

SANGAMON COUNTY, ILLINOIS

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ORDINANCE  
NUMBER 17-24

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**AN ORDINANCE AMENDING THE VILLAGE CODE PROVISIONS  
ON PUBLIC COMMENT**

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AMY DAHLKAMP, Village Clerk

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on ~~May~~ June 13, 2017

Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62705

**ORDINANCE NO. 17- 24**

**AN ORDINANCE AMENDING THE VILLAGE CODE PROVISIONS  
ON PUBLIC COMMENT**

**WHEREAS**, the Village of Chatham (“Village”), Sangamon County, State of Illinois, is a duly organized and existing Village created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code; and

**WHEREAS**, the Illinois Open Meetings Act, 5 ILCS 120/2.06(g), provides any person shall be permitted an opportunity to address public officials under the rules established and recorded by the public body; and

**WHEREAS**, the Village Board previously adopted rules for public comment as set forth in Section 30.06 of the Village Code; and

**WHEREAS**, the Village Board desires to amend Section 30.06 of the Village Code to improve the process for public participation in meetings as set forth in this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Chatham, County of Sangamon, as follows:

**Section 1.**     Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

**Section 2.**     Amendment. Title III, Section 30.06 shall be amended by re-lettering and amending the provisions as follows:

30.06 CITIZEN PARTICIPATION IN MEETINGS.

The following rules shall govern citizen participation in meetings.

- (A)     The Village recognizes the Illinois Open Meetings Act provides that any person shall be permitted an opportunity to address public officials under rules established by the village. The Village Board, by majority vote of its members then holding office, may suspend the public comment rules herein established as deemed prudent and in accordance with the law. These rules shall apply to all

committees, commissions and other subsidiary bodies of the Village Board unless otherwise noted and specific to the Village Board.

- (B) Persons desiring to be recognized and speak at open meetings of the Village Board or other public bodies of the village are encouraged, but are not required, to notify the Village Board or other public body at least one working day prior to the meeting of the subject matter upon which they wish to speak so that the village and its staff can better respond to the person's concerns. However, anyone desiring to address the Village Board must sign the public comment sheet prior to the start of the meeting. The speaker must include their name, agenda topic/village concern, and optionally any contact information that they desire to provide. Although not required, speakers are encouraged to provide contact information so that the Village can be more responsive, including following up on concerns or questions raised.
- (C) There shall be two opportunities for the public to address the Village Board during Village Board meetings. The first public comments period, "Public Comment on Agenda Topics" shall follow Roll Call and shall be directed to specific agenda topics. The second public comment period, "Public Comment on Village Business" shall immediately precede meeting adjournment, and will include general comments not specific to agenda topics or any further comments not spoken in the first public comment period. Speakers are encouraged not to be duplicative in remarks that are made. Nothing within this section shall limit the ability of the Village Board, by majority vote, to change the placement of the public comment periods on a specific agenda. Each public comment period shall be limited to 30 minutes in time, unless that time is extended at the discretion of the Village President or other presiding officer. Each person shall have the floor for a maximum of five minutes unless that time is extended at the discretion of the Village President or other presiding officer.
- (D) The Village Agenda shall contain an agenda topic entitled "Public Announcements". Speakers wishing to speak during the first public comments period under this topic may address the board on Public Announcements. For purposes of this Section, Public Announcements shall mean a statement intended to address the public at large about the details (time, place, etc.) of a Village event, plan, or other upcoming Village affair.
- (E) Persons addressing the Village Board or other public body of the village shall be recognized at the time set forth on the agenda for the meeting.
- ~~(C) Prior to addressing the Village Board or other public body of the village, a person shall state his or her name and give a home or business address with telephone number or email address at which the person can be reached.~~
- (F) Persons shall be recognized and called to address the public body by name, in the order they signed in, determined by the Village President or other officer presiding at the meeting. Any person who signed in to speak during the "Public Comment on Agenda Topics" portion of a Village Board meeting that does not

get to speak during time, shall automatically have their name added to the list of individuals desiring to speak at the “Public Comment on Village Business” comment period at the end of the meeting. Each person shall have the floor for a maximum of five minutes unless that time is extended at the discretion of the Village President or other presiding officer.

- (G) After the speaker is recognized by the Village President or other presiding officer by name, said speaker will approach the designated area, the Central Citizen Podium, to address the Village Board. The speaker shall begin their statement by stating their name for the record.
- (H) Public comment is not intended to require public officials to provide any answers to the speaker.
- (I) Discussions between speakers and members of the audience will not be allowed.
- (I) If a group of persons share a particular concern, the group will be encouraged, but not required, to appoint one or more spokespersons to speak on behalf of the group.
- (J) The Village President or other presiding officer may in his or her discretion limit a person’s remark below the five minutes provided in division (C) or (E) of this section if the person’s remarks are cumulative or duplicative of remarks already made by some other person.
- (K) Persons addressing the Village Board or other public body of the village shall do so with proper decorum and shall not engage in disorderly or threatening behavior. ~~and respect. The Village President or other presiding officer may terminate the presentation of any person violating this rule. Any person found by the Village President or other presiding officer to have violated this rule on three separate occasions within a calendar year shall thereafter, for a period of at least one year, be required to submit remarks or presentations to the village only in writing. Any person who disrupts the order and decorum of the meeting may be removed.~~
- ~~(L) Persons addressing the Village Board or other public body at a special meeting shall limit their remarks to items on the agenda for the special meeting.~~
- (M) Presentations to the Village Board shall be limited to a person’s business with the village or concerns regarding village business, property, personnel or operations. The Village President or other presiding officer may terminate any presentation that is ~~to the Village Board which includes personal attacks or the advancement of political, social or other agendas~~ unrelated to the business, property, personnel or operations of the village.
- (N) Presentations to ~~the~~ any public body other than the Village Board shall be limited to matters under the jurisdiction of such public body. The presiding officer may terminate any presentation which includes ~~personal attacks or~~ matters not under the jurisdiction of the public body.

- (O) These rules are not a limit on the Village President's or other presiding officer's authority to expel persons who have breached the peace at a meeting.
- (P) These rules are applicable to all Boards, Commissions, Committees, and other political subdivisions established by the Village Board and subject to the Illinois Open Meetings Act.

**Section 3. Severability.** In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

**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 Village of Chatham prior to the effective date of this ordinance.

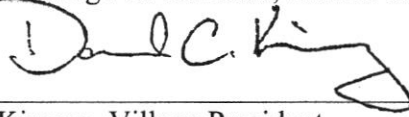
**Section 5. Effective Date.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 13 day of June, 2017.

	YES	NO	ABSENT	PRESENT
TERRY FOUNTAIN	X			X
BRETT GERGER			X	
NINA LINDHORST	X			X
RYAN MANN	X			X
MATT MAU			X	
PAUL SCHERSCHEL	X			X
DAVE KIMSEY				X
TOTAL	4	0	2	5

**APPROVED** by the President of the Village of Chatham, Illinois this 13 day of

June, 2017.



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Dave Kimsey, Village President

Attest:

Amy Dahlkamp  
Amy Dahlkamp, Village Clerk