



**Town of New Castle**

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## Memorandum

**To:** Mayor & Council  
**From:** David Reynolds  
**Re:** Council Agenda Item: **"Public Comments Policy"**  
**Date:** 1-31-19

**Purpose:**

The purpose of this agenda item "*Public Comments Policy*" is to have our Town Attorney provide Council with a briefing on the need to establish a formal policy for *Public Comment* during Council Meetings.

Our Attorneys recognize that without a formal policy in place which describes the "*Do's and Don'ts*" for presentations by the public to Council, it may be difficult to keep order should a disruption occur. Examples of disruptive public speakers may be difficult to find in recent Council meetings in New Castle, but other Towns have experienced behavior that was difficult to control. It is felt by our Town Attorney that formalizing a policy may assist the Town should a disruption become a problem.

Haley Carmer will present ideas that have worked successfully in other Municipalities and make suggestions for a New Castle policy which Council may consider. If Council desires, staff can take the suggestions, findings, and comments and return to Council at a later date with a formalized policy for Council's review.

CITY OF DELTA, COLORADO  
RESOLUTION NO. 2019-\_\_

A RESOLUTION OF THE DELTA CITY COUNCIL ADOPTING A POLICY  
FOR CITIZEN COMMENTS AT PUBLIC MEETINGS

WHEREAS, it is the general practice of the Delta City Council to include an agenda item at regular City Council meetings allowing citizens to address the Council on topics not related to specific items on the agenda; and

WHEREAS, the City Council recognizes and encourages the right of its citizens and members of the public to address the City Council pursuant to the First Amendment to the Constitution of the United States of America; and

WHEREAS, a City Council meeting is a limited public forum in which the City Council has authority to impose reasonable, content-neutral regulations regarding the time, place, and manner of public speech; and

WHEREAS, the City Council also accepts citizen comments at public hearings and other situations where comments may be invited for specific agenda items; and

WHEREAS, the City Council has the authority to place reasonable restrictions on citizen comments and citizen presentations in order to provide for the efficient management of public meetings and to allow sufficient time and attention to address specific agenda items and to conduct the business of the City of Delta; and

WHEREAS, as a Colorado home rule municipality, the City of Delta has the authority to enact its own rules regarding meetings of its governing body; and

WHEREAS, the City Council desires to adopt a uniform policy to regulate citizen comments at its own meetings and at other public meetings conducted by the Planning Commission or other boards or commissions of the City of Delta.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DELTA, COLORADO, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as findings and determinations of the City Council.

Section 2. The City Council adopts the following policy, which shall be posted or made available to members of the public at any meeting where members of the public may be permitted to address the Council, the Planning Commission, or other public body of the City of Delta.

**CITY OF DELTA**  
**POLICY REGARDING CITIZEN COMMENTS**  
**AT CITY COUNCIL MEETINGS AND PLANNING COMMISSION MEETINGS**

1. PUBLIC COMMENTS REGARDING MATTERS NOT ON THE AGENDA

Citizen comments regarding any matter not on the agenda will be allowed during the designated time on the agenda and may be disallowed at other times during the meeting.

Those wishing to address the City Council must print their names on the sign-in sheet and will be allowed a three-minute presentation per speaker. Citizens who have signed-in may delegate their time to another speaker to comment on their behalf.

The Mayor or presiding officer may limit the total time for citizen comments based on the length of an agenda. In such case, comments will be received on a first-come, first-served basis during the available time.

Large posters or signs, sound effects, audio/visual presentation equipment, or other disruptive or distracting materials may be prohibited. Handouts are encouraged to be in 8.5 x 11 format.

If a topic that you wish to address has been scheduled as an agenda item for a formal City Council meeting, we would ask that you reserve your remarks for that specific date and time.

2. PUBLIC COMMENTS GENERALLY, INCLUDING MATTERS ON THE AGENDA

Please state your name and address for the record.

Comments should be statements, not questions. The Council may or may not respond.

Comments should be directed to the City Council and not to individual members of the public.

Presenters are urged to: (1) state your concern/issue; (2) list possible solutions; and, (3) if you have a hand-out, provide all copies for all members of the Council, City Manager and the City Clerk.

Respect the need for civility for effective public discussion of issues.

Focus your comments on relevant facts and your point of view.

Defamatory or abusive remarks, shouting, threats of violence or profanity are OUT OF ORDER and will not be tolerated.

Citizens wishing to address the Council should dress appropriately. No shirt, no shoes, no service.

The Mayor or presiding officer has authority to apply the "three minute" rule stated above at public hearings if a large number of speakers wish to present comments.

Persons violating these policies may be asked to terminate their comments. In the event of repeated violations or refusal to abide by these policies or directives, the Mayor or presiding officer has authority to direct a peace officer to remove the individual from the Council Chambers.

INTRODUCED, PASSED, AND ADOPTED at a regular meeting of the City Council of the City of Delta, Colorado, on January \_\_\_\_, 2019.

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Mayor

ATTEST:

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City Clerk