



## Legislation Text

File #: 22-0339, Version: 1

### PROPOSED ORDINANCE AMENDMENT

#### PUBLIC TESTIMONY

**BE IT ORDAINED**, by the Forest Preserve District of Cook County Board of Commissioners, that TITLE 1 - ADMINISTRATIVE, CHAPTER 5 - FOREST PRESERVE DISTRICT PRESIDENT AND BOARD OF COMMISSIONERS RULES OF ORGANIZATION AND PROCEDURE, SECTION 4-30 - PUBLIC TESTIMONY of the Forest Preserve District of Cook County Code of Ordinances is hereby amended as follows:

4-30. *Public Testimony.* The Board encourages public participation in the legislative process. The following rules shall apply at any meeting of the Board and its committees at which public comment or testimony is taken:

- (a) *Public testimony at all meetings.* Subject to the provisions herein, public testimony will be permitted at all meetings of the Board, its committees and subcommittees. Any member of the general public may address the Board or any of its committees or subcommittees at any remote meeting required to be open to the public under the Open Meetings Act (5 ILCS 120/1 et seq., as then in effect) in writing, or orally from a remote location by means of electronic, video, audio, or telephonic connection if permitted in the meeting notice.
- (b) *Authorization to speak.* Authorization as a public speaker or to provide written testimony to be read into the record of a meeting of the Board, its committees and subcommittees shall be granted to those individuals who have submitted in writing, their name, ~~municipality of residence~~, subject matter, and organization (if any) to the Secretary.
- (c) *Public comment period.* Duly authorized public speakers shall be called upon to deliver testimony at a time specified in the meeting agenda, or at the discretion of the chair, but prior to final action by the meeting body as is practicable. ~~The public comment period during a remote meeting may be limited to written testimony which shall be read into the record by the Board Secretary.~~
- (d) *Germane subject matter encouraged.* Public testimony ~~should~~ shall be germane to a specific item(s) on the meeting agenda. ~~To preserve order and decorum and in the interest of efficiency, the presiding officer may impose subject matter limits on public comment or testimony.~~
- (e) *Time limits.*
  - (1) *Time limits for public speakers.* Written public testimony or oral testimony will be limited to three (3) minutes. The Secretary will keep track of the time and advise when the time for public testimony has expired. Responses to inquiries of the public speaker by the presiding officer or members shall not count towards any time limit. With leave, the presiding officer or members may extend a public speaker's time as desired.
  - (2) *Overall time limit for public comment.* All public comment shall be limited to sixty (60) minutes per meeting; provided that the Board President may allow a greater period of time for public comment subject to the consent of a majority of the Board, when doing so will not interfere with the conduct of business or the maintenance of order and decorum at the meeting.

- (f) *Prohibited behavior for public speakers.* Oral or written testimony shall not include the use of vulgar, abusive or otherwise inappropriate language when addressing the Board. Failure to act appropriately; ~~failure to speak to an item that is germane to the meeting,~~ or failure to adhere to the time requirements may result in expulsion from the meeting and/or disqualify the person from providing future testimony.
- (g) *Disruptions of meetings prohibited.* Disruptions of meetings are prohibited. Disruptions include, but are not limited to:
- (1) Speech or testimony by an individual after expiration of the time allotted for the speaker's public comment or testimony;
  - (2) ~~Speech or testimony by an individual that is not germane to a specific item or items on the meeting agenda;~~
  - (23) Speech or testimony by an individual who has not been recognized by the presiding officer for public comment or testimony, who is speaking in a volume louder than a low, conversational level appropriate for communication between persons seated next to each other in the chamber, or whose speech is audible by others;~~or~~
  - (34) Holding or placing a banner or sign during a meeting in a way that may endanger other individuals or that obstructs the free passage or view of others attending or viewing the meeting;~~;~~
  - (45) Verbal comments and testimony must be conducted in respectful speech with no personal attacks;~~;~~
  - (56) If an individual engages in disruption of the meeting, including, but not limited to, any of the actions described above, the presiding officer may rule the individual out of order and direct the individual to cease the activity and impose other reasonable conditions for the individual's continued presence at the meeting. If the individual does not immediately comply with the presiding officer's order, the presiding officer may direct the removal of the individual from the meeting. Unless otherwise ordered by the presiding officer, any individual ordered to be removed from a meeting is excluded from returning to that meeting, unless the decision of the presiding officer is overruled by a majority vote of those members in attendance. Any two (2) members may place before the body the question of whether to permit the individual to return to the same meeting;~~;~~
  - (67) If an individual is removed either from two or more committee meetings within a fifteen-day period or from two (2) or more consecutive meetings of the Board, the Board President or Committee Chairperson may exclude the individual from participation in public comment or testimony periods at future Board or committee meetings;~~;~~
    - a. The Board President or Committee Chairperson shall notify the individual in writing of the type of exclusion, the specific reasons for the exclusion and the specific terms and length of the exclusion;~~;~~
    - b. The notice of exclusion shall advise that the individual may submit written comments to the ~~Clerk~~ Board Secretary for distribution to the Board members at future public comment or testimony periods;~~;~~
    - c. The notice of exclusion shall be filed with the ~~Clerk~~ Board Secretary, who shall post it on the door to the Board chambers and on the Board's web page, provide a copy of the notice to Board

members and mail the notice to the individual's last known address, if any. The notice is effective when posted. The exclusion order shall remain posted on the door to the chambers for the duration of the exclusion period.

- (78) In determining the scope and length of an individual's exclusion, the Board President or Committee Chairperson may consider the seriousness of the disruptions to the orderly conduct of the meeting, the number of disruptions in which the individual participated and other reasons deemed relevant by the President.
- a. The Board President or Committee Chairperson may issue an exclusion from future participation in public comment or testimony periods for up to twenty-eight (28) calendar days.
  - b. At the next regular meeting of the Board, following the filing and posting of the exclusion notice, the exclusion order may be overruled or modified by a majority vote of those Commissioners in attendance. Any two (2) members may place before the body the question of whether to overrule or modify the exclusion decision.
- (89) Any individual excluded from participation in future public comment or testimony periods may appeal the exclusion by submitting a written appeal to the ~~Clerk~~ Board Secretary within five (5) calendar days after the exclusion notice is posted. The ~~Clerk~~ Board Secretary shall distribute copies of the appeal to all Board members. The Board shall consider the appeal at the next regularly scheduled Board meeting if any two (2) members place it before the body. The individual's exclusion from public comment or testimony periods shall remain in effect during the Board's consideration of the appeal.

**Effective date:** This ordinance shall be in effect immediately upon adoption.