



TOWN OF DENNIS  
SELECT BOARD  
PUBLIC COMMENT POLICY

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| Select Board Approved | May 30, 2006        |
| Select Board Revised  | June 17, 2025       |
| #SB                   | Select Board Policy |

**A. Purpose:**

This Policy is adopted to facilitate orderly and efficient Public Information Periods at meetings of Town public bodies. It will protect the ability of the residents of Dennis, and other persons, to provide feedback or information to pertinent public bodies regarding matters of public interest, Town initiatives, operations, services, and programs. To allow speakers a fair opportunity to address a public body, and to ensure the public body may accomplish its stated business in an efficient manner, these guidelines seek to ensure compliance with the Open Meeting Law and meet other legal and constitutional obligations. Meetings of public bodies in the Town of Dennis should be places to engage in orderly and peaceable discourse. The Select Board values public input and welcomes the opportunity to receive Public Information from the residents of the Town.

**B. Authority:**

Principles of free speech and freedom to petition the government, fundamental rights protected by the United States and Massachusetts Constitutions, prohibit public bodies from preventing all speech that may be upsetting or offensive. As such, this Policy establishes reasonable time, place, and manner restrictions sufficient to facilitate orderly and peaceable Public Information Periods at meetings of elected and appointed public bodies of the Town.

**C. Legal Standards:**

Meetings of public bodies are subject to the requirements of the Open Meeting Law, G.L. c. 30A, §§ 18-25. The Open Meeting Law empowers the chair of a public body to preside at and regulate the proceedings of meetings. Pursuant to G.L. c. 30A, § 20(g), no person shall address a meeting of a public body without permission of the chair, and all persons shall, at the request of the chair, be silent. Any person wishing to speak at an open meeting must first be recognized by the chair. All questions raised and all comments made by a duly recognized speaker must be directed to the chair of the public body alone, not to individual members of the public body, staff, or the public. The chair is authorized to maintain order, and, although a rare occurrence, has authority, after appropriate warnings are ignored, to take action up to and including removal of a person who is disrupting a meeting.

**D. Application:**

To secure the rights of the public to participate in Public Information Periods in the Town of Dennis in a manner consistent with law, and, to thereby protect the Town and members of elected and appointed bodies from civil rights claims, this policy shall apply to all public bodies in the Town of Dennis.

#### **E. Procedures:**

1. All agendas of multiple-member bodies in the Town of Dennis shall include a Public Information Period subject to the limitations set forth in this Policy. Where to place Public Information on the agenda is at the discretion of the chair. If Public Information is invited at another time during the meeting, this Policy shall govern.
2. While statements made during a Public Information Period are not required to address an agenda item for that particular meeting, such comments must relate to a matter within the public body's purview. Public Information on matters outside the public body's purview may be ruled out of order by the chair. To avoid due process issues, a person seeking to provide Public Information on a matter appearing on the same agenda will be asked to defer until the specific agenda item is reached.
3. Each speaker will be allowed to speak once for up to 3 minutes. The chair will curtail verbal comments exceeding the allotted time.
4. A recognized speaker may not cede or assign their time to another unless such an assignment is required as reasonable accommodation for such person because of a disability. All speakers who may need an accommodation are strongly encouraged to contact Town staff or the chair of the public body at least 48 hours prior to the meeting. That said, to facilitate an efficient Public Information Period, groups that have multiple speakers with the same viewpoint may consider consolidating their comments or designating one person to speak on their individual behalf's.

#### **F. Disruptive Conduct/Unprotected Speech:**

Disruptive conduct and engaging in other unprotected speech, including but not limited to the following, may be grounds for the chair of a public body to curtail speech and take other action as appropriate:

1. Speaking without being recognized;
2. Continuing to speak after the chair has curtailed additional verbal comment;
3. Interrupting a recognized speaker;
4. Speaking about matters not within the purview of the public body;
5. Engaging in conversations while another person is speaking;
6. Making true threats of violence directed toward a particular individual; and
7. Making comments inciting imminent lawlessness.

#### **G. Public Body Response:**

1. A Public Information Period is a listening session, and the public body is there to listen.
2. Matters raised during Public Information Periods are not required to, and are unlikely to, be addressed or resolved by the public body at the same meeting.
3. At the sole discretion of the chair of the public body, matters raised during a Public Information Period may or may not appear on a future agenda or be referred to the Town Administrator for appropriate action, if any.
4. A public body cannot demand that persons attending meetings or participating in a Public Information Period be civil to one another. Nevertheless, the Town, or the members of the public, and those that appear before them are encouraged to make any/or all residents of the Town feel welcome, listening to them speak, and acknowledging that speakers may have different viewpoints.

***Disclaimer:*** A Public Information Period is not a time for debate or response to comments by the public body. Comments made during the Public Information Period do not reflect the views or the positions of the public body. Because of constitutional free speech principles, the public body does not have the authority to prevent all speech that may be upsetting and/or offensive during the Public Information Period of the meeting.

**H. Enforcement:**

Concerns about Public Information Periods may be brought to the attention of the Town Administrator, who will discuss the concerns with the chair of the public body, and take appropriate action. Failure to comply with this Policy may be deemed a violation of the Town's Code of Conduct and Guiding Principles, and grounds for the removal of an appointed official.