

ORDINANCE NO. 6031

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

**WHEREAS**, the City of Peru (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, Committee, and other City meetings; and

**WHEREAS**, the City Council desires and believes it is in the best interest of the City to adopt procedures for public comment at City 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: Adoption.** The City Council adopts the following rules regulating public comment and participation at City meetings, codified as Chapter 2, Article I, Section 2-29 of the City of Peru Code of Ordinances:

**Sec. 2-29. Public comment at city meetings.**

(a) Pursuant to 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 and recorded by the public body. Public participation at meetings of the City of Peru shall be permitted in accordance with the provisions of this section.

- (1) Public comment at the beginning of City Council meetings.
  - i. An individuals desiring to address and/or comment on an agenda item shall submit a paper to the City Clerk prior to the start of the

City Council meeting containing his/her name, and the agenda item to be discussed. Comment shall be limited to three (3) minutes and shall be made from the podium so it is in view of the camera recording City Council meetings.

- (2) Public comment at the end of the City Council meeting.
  - i. Public comment at the end of a City Council shall be open to all matters of public concern. Comment should be made into the microphone but the person need not come to the podium.
  
- (3) Public comment at other City meetings.
  - i. Public comment, not exceeding three (3) minutes per person unless otherwise allowed additional time by the presiding officer, shall be allowed at all City Committee, Design Review Board, Plan Commission, Zoning Board of Appeals, and all other meetings of a public body of the City.

(b) All individuals being called to address and comment before the City Council shall speak into the microphone so he/she can be heard. Prior to speaking, the individual shall state his/her name for the record. Such comments by any one person shall be limited to three (3) minutes 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. 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 and a majority vote in favor thereof. Any person who was not able to address the City Council will be encouraged to attend a subsequent meeting to address the City Council or to provide written comments.

(c) If numerous persons wish to comment on a single topic, the City Council 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 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/her views to the City Council in writing.

(d) Members of the public, as an alternative to speaking, may submit written materials to the City Council regarding any matter of public concern.

(e) Decorum. Members of the public shall not make inappropriate or offensive comments at a City meeting and are expected to comply with these rules. All comments must be civil in nature. Any person who engages in threatening, slanderous or disorderly behavior when addressing a City meeting shall be deemed out-of-order by the presiding

officer and his/her time to the address meeting 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 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 8 voting aye, 0 voting nay, 0 absent, and Mayor Harl not voting, which meeting was held on the 22<sup>nd</sup> day of September, A.D., 2014.



APPROVED: September 22, 2014

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Mayor Scott Harl

ATTEST:

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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		
Perez	X		
Radtke	X		
Mueller	X		
Sapienza	X		