
Sec. 2.1.38. Same—Procedure.

- (a) The presiding officer shall announce that it is the time and place for a public hearing scheduled on the agenda.
- (b) Prior to all city council public hearings, copies of the council's agenda with attachments, including the staff report, if any, shall be available at the office of the city clerk at least twenty-four (24) hours prior to commencement of the hearing; provided, however, the council may allow in its discretion the filing of supplemental reports which shall be made public at the commencement of the hearing.
- (c) The order of the hearing shall be as follows unless otherwise required by law:
 - (1) Presentation of staff and/or advisory commission report.
 - (2) Presentation by the city clerk of previously filed written correspondence or petitions.
 - (3) Questions from the council.
 - (4) Presentation by the applicant, if any.
 - (5) Testimony of people in favor and people in opposition.
 - (6) Rebuttal by applicant of facts presented during other testimony.
 - (7) Further questions from council.

After rebuttal by the applicant, no further public testimony shall be permitted, except direct responses to questions by a council member if permitted by the presiding officer. The presiding officer may order the testimony of persons in favor or in opposition in any manner deemed appropriate by the presiding officer.

If the matter is on appeal from a decision of a city commission, the appellant shall speak before the applicant, if any, and shall be entitled to rebuttal after the applicant.

- (d) The provisions of section 2.1.29 for addressing the council shall apply to persons testifying at public hearings except that:
 - (1) A written request to speak shall not be required, except for organized presentations referenced in this section (d)(5);
 - (2) An applicant shall have twenty (20) minutes, including rebuttal time;
 - (3) An appellant, if any, shall have twenty (20) minutes including rebuttal time;
 - (4) Where there are two (2) or more applicants or appellants the total time afforded the parties, including rebuttal time, shall be thirty (30) minutes divided equally between the parties, or divided as the parties mutually agree.
 - ~~(5) To facilitate organized presentations, a representative of a group of persons may submit a request to speak on behalf of the group. The representative must identify the group and list not fewer than four (4) members of the group who must be present when the item is called and all members of the group must remain present for the duration of the organized presentation. The presentation on behalf of the group shall not exceed ten (10) minutes.~~
- (e) The presiding officer may, with the consent of the council, dependent upon the necessity for ensuring adequate presentation of testimony and evidence to provide a fair hearing, set longer or shorter time limits than otherwise allowed by this chapter.
- (f) If a public hearing cannot be reasonably concluded in light of other business to be conducted and the number of persons desiring to present testimony, the hearing may be continued to another date or dates by the presiding officer.

(Ord. No. 94-10, § 2, 5-4-94; Ord. No. 99-28, § 8, 11-3-99; Ord. No. 23-OR0764-1, § 3, 11-15-2023)