

Question: What should a governmental body do when the attendance at a public meeting exceeds the capacity of the room? Can the meeting be moved without violating the notice requirements of the Iowa Code? Can we turn away some members of the public? Do we have to cancel the meeting?

Editor's Note: This is a monthly column prepared by the Iowa Public Information Board to update Iowans on the IPIB's activities and provide information on some of the issues routinely addressed by the board.



ANSWER: The Iowa Code requires a minimum of 24 hour notice of a meeting, to include “the time, date, and place of each meeting...” (Iowa Code section 21.4(1)). If you think there could be a crowd attending that would exceed capacity, and the meeting is still more than 24 hours away, arrangements can be made to move the location and post an amended agenda with the new location.

If, however, the meeting start time is just minutes away, and people are still trying to enter the meeting location, there is an option short of cancelling and rescheduling the meeting. Iowa Code section 21.4(3)(a) states the 24-hour notice re-

quirements do not apply when a meeting is “reconvened within four hours of the start of its recess, where an announcement of the time, date, and place of the reconvened meeting is made at the original meeting in open session and recorded in the minutes of the meeting and there is no change in the agenda.”

This is how it would work: the meeting would be called to order in the officially noticed venue. It would be noted in open meeting, and recorded in the minutes, that the occupancy limits of the venue will be exceeded at this location. The chair would announce that

the meeting will be recessed and continued at a new location. A motion would be made to recess the meeting for a certain period of time (less than four hours) and reconvened at the larger venue. A copy of the agenda should be posted at both locations, with the new location noted on the agenda. When the meeting reconvenes at the new location, the agenda must contain the same agenda items. The minutes should specifically spell out the reason for the recess and location change.

IPIB Facts and Figures

During the month of May 2015, 71 contacts were made with the Iowa Public Information Board office.

| <u>TYPE</u> | <u>MAY 2015</u> | <u>JAN-MAY 2015</u> |
|---------------------|-----------------|---------------------|
| Formal complaints | 13 | 42 |
| Formal opinions | 1 | 5 |
| Declaratory orders | 0 | 0 |
| Informal complaints | 10 | 68 |
| Informal requests | 47 | 231 |
| Misc. | 0 | 8 |
| TOTAL: | 71 | 354 |