

# Guidelines for Public Comment Period And Public Hearings

*The presiding officer has discretion in enforcing these guidelines for the orderly and civil conduct of Town Board meetings. The guidelines below apply to both the public comment period and legislative public hearings before the Town Board unless noted otherwise. The public has the right to attend meetings of public bodies, listen to debate and watch the decision-making process. Neither the Open Meetings Law nor any other statute provides the public with the right to participate by public testimony or comment. However, because the Town Board encourages public participation, rules and procedures are hereby developed that are reasonable and that treat members of the public equally. To this end, the Town Board has adopted the following guidelines to ensure consistency and fairness.*

## **Public Hearing vs. Public Comment Period during Town Board Meetings**

- *A public hearing is an opportunity for the public to openly speak on a specific topic and only that topic.*
  - *Outside of a public hearing, the public has a right to hear, but not to be heard.*
  - *Public participation in the meeting of a public body outside a public hearing is a privilege, not a right.*
  - *The public is not **entitled** to speak during a town board meeting because this meeting is a meeting of and for the Town Board, not a community forum.*
1. Public comment period is provided at the discretion of the Town Board.
  2. The public comment period may be limited to 15 minutes. A time limit may be imposed for individual testimony at a public hearing.
  3. Each speaker is allowed three minutes. This allows the opportunity for comment by as many people as possible while maintaining a reasonable amount of time to conduct the town business in the Town Board meeting. The following apply:
    - a. Speakers will approach the Town Board and state their name for the record.
    - b. Speakers should address the Town Board as a whole and not each other.
    - c. Attendees will be respectful of those speaking by avoiding side conversations and interrupting.
  4. *Meeting attendees may not “donate” their speaking time to another person.*
  5. Individuals may speak extemporaneously or read prepared comments, however, individuals reading comments on behalf of another are still limited to one three-minute comment.
  6. If more time is needed, the Town Board requests that written comments be submitted to the Town Clerk, where they will be entered into the public record (minutes).

7. Speakers shall refrain from comment or behavior that involves:
    - a. Disorderly speech or action; name-calling or personal attacks; obscene or indecent remarks; and derogatory comments on personalities;
    - b. Advertising or promoting the sale of products, services, or private enterprise;
    - c. Promoting any contest or lottery; and
    - d. Promoting candidates for public office or upcoming ballot measures.
  8. Any person who engages in speech or action as described in Section 8.a, when such speech or action disrupts, disturbs, or otherwise impedes the orderly conduct of any Town Board meeting, may, at the discretion of the presiding officer, be barred from further audience before the Town Board during that meeting.
  9. Any person who engages in speech or action as described in Sections 8.b-d may, at the discretion of the presiding officer, be barred from further audience before the Town Board during that meeting.
  10. In addition to the limits specified above, the presiding officer may set other reasonable, viewpoint-neutral limits to prevent disruption of Town Board business.
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