

ORDINANCE # 5398

AN ORDINANCE PROHIBITING THE USE OF ELECTRONIC COMMUNICATION MEDIUMS DURING PUBLIC MEETINGS BY ADDING A NEW SECTION TO CHAPTER 2.04 OF THE RAPID CITY MUNICIPAL CODE.

WHEREAS, the Rapid City Common Council conducts its meetings openly and in accordance with state law; and

WHEREAS, the Rapid City Common Council recognizes that the use of email, chat rooms, instant messaging and cell phone text messaging facilitate discussions that are not apparent to the members of the public who attend the Council's meetings; and

WHEREAS, the Rapid City Common Council has determined that the use of electronic communication mediums during public meetings is contrary to the spirit of the open meeting obligations of City of Rapid City; and

WHEREAS, various City boards and commissions besides the Common Council are subject to the open meeting law; and

WHEREAS, the Rapid City Common Council has determined that all City board and commissions that are subject to the open meeting law should refrain from using electronic communication mediums during public meetings; and

WHEREAS, the Rapid City Common Council deems it to be in the best interest of the City of Rapid City to prohibit the use of electronic communication mediums by the members of City bodies that are subject to the open meeting law.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Chapter 2.04 of the Rapid City Municipal Code is amended by adding a new section thereto which shall read as follows:

2.04.120 Electronic Communication Mediums Prohibited

A. For purposes of this section, "Electronic Communication Medium" shall mean any technology that allows text, audio, static images, or video to be exchanged between two or more people in real time or near real time creating or inviting an interactive exchange of information. Examples of Electronic Communication Mediums include, but are not limited to, electronic mail also known as email, instant messaging, chat rooms, cell phone text messaging, and web logs also known as blogs.

B. The use of any Electronic Communication Medium by the members of any City board, commission or the Common Council during any meeting that is required to be open to the public by South Dakota law is prohibited.

CITY OF RAPID CITY

ATTEST:

Mayor

Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: