

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF INDEPENDENCE, IOWA, BY AMENDING PROVISIONS PERTAINING TO ELECTRONIC MEETINGS**

Be It Enacted by the City Council of the City of Independence, Iowa:

**SECTION 1. SECTION MODIFIED.** Section 5.06 of the Code of Ordinances of the City of Independence, Iowa, is repealed and the following adopted in lieu thereof:

**5.06 MEETINGS.** All meetings of the Council, any board or commission, or any multi-membered body formally and directly created by any of the foregoing bodies shall be held in accordance with the following:

1. Definitions. The following terms are defined for use in this section.
  - A. “Closed session” means a meeting to which all members of the public do not have access as allowed by Section 21.5 of the *Code of Iowa*.
  - B. “Hybrid meeting” means a meeting involving both remote participation and in-person participation by members.  
(*Code of Iowa, Sec. 21.8(4)(a)*)
  - C. “Open session” means a meeting to which all members of the public have access.  
(*Code of Iowa, Sec. 21.2(3)*)
  - D. “Remote participation” means real-time participation by a remotely located individual in a meeting which is being held in a different physical location using integrated audio, video, and other digital tools.  
(*Code of Iowa, Sec. 21.8(4)(b)*)
  - E. “Reasonable notice” means advising the news media who have filed a request for notice with the governmental body and posting the notice on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting, or if not such office exists, at the building in which the meeting is to be held.  
(*Code of Iowa, Sec. 21.4(1)*)
  - F. “Teleconference participation” means participation using audio conference tools involving multiple participants in at least two separate locations.  
(*Code of Iowa, Sec. 21.8(4)(c)*)
  - G. “Virtual meeting” means a meeting involving real-time interaction using integrated audio, video, and other digital tools, in which participants do not share a physical location.  
(*Code of Iowa, Sec. 21.8(4)(d)*)
2. Notice of Meetings. Reasonable notice of the time, date, and place of each meeting and its tentative agenda shall be given.  
(*Code of Iowa, Sec. 21.4*)
3. Meetings Open. All meetings shall be held in open session unless closed sessions are held as expressly permitted by State law.  
(*Code of Iowa, Sec. 21.3*)
4. Minutes. Minutes shall be kept of all meetings showing the date, time, and place, the members present, and the action taken at each meeting. The minutes shall show the results of each vote taken and information sufficient to indicate the vote of each member present. The vote of each member present shall be made public at the open session. The minutes shall be public records open to public inspection.  
(*Code of Iowa, Sec. 21.3*)
5. Closed Session. A closed session may be held only by affirmative vote of either two-thirds of the body or all of the members present at the meeting and in accordance with Chapter 21 of the *Code of Iowa*.

(Code of Iowa, Sec. 21.5)

6. Cameras and Recorders. The public may use cameras or recording devices at any open session.

(Code of Iowa, Sec. 21.7)

7. Electronic Meetings. A governmental body shall provide for hybrid meetings, teleconference participation, virtual meetings, remote participation, and other hybrid options for the members of the governmental body to participate in official meetings. A governmental body conducting a meeting pursuant to this subsection shall comply with all of the provisions of Chapter 21 of the Code of Iowa.

(Code of Iowa, Sec. 21.8)

**SECTION 2. SEVERABILITY CLAUSE.** If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 3. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

**PASSED AND APPROVED** by the City Council of Independence, Iowa, on this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Brad Bleichner, Mayor of the City of Independence, IA

ATTEST:

\_\_\_\_\_  
Susi Lampe, IaCMC, IaCFO, City Clerk/Treasurer of the City of Independence, IA

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_

I certify that the foregoing was published as Ordinance No. 2024-\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Susi Lampe, IaCMC, IaCFO,  
Assistant City Manager/City Clerk/Treasurer of the City of Independence, IA