

**TOWN OF KEYSTONE
Summit County, Colorado**

RESOLUTION 2024-18

**A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO
ADOPTING A POLICY REGARDING PUBLIC COMMENT FOR TOWN COUNCIL
MEETINGS**

WHEREAS, the Town of Keystone (“Town”) is a home rule municipality governed by the Keystone Home Rule Charter; and

WHEREAS, the Town has a legitimate, compelling interest in conducting orderly, efficient Town Council meetings to ensure that it can accomplish its business in a reasonably efficient manner during such meetings; and

WHEREAS, Town Council meetings, and the “public comment” period of such meetings, shall be and shall remain a limited public forum available for First Amendment purposes; and

WHEREAS, a limited public forum allows the government to regulate certain features of speech, including content, if the restrictions are viewpoint-neutral and reasonable considering the forum’s purpose; and

WHEREAS, consequently, Town Council is free to decide to whether to offer a “public comment” period at its meetings in the first place, to limit comments to relevant subject matters, to set an overall time limit for “public comment” and to impose time limits for individual speakers during such period so as to control disruptive or overly repetitive speakers, and to decide when the public comment period of their meetings will occur during Town Council meetings—whether it be at the beginning or end of the meeting—so as to ensure order at its meeting and not to impair the performance of City business; and

WHEREAS, the Town Council also recognizes that the purpose of a public comment period is to permit the public an opportunity to raise matters of public concern with their elected officials and in so doing to address, praise, and/or criticize their elected officials; and

WHEREAS, until such time as Town Council adopts its procedures and rules of order, the Town Council desires to establish protocols and reasonable requirements for public comments during the “Public Comment” period at its meeting in furtherance of maintaining order and decorum during public meetings, and finds that such requirements are a rational means to advancing the municipality’s broader interest in conducting orderly, efficient Town Council meetings so that it can accomplish its business in a reasonably efficient manner, while also facilitating continued public engagement in the Town government.

Now, Therefore, be it Resolved by the Town Council of the Town of Keystone, Colorado, that:

Section 1. Each regular meeting agenda will contain a public comment period, which shall occur near the beginning of the meeting. The total time for public comment shall not exceed thirty (30) minutes. Once that total time is reached, public comment is closed for the meeting. Any public statements made during Public Comment are subject to the following rules:

- (a) Before delivering any remarks, a participant must first state their name and the general area of Town where such person lives (if the participant resides in the Town), the city/town of such person's place of residence (if the speaker lives outside of Town), or group affiliation, if acting as a representative of an entity, organization, or group.
- (b) A participant may speak only once.
- (c) A participant may speak for a maximum of three (3) minutes.
- (d) A participant may not donate or yield their time to speak to another speaker to extend that person's time, except that a participant's time may be shared with or donated to another speaker who has been selected to serve as a spokesperson to represent a group's views. In such case, the spokesperson may speak for a maximum of five (5) minutes.
- (e) A participant who wants to display any materials, such as presentations or videos, during such person's public comments must send them via email to the Town Clerk by 5:00 p.m. the day prior to the meeting.
- (f) A participant who has any documentation or written comments to present to the Town Council must provide them to the clerk for distribution. If possible, a total of seven (7) copies of any document should be provided.
- (g) A participant may speak on matters that are not on the regular agenda regarding matters of public concern.
- (h) A participant may not prevent or attempt to prevent another participant from speaking by carrying out or employing a heckler's veto on the speaker, such as playing loud music, chanting, shouting down, or using other disruptive tactics to censor or silence another participant's remarks.
- (i) A participant may not engage in conduct that directly, demonstrably, and imminently causes or threatens to cause specific, objectively serious harm.

Section 2. Public Comment is not intended for a discussion or entering into a dialogue with Town Council. Accordingly, the Town Council will not engage in a debate or back-and-forth discussion with a speaker nor respond to questions during Public Comment. The Town Council or a staff member may reply later using the contact information provided on the public comment sheet.

Section 3. The Town may provide a reasonable accommodation to any individual possessing a disability upon request, to provide such person access to Town Council meetings. A request for reasonable accommodation for disability, or other assistance, should be made, if possible, at least three (3) days in advance, to the town clerk.

Section 4. Effective Date. This Resolution shall take effect upon its approval by the Town Council.

ADOPTED by a vote of 7 in favor and 0 against, this 8th day of February, 2024.

By: Kenneth D. Riley
Kenneth D. Riley, Mayor

ATTEST:

Approved as to Form:

By: Madeleine Siew
Town Clerk

By: Jennifer Madson
Town Attorney