

Section 710.1 Public Participation

(a) **General Rule.** Except as provided in subsection (d), the Board or Council of a political subdivision, or of an authority created by a political subdivision shall provide a reasonable opportunity at each advertised regular meeting and advertised special meeting for residents of the political subdivision or of the authority created by a political subdivision or for taxpayers of the political subdivision or of the authority created by a political subdivision or for both, to comment on matters of concern, official action or deliberation which are or may be before the Board or Council prior to taking official action. The Board or Council has the option to accept all public comment at the beginning of the meeting. If the Board or Council determines that there is not sufficient time at a meeting for residents of the political subdivision or of the authority created by a political subdivision or for taxpayers of the political subdivision or for both to comment, the Board or Council may defer the comment period to the next regular meeting or to a special meeting occurring in advance of the next regular meeting.

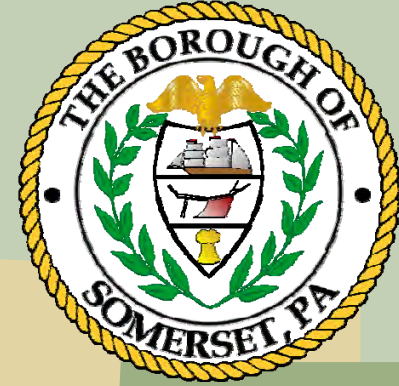
(b) **(Limitation on Judicial Relief.** If a Board or Council of a political subdivision or an authority created by a political subdivision has complied with the provisions of subsection (a), the judicial relief under section 713 (relating to business transacted at unauthorized meeting void) shall not be available on a specific action solely on the basis of lack of comment on that action.

(c) **Objection.** Any person has the right to raise an objection at any time to a perceived violation of this chapter at any meeting of a Board or Council of a political subdivision or an authority created by a political subdivision

(d) **Exception.** The Board or Council of a political subdivision or of an authority created by a political subdivision which had, before January 1, 1993, established a practice or policy of holding special meetings solely for the purpose of public comment in advance of advertised regular meetings shall be exempt from the provisions of subsection (a).

Adopted by the Council of the Borough of Somerset: January 24, 2011

Borough of Somerset



Public Comment Policy

SOMERSET BOROUGH

Public Comment Policy

I. BACKGROUND STATEMENT

The Pennsylvania Sunshine Act (65 Pa. C.S. 701, et seq.) provides that the Board or Council of a political subdivision shall provide a reasonable opportunity at each advertised regular meeting and advertised special meeting for residents of the political subdivision or for taxpayers of the political subdivision or to comment on matters of concern, official action or deliberation which are or may be before the Board or Council prior to taking official action. (710.1).

To assure compliance with the Act, to inform members of the public who may wish to make comment, and to provide for predictable and orderly implementation of the public comment period, Somerset Borough Council has adopted this Public Comment Policy.



II. POLICY STATEMENT

1. Every regular and special meeting of Somerset Borough Council shall have, as an agenda item, a period of time (Public Comment Period) set aside for receiving comments from members of the public as identified in the Act.
2. Each Public Comment Period shall not exceed ten (10) minutes in total length unless by motion passed by a majority of Council members present and voting, the total length of the Public Comment Period is extended to a longer total period which shall be stated in such motion.
3. No member of the public shall make comment for more than five (5) minutes. No member of the public shall be allowed to delegate his/her time to any other members. Any public member's time not used for comment shall be deemed waived.
4. All such public comment shall be limited to matters of public concern, official action or deliberations that are, or may come, before Borough Council.
5. Presenting comment in the form of questions shall be avoided since the purpose of the Public Comment Period is to receive comment, not to engage in question and answer sessions, or to engage in public debate or argument with either members of Borough Council, Borough Staff or other members of the public attending the meeting. No such questions shall be answered without permission of the presiding officer.
6. Comment that makes personal attack on anyone shall not be allowed.
7. The presiding officer of the meeting shall have full charge and control of the Public Comment Period and enforcement of the provisions of this Policy.