an ADA recognized disability participation in public meetings;

Therefore…

Chapter 2 Administration, Article VII, Open Meetings ADA Participation

1. Members with ADA-Recognized Disabilities
    a. Any member of a public body with an ADA-recognized disability, who seeks accommodation to participate and vote in an open meeting of the City of Covington, or any member of the public with an ADA-recognized disability who seeks accommodation to observe and participate in an open meeting

of the City of Covington, shall complete and submit an application for participation and a medical certification of disability on forms provided by the City of Covington no later than 7 business days prior to the start of the meeting.

b. For members of the public who are granted accommodation for ADA-recognized disabilities pursuant to this section, the City of Covington shall inform a member of the public of the means by which they or their designated caregiver may observe and participate in the open meeting – whether by teleconference or video conference or other viable alternative methods – including the means by which they may submit public comments on agenda items prior to and/or during the open meeting.

c. For any meeting in which a councilperson with ADA - recognized disabilities will participate remotely, the City of Covington shall post the agenda for the meeting in accordance with the Louisiana Open Meetings Laws.

d. Members of the municipal governing body who receive accommodation pursuant to this section for an ADA-recognized disability shall be allowed to participate by electronic means in an executive session convened in accordance with Louisiana's Open Meetings law. In no instance, however, shall any member of the public be allowed to observe or participate in an executive session of the governing body.

e. The meeting's presiding officer shall ensure that each person participating in the meeting is properly identified and that all parts of the meeting (excluding executive sessions) are clear and audible to all participants. The vote of every members of the governing body, including those participating by electronic means, shall be clearly identified, and recorded in the minutes of the meeting.

f. If a technical problem impairs the ability of the disabled member of the public or disabled member of the public body to participate in the meeting, the meeting shall be recessed until the problem is resolved. If the technical issue is not resolved within one hour, the meeting shall be adjourned, and the presiding officer will use all reasonable means to notify all participants of the fact.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Covington, at its regular session convened, that the City of Covington creates Chapter 2, Article VII of the Code of Ordinances to

Establish Open Meetings Participation Procedures to Facilitate Participation and Voting VIA Electronic Means in Accordance with Louisiana R.S. 42:17.2.1 and 42:14 (E).

WHEREUPON, this ordinance having been submitted in writing, having been read by title and adopted at a public meeting of the City Council of the City of Covington, State of Louisiana, was then submitted to an official vote as a whole, the vote thereon being as follows:

MOVED FOR ADOPTION by Bolsford, seconded by Roberts

YEAS: 7 **ABSENT:** 0

NAYS: 0 **ABSTAIN:** 0

PASSED AND ADOPTED this 5th day of March, 2024.

/s/ _____
MARK VERRETT
COUNCIL PRESIDENT

/s/ Jo Ann Rucker
JOANN RUCKER
COUNCIL CLERK

Presented to the Mayor this 6th day of March, 2024, at 8 o'clock A.M.

/s/ Jo Ann Rucker
JOANN RUCKER
COUNCIL CLERK

Approved ___ or Vetoed X by the Mayor on this 6th day of March, 2024.

/s/ _____
MARK JOHNSON
MAYOR

Received from the Mayor on the 6th day of March, 2024, at 2 o'clock P.M.

/s/ Jo Ann Rucker
JOANN RUCKER
COUNCIL CLERK