

ORDINANCE NO. 12-02

AN ORDINANCE ADOPTING PROCEDURES FOR PUBLIC DISCUSSION

WHEREAS, the Village of Kirkland (hereinafter, the “Village”), DeKalb County Illinois, is an Illinois municipal corporation; and

WHEREAS, pursuant to Public Act 96-1473, the Illinois General Assembly recently amended the Illinois Open Meetings Act (“OMA”), 5 ILCS 120/1 et seq., to specifically require 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 Village Board has historically always liberally and openly encouraged public comment and discussion at its meetings; and

WHEREAS, the Village Board believes it is in the best interest of the Village to adopt specific procedures for public discussion at its meetings.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND VILLAGE BOARD OF THE VILLAGE OF KIRKLAND, DEKALB COUNTY, ILLINOIS AS FOLLOWS:

Section 1: Recitals. That the above recitals are hereby incorporated into the body of this Ordinance and restated as though set forth herein.

A. Public discussion shall be listed on each regularly scheduled Village Board meeting and persons shall be allowed to address the Village Board as set forth in this Section.

B. It shall be the policy of the Village Board that any person may address the Village Board at its regular meetings under the public discussion agenda item. Public discussion shall be limited to three minutes per speaker on any matter pertinent to issues or matters relating to the Village. The three-minute time limit shall apply unless the Village Board, by a majority vote, sets a lower or higher time limit for comment on a

particular subject which shall apply to all speakers during that public discussion section. After a reasonable period of time has been devoted to public discussion and all of those desiring to provide public discussion have not had a chance to do so, the public discussion section may be closed upon a motion and second of the Village Board and a majority vote in favor thereof. Any person who was not able to address the Village Board will be encouraged to attend a subsequent meeting to address the Village Board or to provide written comments.

C. If numerous persons wish to speak on a single topic, the Village Board may recognize a specified number of individuals who wish to speak in favor of, against or wish to make general comments regarding the issue. The Village 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 a public discussion period shall be allowed and encouraged to present their views to the Village in writing.

D. All comments must be civil in nature. Any person who engages in threatening, slanderous or disorderly behavior when addressing the Village Board shall be deemed out-of-order by the presiding officer and his or her time to address the Village Board at said meeting shall end.

E. Public discussion shall be allowed in a similar manner at all committee meetings or meetings of subsidiary bodies of the Village.

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 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, action, or causes of action which shall have accrued to the Village of Kirkland 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 and approval.

Passed this _2nd_ day of _January_, 2012.

Ayes: McMurray, D., Pierce, Marshall, McMurray, W., Newberry

Nays: Ford

Absent:

Abstain:

Approved this _2nd_ day of January, 2012.

VILLAGE OF KIRKLAND, ILLINOIS

By: _____
Village President
Les Bellah

ATTEST:

Village Clerk
Terri D'Amato