

Resolution 2018-12

Town of Moffat Public Comment Policy

I. Citizen's Request to Speak at Town Meetings:

Citizens are encouraged to attend the Town Board meetings and to participate in public hearings when the subject matter of such hearings is important to them. At times, citizens may wish to bring matters to the attention of Town Board that are not on the agenda for that particular meeting. The "Public Comment" segment of all regular meetings of Town Board offers all interested citizens an opportunity to address Board with respect to local matters having a bearing on the operation and functions of the Town. The citizen's Public Comment segment is not intended, however, to be used by individuals or groups who merely wish to use Board meetings as a platform to express personal or political philosophies or messages that have little or nothing to do with the business and affairs of the Town of Moffat.

As a matter of general policy, neither Town Board nor Town staff should be expected to respond to matters raised in the Public Comment segment of Board meetings. Nevertheless, Board members will always retain the right to ask questions of the speaker and to respond then or at a later time to remarks made by any citizen. Board also will refer certain matters raised in this segment of the meeting to the Town Clerk or to one of Board's committees for further study and discussion whenever warranted.

However, not all issues raised by individual citizens or groups will be referred to staff or committee.

Town Board asks all persons who wish to address Board to remember that the primary purpose of each regular meeting of Town Board is to carry on the legislative and other business of the Town in accordance with a published agenda and applicable rules of law and procedure. For this reason, the following rules will apply with respect to the citizen's request to speak segment of all Board meetings:

1. All speakers must stay on topic and are encouraged to state their points as briefly and clearly as possible. Redundancies and repetitive remarks (especially if several persons are speaking to the same general issue) should be avoided;
2. In any event, each speaker will be strictly limited to a maximum of three (3) minutes, unless a longer period is authorized by the person chairing the meeting;
3. All remarks should be addressed to the Board and pertain to matters of at least general importance to the Town and its operations. Neither Board members nor Town staff should be expected to engage in discussions or debate with any speaker. Board and staff are there to listen during this segment of the meeting;
4. No person addressing Board shall approach the Mayor or another member of Board without first obtaining permission from the Chair to do so;
5. No citizen requesting to speak shall address Board or the meeting until he or she has been recognized by the Chair, and no person who has once addressed the meeting shall be allowed to address the meeting a second time, unless specifically permitted to do so by the Chair, who may impose time limits and other restrictions as conditions of such permission;
6. Discussions and debates between or among members of the audience are strictly prohibited;
7. Personal attacks, whether directed at members of Town Board, Town staff or fellow citizens, must be avoided;
8. The use of profanity or ethnic, racial or gender-oriented slurs is prohibited, as is any "disorderly conduct" which violates state or local law. See Section 18-9-106, C.R.S.;

9. The Mayor or other Board member chairing the meeting is in charge and shall have the authority to order any person to terminate his or her remarks if the time allotted to such person has expired or if the speaker has violated any of the foregoing rules. Any person who violates an order of the Chair in a manner which tends to disturb or disrupt the meeting, after one additional warning from the Chair, may be subject to removal from the meeting and possible criminal charges, depending upon the severity of the situation and the magnitude and frequency of the disruption(s).

II. Citizen’s Request to Speak at Public Hearings:

From time to time, Board conducts public hearings with respect to “quasi-judicial” matters it must decide and certain types of legislation it is considering. To the extent that any such public hearing is not covered by other specific rules of procedure adopted by or pursuant to ordinance, the rules applicable to the citizen’s request to speak segment of the meeting shall apply, with the following exceptions:

1. Testimony and evidence offered by any person in any public hearing before Board must be relevant to the subject matter of the hearing. General comments about matters that are not included among the issues to be addressed and decided in the public hearing are out of order and will not be tolerated by the Chair;
2. Whenever an applicant has the burden of proving a matter that is the subject of a public hearing, that applicant (and/or his or her representatives) shall not be time limited; provided that the applicant’s presentation is relevant to and addresses matters at issue in the proceedings. However, the Chair will have the discretion to limit the presentation of repetitive or cumulative evidence and testimony;
3. The Chair also shall have the discretion to extend the time available to opponents of certain matters that are the subject of public hearings, provided that the evidence presented is relevant and not repetitive or cumulative;
4. Once a public hearing has been closed by the Chair, Board will not receive any additional public comment unless a majority of the Board members who are in attendance vote to reopen the public hearing and receive additional testimony or evidence. Citizens are neither invited nor allowed to participate in Board’s deliberations following the close of a public hearing.

III. Other Matters:

Many routine agenda items that are dealt with by Town Board during its meetings do not require that a public hearing be conducted before formal action is taken. Nevertheless, the Chair shall have discretion to allow members of the public who are in attendance to address such matters. For example, the Chair might—and usually will—allow citizens to comment with respect to pending resolutions or ordinances, provided that the comments offered must be germane to the subject matter of the resolution or ordinance. Unless other more specific rules apply, or the Chair gives specific instructions to the contrary, those who are recognized for purposes of addressing such matters shall be subject to the same rules that apply to the citizen’s request to speak segment of the meeting.

Adopted at a regular meeting of the Board of Trustees this 5th day of June, A.D. 2018

Patricia Reigel, Mayor

Attest: _____

Sarah Van Horn, Town Clerk of Moffat