

**RESOLUTION NO. 2023-08-28**  
**CITY OF CLARKSBURG, TENNESSEE**

**RESOLUTION ESTABLISHING PUBLIC COMMENT POLICY FOR MEETINGS**

WHEREAS, Chapter 300 of the Tennessee Public Acts of 2023 (“Chapter 300”), amends Tennessee Code Annotated, Title 8, Chapter 44, Part 1 by requiring a governing body to reserve a period for public comment, at each public meeting, where the public has the opportunity to comment on matters that are germane to the items on the agenda for the meeting; and

WHEREAS, Chapter 300, which was effective July 1, 2023, authorizes a governing body to adopt reasonable restrictions on the period for public comment, including restrictions related to the length of the public comment period, the number of individuals who can speak during the period, and the length of time each individual can speak, provided the governing body takes all practicable steps to ensure the opposing viewpoints are represented fairly; and

WHEREAS, Chapter 300 further authorizes a governing body to require an individual wishing to speak at a meeting to sign up to speak in advance of the meeting; and

WHEREAS, the Mayor and Board of Aldermen find it necessary and appropriate to adopt a policy governing public comment at the public meetings of City of Clarksburg, as well as the public meetings of the City’s other commissions, boards, and committees.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLARKSBURG, TENNESSEE, AS FOLLOWS:

SECTION 1. The following policy is hereby adopted and shall be known as the Public Comment at Public Meetings Policy for the City of Clarksburg:

**PUBLIC COMMENT AT PUBLIC MEETINGS POLICY  
FOR THE CITY OF CLARKSBURG**

- (1) *Scope.* This policy shall apply to all public meetings of the City and to the public meetings of the City’s other commissions, boards, and committees that are comprised of elected and/or appointed officials and subject to the Tennessee Open Meetings Act, Tenn. Code Ann. § 8-44-101 *et seq.*
- (2) *Definitions.* As provided in Tenn. Code Ann. § 8-44-102, the following terms shall have the following meanings for purposes of this policy:
  - (a) *Governing body* means the members of any public body which consists of two or more members, with the authority to make decisions for or recommendations to a public body on policy or administration.

(b) *Meeting* means the convening of a governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter.

(3) *Policy.*

- (a) Any public meeting of a governing body with actionable items on the agenda shall have a period for public comment on those actionable items at the beginning of the meeting; provided, however, this requirement shall not apply to a meeting where the governing body is conducting a disciplinary hearing, or a hearing pursuant to the City's dangerous structures ordinance.
- (b) The public notice of every public meeting of a governing body with actionable items on the agenda shall include an email address and/or phone number that individuals wishing to speak at the meeting can use to communicate their desire to speak at the meeting.
- (c) Individuals wishing to speak at a public meeting must sign up at least six hours prior to the meeting start time either by sending an email to the public comment email address or by calling the phone number set forth in the public notice of meeting. To ensure that opposing viewpoints are fairly represented during the public comment period, individuals registering to speak at a meeting should state the action item about which they wish to speak and whether they will be speaking in support of or in opposition to the item.
- (d) The first fifteen minutes of public meetings shall be designated for public comment. The governing body shall not take up any action item on the agenda before the end of the public comment period; provided, however, the body's presiding officer may close the public comment period prior to the end of the fifteen-minute period if all the individuals who signed up to speak at the meeting have been afforded an opportunity to speak. The presiding officer shall have the discretion to extend the public comment period for no more than an additional fifteen minutes if additional time is reasonably necessary to ensure that opposing viewpoints are fairly represented during the public comment period. The presiding officer need not extend the public period beyond fifteen minutes merely

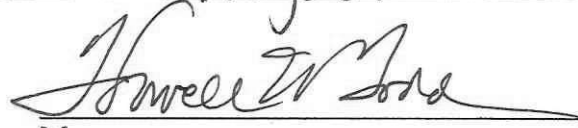
because the fifteen-minute period expired before all of the individuals who registered to speak were able to speak.

- (e) Individuals who have registered to speak at a meeting shall be called on in the order in which they have registered. Individuals will be allowed three minutes to speak with respect to an action item on the agenda. All comments are restricted to comments on action items on the agenda for the meeting. The presiding officer shall have the authority to declare an individual out of order, if after an initial warning, an individual continues to speak on a topic that is unrelated to an action item on the agenda.
- (f) Where an individual wishes to speak during public comment intends to speak on an action item that is scheduled to have a separate public hearing during the meeting, the presiding officer shall have the discretion, in the interest of affording others the opportunity to speak during the public comment period, to deny such individual's request to speak during the public comment period, provided the presiding officer then provides such individual an opportunity to speak at the beginning of the public hearing on the action item.

(4) *Exception.* This policy shall not apply to the City's special meetings where public comment is invited.

SECTION 2. This Resolution shall be effective immediately, the public welfare and the welfare of the City requiring it.

BE IT RESOLVED this the 28 day of August, 2023.

  
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Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

  
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City Attorney (Approved as to Form)