

ORDINANCE NO. 6333

**AN ORDINANCE AMENDING PROCEDURES FOR
PUBLIC COMMENT AT CITY MEETINGS**

WHEREAS, the City of Peru ("City") is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs; 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, Committee, and other City meetings; and

WHEREAS, on September 22, 2014, the City passed Ordinance No. 6031 entitled: "AN ORDINANCE ESTABLISHING PROCEDURES FOR PUBLIC COMMENT AT CITY MEETINGS"; and

WHEREAS, the City Council finds and determines it is in the best interests of the City to revise its procedures for public comment at City meetings to ensure the public has a reasonable opportunity to address public officials at City meetings while maintaining civil, orderly, and productive meetings.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PERU, LASALLE 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: Amended Public Comment Procedures. Chapter 2, Article I, Section 2-29 of the City of Peru Code of Ordinances is hereby amended to read as follows:

Sec. 2-29. Public Comment at City Meetings.

(a) Authority.

Pursuant to Section 2.06(g) of the Open Meetings Act, 5 ILCS 120/2.06(g), any person shall be permitted an opportunity to address public officials under the rules established in this section.

(b) Purpose of Public Comment Rules.

The reasonable time, place, and manner regulations established in this section serve the City's significant government interests in holding civil, orderly, and productive meetings; conserving time, and ensuring that members of the public have a fair opportunity to speak.

(c) Public Comment General Rules of Order.

1. Any person shall be allowed to speak at any public meeting on any matter of public concern. No person shall be prevented from speaking on the basis of any prior speech.
2. Prior to the start of the meeting, anyone desiring to make public comment must sign their name to the public comment sheet and identify the agenda item or topic on which they would like to offer comment. Additional contact information may be provided but is not required. Speakers will be called to speak upon in the order they appear on the public comment sign in sheet.
3. Each person who wishes to speak will be allotted no more than three (3) minutes to make public comment unless additional time is authorized by the presiding members or with the consent of a majority of then present council, board, or committee members.
4. No person may allot his or her time to another speaker to increase that speaker's allotted time.
5. Each person offering public comment shall first be acknowledged by the presiding member and shall begin their comment by stating their name.
6. The total time for public comment shall not exceed thirty (30) minutes at any meeting.
7. In the event that the thirty-minute time period elapses before all speakers have an opportunity to be heard, those speakers on the public comment sheet still wishing to be heard shall retain their position on the list for the public comment portion at the next meeting.

8. Any person shall be permitted to address the public body or any member of the public body at any time via mail or email.
9. Each member of the public addressing the Council shall be expected to conform to conventional standards of decorum and shall refrain from making vulgar, insulting, or inappropriate remarks toward or about any member of the Council, any employee or officer of the City, or any member of the audience.
10. Each speaker must maintain civility and cannot disrupt an orderly meeting by using obscene or threatening language or gestures. Any person who poses a threat to public safety will be removed from the meeting.
11. The presiding member shall have the authority to direct that a speaker suspend his or her remarks for exceeding the prescribed time limit or for any other violation of these Rules of Order for Public Comment.
12. Public comment is not intended to require public officials to provide any answer to the speaker. After the speaker has used his or her allotted time or finished making their comment, he or she shall be seated with no further debate, dialogue, or comment.

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 Peru prior to the effective date of this ordinance.

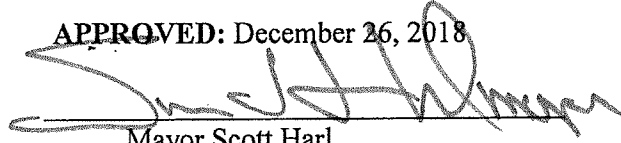
SECTION 5: Effective Date. This Ordinance shall be in full force and effective immediately from and after its passage, and approval as provided by law.

PRESENTED, PASSED, AND ADOPTED at a regular meeting of the City Council of the City of Peru, Illinois, by an aye and nay roll call vote, with 7 voting aye, 0 voting nay,

1 absent, and Mayor Harl not voting, which meeting was held on the 26th day of December, A.D.,
2018.



APPROVED: December 26, 2018



Mayor Scott Harl

ATTEST:

David R. Bartley
Peru City Clerk

<u>Aldermen</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Potthoff	X		
Ferrari	X		
Waldorf	X		
Lukosus	X		
Radtke	X		
Sapienza	X		
Payton			X
Ballard	X		