

**CENTERVILLE CITY
ORDINANCE 2026-18**

**AN ORDINANCE ENACTING SECTION 2.01.125 OF THE CENTERVILLE
MUNICIPAL CODE REGARDING OPEN SESSIONS, DESIGNATING PUBLIC
MEETINGS AS LIMITED PUBLIC FORUMS, AND PROVIDING REASONABLE
TIME, PLACE, AND MANNER RESTRICTIONS OF PUBLIC COMMENT
DURING AN OPEN SESSION**

WHEREAS, the City Council recognizes the importance of public participation in municipal government and desires to continue to allow for and encourage public comment during open session portions of City Council meetings, subject to reasonable time, place, and manner regulations to ensure efficient governance, due process, and adherence to applicable provisions of the Utah Open and Public Meetings Act; and

WHEREAS, the City Council finds it important for the Mayor and Council to be available and open to the public for comments of public concern during open and public meetings, but that such opportunities for public comment must be balanced with the efficient administration of meetings, protection of due process, and the ability of the Council to conduct the expected and scheduled business of the City; and

WHEREAS, the Council desires to enact Section 2.01.125 of the Centerville Municipal Code specifically allowing open sessions and adopting reasonable time, place, and manner regulations and guidelines as more particularly set forth herein.

WHEREAS, the City Council recognizes that public participation is an important component of representative government and promotes transparency, accountability, and informed decision-making; and

WHEREAS, the City Council desires to provide members of the public with a regular opportunity to address the Council on matters within the Council's jurisdiction; and

WHEREAS, the City Council finds that establishing reasonable, viewpoint-neutral procedures governing the time, place, and manner of public comment promotes fairness to all speakers, ensures that all interested persons have an equal opportunity to be heard, and allows the Council to conduct the public's business in an orderly and efficient manner; and

WHEREAS, the City Council further finds that the Utah Open and Public Meetings Act requires meetings of public bodies to be conducted openly but generally does not require a public comment period at every meeting, leaving municipalities discretion to establish reasonable procedures for receiving public input; and

WHEREAS, the City Council desires to adopt uniform procedures governing a general public comment period at regular City Council meetings.

NOW THEREFORE, be it ordained by the City Council of Centerville City, in the State of Utah, as follows:

SECTION 1: **ADOPTION** “2.01.125 Open Session” of the Centerville Municipal Code is hereby *added* as follows:

ADOPTION

2.01.125 Open Session (*Added*)

- (a) Purpose. The City Council values public participation and desires to provide an opportunity for members of the public to address the Council on matters within the Council's jurisdiction. The purpose of this policy is to encourage respectful public participation while allowing the Council to conduct its meetings efficiently and effectively.
- (b) Open Session. The City Council may, but is not required, to provide for public comment during an open session period during regular City Council meetings. Any open session must be specifically listed on the City Council Agenda. The open session will generally be provided at the beginning of the meeting, as identified on the City Council Agenda, but may be moved, deleted, or amended as deemed appropriate by the Mayor. Public comment during an open session is intended to provide the public an opportunity to address the Council with general comments and concerns related to City business.
- (c) City Business. Any comments provided during a listed open session must be related to City business. For purposes of this Section, "City business" shall mean matters within the jurisdiction and governmental authority of the City Council.
- (d) Time. Each speaker shall have three (3) minutes to address the Council during the open session. If a speaker is representing a specified group, the speaker may have up to five (5) minutes to address the Council. Speakers are only allowed to address the Council once during an open session. The total amount of time allotted to any open session period on a City Council Agenda shall be limited to 60 minutes.
- (e) Record. Any person providing public comments during an open session shall be required to state their name and city of residence for the record. Speakers shall remain at the designated microphone while providing public comment during an open session.
- (f) Written Comments. Any person providing public comments during an open session may also provide the City Council with written comments. Such comments shall be provided to the City Recorder.
- (g) Disruption. Persons providing public comments shall not disrupt the orderly conduct of the meeting, use threatening or physically intimidating behavior, shout or yell, or otherwise interfere with the orderly conduct of the meeting. A speaker may be interrupted, ruled out of order, or removed when the speaker's conduct materially disrupts, substantially interferes with, or prevents the orderly conduct of the meeting. Speakers shall not be removed merely because officials disagree with the speaker's viewpoint or expression of speech.
- (h) Governing Body. Persons providing public comments during an open session shall address the Council as a body and shall avoid engaging in debate or comment with other members of the public.
- (i) No Vote or Action. Since matters raised in the open session are not specifically identified on the agenda as a discussion or action item, the Council may listen to the comments but is generally prohibited from discussing or taking action on matters not properly noticed on the agenda, as governed by the Utah Open and Public Meetings

Act. The Mayor or Council may ask clarifying questions, briefly respond to, or direct staff to follow up on issues raised in the open session.

- (j) Other Public Hearings. Due to procedural and due process concerns, public comments shall not be allowed during the open session on any agenda item that is listed as having its own public hearing or on any pending land use application. Public comment on other listed agenda items must be provided during the properly scheduled public hearing.
- (k) Limited Public Forum. The City Council hereby declares the open session portion of its Council meetings to be a limited public forum for the purpose of receiving public comment concerning matters related to City business. As such, public comments made during an open session are subject to reasonable time, place, and manner restrictions to ensure efficient governance, due process, and adherence to the Utah Open and Public Meetings Act.
- (l) First Amendment Protections. Pursuant to applicable First Amendment constitutional protections, the City may establish a limited purpose for public comment and may impose reasonable, viewpoint-neutral restrictions that advance the legitimate purposes of conducting orderly municipal business. The City should not, however, prohibit speech merely because it is critical, insulting, offensive, controversial, or unfavorable to the City, Council, Mayor, staff, or a particular policy.

SECTION 2: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: **EFFECTIVE DATE** This Ordinance shall become effective immediately upon publication or posting or 30 days after passage by the City Council, whichever comes first.

[Signature page to follow]

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, THIS 15th DAY OF SEPTEMBER, 2026.**

ATTEST:

CENTERVILLE CITY

Jennifer Robison
Jennifer Robison, City Recorder

By: *Clark A. Wilkinson*
Mayor Clark A. Wilkinson

Voting by the City Council:

	Aye	Nay	Absent	Abstain
Councilmember Bangerter	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Hayman	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Hirst	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Mecham	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Plummer	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the Utah Code § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing Ordinance was duly passed by the City Council and published or posted as required by law.

Jennifer Robison
JENNIFER ROBISON, City Recorder

DATE: 9/17/2026

RECORDED this 17th day of Sept, 2026.

PUBLISHED OR POSTED this 17th of Sept, 2026.

