

CITY OF CLAREMONT
ORDINANCE 05-27
AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF CLAREMONT
TITLE 2, CHAPTER 1, SECTION 2-1-25, RULES OF PROCEDURE

WHEREAS, G.S. 160A-81 authorizes the City Council to adopt reasonable rules governing the conduct of public hearings, including rules concerning speaker time, group spokespersons, room capacity, order, and decorum; and

WHEREAS, G.S. 160A-81.1 requires the City Council to provide at least one public comment period each month in which the Council holds a regular meeting and authorizes the Council to adopt reasonable rules governing that period; and

WHEREAS, Section 2-1-25 of the Code of Ordinances presently contains general rules governing persons who address the City Council; and

WHEREAS, the City Council desires to replace those general provisions with a comprehensive Public Comment and Public Hearing Policy that encourages meaningful public input while preserving order, fairness, safety, and the Council's ability to conduct the public business; and

WHEREAS, the City Council intends that the policy be administered consistently, without discrimination based upon a speaker's identity or viewpoint, and in accordance with the First Amendment, the North Carolina Open Meetings Law, and other applicable law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLAREMONT:

Section 1. Amendment to Section 2-1-25. Title 2, Chapter 1, Section 2-1-25 of the Code of Ordinances of the City of Claremont is amended by deleting subsections (b)(3) and (b)(4) in their entirety and substituting the following:

(3)Public comment and public hearings. Public participation during a general public comment period or public hearing shall be governed by the City of Claremont Public Comment and Public Hearing Policy adopted by the City Council and attached to the ordinance adopting this subsection as Exhibit A, as the policy may subsequently be amended by ordinance or resolution. The policy is incorporated into the Council's rules of procedure by reference.

(4) Application of special procedures. When a public hearing or other proceeding is governed by a controlling statute, ordinance, court order, notice, or legally required evidentiary procedure, including a quasi-judicial hearing, the controlling legal requirements shall govern to the extent of

any conflict with the general policy. The presiding officer may consult the City Attorney concerning the procedure to be followed.

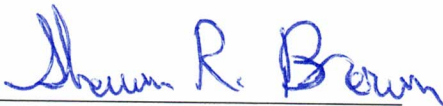
Section 2. Adoption of Policy. The City of Claremont Public Comment and Public Hearing Policy attached as Exhibit A is adopted and incorporated into the City Council's rules of procedure. The Mayor or other presiding officer, City Clerk, City Manager, City Attorney, and City Council members shall implement and comply with the policy.

Section 3. Prior Provisions. Any ordinance, resolution, policy, or procedure inconsistent with this ordinance or Exhibit A is superseded to the extent of the inconsistency.

Section 4. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance or Exhibit A is declared invalid by a court of competent jurisdiction, the remaining portions shall remain in full force and effect.

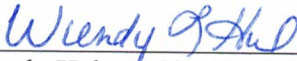
Section 5. Effective Date. This ordinance shall be effective upon adoption.

Adopted this, the 14th day of August, 2026.



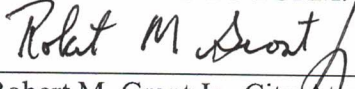
Mayor Shawn R. Brown

ATTEST:



Wendy Helms, City Clerk/HR Officer

APPROVED AS TO FORM:



Robert M. Grant Jr., City Attorney