

AN ORDINANCE AMENDING THE RULES OF PROCEDURE,  
ESTABLISHING AND RECORDING RULES FOR PUBLIC COMMENT AT CITY MEETINGS

**WHEREAS**, the City of Washington (hereinafter "City"), is an Illinois home rule municipal corporation in accordance with the 1970 Constitution of the State of Illinois; and

**WHEREAS**, the Illinois Open Meetings Act 5 ILCS 120/1 et. seq., ("OMA") requires that any person shall be permitted an opportunity to address public officials under the rules established and recorded by the public body; and

**WHEREAS**, the City Council recognizes the right to Freedom of Speech and has historically always encouraged public comment at City Council and other City meetings; and

**WHEREAS**, the City Council desires and believes it is in the best interest of the City to adopt rules and procedures for public comment at City meetings.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS, A HOME RULE MUNICIPALITY, AS FOLLOWS:**

**SECTION 1: Recitals.** The City Council finds the facts and statements contained in the preambles to this Ordinance are true and correct and are hereby adopted as part of this Ordinance.

**SECTION 2: Adoption.** The City Council adopts the following rules regulating public comment and participation at City meetings, including any meeting of: City Council, City Council Standing and Ad Hoc Committees, Planning and Zoning Commission, Board of Police Commissioners, or any other committee or body authorized to meet by the City. These rules supersede Section 8 of the City Council Rules and Procedure, passed and approved by the City Council at a regular meeting May 16, 1983, and are hereby codified as:

**Rule of Procedure - Section 8. "Public Comment at City Meetings."**

(8.1) Background: Pursuant to the Open Meetings Act, 5 ILCS 120/2.06(g), any person shall be permitted the opportunity to address public officials under the rules established and recorded by the public body. Public participation and comments at meetings of the City of Washington shall be permitted in accordance with the provisions of this section.

(8.2) Manner of Addressing Public Officials: All individuals being called to address and comment at any City meeting shall speak so he/she can be heard in an audible tone of voice. Prior to speaking, the individual shall state his or her name for the record. Such comments by any one person shall be limited to five (5) minutes in any City Council meeting, or three (3) minutes in any other City meeting, unless an extension of time is granted at the presiding officer's discretion. Citizens shall not yield unused time to other speakers. The presiding officer shall have the right at any time to close comment by that person, when, in the presiding officer's discretion, such input violates the provisions of these rules, or is otherwise irrelevant, repetitious or disruptive. If, after a reasonable period of time has been devoted to public comments, and all those desiring to provide comment have not had a chance to do so, the public comment portion of the agenda may be closed upon a motion and second of the City

Council or Committee, and a majority vote in favor thereof. Any person who was not able to address the public body will be encouraged to attend a subsequent meeting to address the public body or to provide written comments.

(8.3) Redundancy: If numerous persons wish to comment on a single topic, the presiding officer may recognize a specified number of individuals who wish to speak in favor of, against or wish to make general comments regarding the topic. The City Council or City Committee shall not be required to allow every person who wishes to address the issue to do so, but as many views as possible are encouraged to be heard. Any person who is not able to speak during the time for public comment shall be allowed and encouraged to present his or her views to the City Council or City Committee in writing.

(8.4) Decorum. While making public comment during any City meeting, members of the public shall not attempt to enter into individual dialog with members of the public body. Any person who uses profanity, or engages in threatening, inappropriate, offensive, slanderous or disorderly behavior, shall be deemed out-of-order by the presiding officer and his or her time for public comment shall end. An individual who violates these rules may be removed from the meeting at the discretion of the presiding officer.

**SECTION 3: Severability**. In the event that any section, clause, provision, or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain to be valid in any one or more of its several applications. All valid applications that are severable from the invalid applications shall remain in full force and effect.

**SECTION 4: Repeal and Savings Clause**. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the City of Washington prior to the effective date of this ordinance.

**SECTION 5: Effective Date**. This Ordinance shall be in full force and effective immediately from and after its passage, and approval as provided by law.

**PASSED AND ADOPTED...**