TOOELE CITY CORPORATION

RESOLUTION 2026-06

A RESOLUTION OF THE TOOELE CITY COUNCIL AMENDING THE LEGISLATIVE POLICY REGARDING PUBLIC COMMENTS IN PUBLIC MEETINGS, APPLICABLE TO THE PUBLIC COMMENT PERIOD AND PUBLIC HEARINGS.

WHEREAS, Tooele City Charter Section 2-02 vests Tooele City's legislative authority with the City Council; and,

WHEREAS, the conduct of City Council meetings is governed by Charter Section 2-04, which provides that "The Council shall have the power to make and enforce such rules and regulations for the administration of the Council, the preservation of order, and the transaction of the business of the Council as may be necessary and proper"; and,

WHEREAS, Tooele City Code (TCC) Chapter 1-5 regards the Tooele City Council, and provides that "The city council shall exercise the legislative powers of the city" (Section 1-5-2); and,

WHEREAS, the conduct of City Council meetings is governed by the Utah Open and Public Meetings Act, UCA Chapter 52-4, and includes a provision stating "at the discretion of the presiding member of the public body, a topic raised by the public may be discussed during an open meeting, even if the topic raised by the public was not included in the agenda or advance public notice for the meeting" (UCA Section 52-4-202(6)(b)); and,

WHEREAS, the First Amendment to the Constitution of the United States recognizes freedom of speech: "Congress shall make no law...abridging the freedom of speech...or the right of the people...to petition the Government for a redress of grievances"; and,

WHEREAS, Article I Section 15 of the Constitution of the State of Utah recognizes freedom of speech: "No law shall be passed to abridge or restrain the freedom of speech"; and,

WHEREAS, the Supreme Court of the Unites States has held through many cases the existence of several distinct forums within which the freedom of speech is protected, including traditional public form, designated public forum, and limited public form, in the latter of which the freedom of speech but can be limited; and,

WHEREAS, the City Council has operated its public meetings as a limited public forum, in which time, place, and manner regulations are constitutionally permissible to

maintain the orderly, civil, and efficient conduct of the Council's business while still allowing public speech; and,

WHEREAS, the City Council has historically, for two decades or more, placed on the agenda of its public meetings an Open Forum or a Public Comment Period, during which the public is invited to speak to the Council; and,

WHEREAS, the City Council has historically limited Public Comment Period speakers to three minutes of speech each, and has not engaged in a substantive dialog but rather the acceptance of comments for later action, if any, by the Council or by the Mayor and Administration; and,

WHEREAS, on June 15, 2022, the City Council approved Resolution 2022-46, adopting a Public Comment Procedure of limited scope; and,

WHEREAS, on June 19, 2024, the City Council approved Resolution 2024-51, adopting a more detailed Public Comment Policy, with application also to statutorily required public hearings, in order to achieve order, civility, and efficiency in its public meetings, including to require speech to address matters within the Council's jurisdictional authority and to the topics for which a public hearing was noticed; and,

WHEREAS, the City Council desires to amend the Public Comment Policy, with particular focus on more precisely detailing the procedures and standards applicable to written comment submissions, as well as to amend generally for clarity and consistency; and,

WHEREAS, the City Council discussed amendments to the Public Comment Policy during its public work meeting of February 4, 2026; and,

WHEREAS, consistent with instruction from the City Council, the City Administration has prepared a draft Public Comment Policy incorporating the above-described amendments, attached as Exhibit A, for the Council's consideration:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Public Comment Policy attached as Exhibit A is hereby adopted.

This Resolution is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this 18th day of February, 2026.

TOOELE CITY COUNCIL

(For) (Against)

Melodi Gochis

Justin Brady

E. McCall

ABSTAINING: _____

TOOELE CITY MAYOR

(Approved) (Disapproved)

ATTEST:

Shilo Baker

Shilo Baker, City Recorder

SEAL

Tooele City
Est. 1853

Approved as to Form:

Matthew C. Johnson, Tooele City Attorney

Exhibit A

Policy: Public Comment
(redline version, followed by clean version)

Policy: Public Comments

This policy is adopted to facilitate meaningful public engagement while ensuring that City Council meetings remain orderly and respectful. Beyond mandated Public Hearings~~In its discretion~~, the City Council may in its sole discretion notice a general Public Comment Period on its meeting agendas. During all City Council~~these~~ meetings, the City Council Chambers shall be a Limited Public Forum, subject to this Policy. When a Public Comment Period or a Public Hearing is noticed, the time, place, and manner regulations of this Policy shall apply. The City Council's failure to strictly enforce each regulation shall not limit the Council's ability to require substantial compliance from speakers. This Policy shall apply to all Public Comment Periods and~~City Council meeting~~ Public Hearings that take place during City Council meetings. The term "Chair" as used in this policy means: (1) the Council Chairperson; or, (2) a person lawfully presiding at a City Council meeting in the Council Chairperson's absence.

Verbal Comments

- Speakers will identify themselves verbally and in writing by first and last name.
- Speakers will identify their local geographical area of residence (e.g. Tooele City). The Chair may restrict comments to Tooele City residents, businesses, and other stakeholders.
- Speakers will address comments directly to the City Council (not to the Mayor, City staff, development applicants, presenters, members of the public, or others).
- Comments will be limited to 3 minutes per speaker. A timer may be displayed. After 3 minutes, the microphone may be cut off, and a timer may sound.
- For any one particular Public Comment Period or Public Hearing, ~~T~~the Chair may designate a total reasonable length of time for comments. If no time limitation is designated, the length of time for comments shall be limited to thirty (30) minutes per Public Comment Period and per Public Hearing~~, unless indicated otherwise by the Chair~~.
- The Public Comment Period and Public Hearings are not free-for-all open-mic opportunities. Speakers will limit their comments to topics within the City Council's jurisdictional authority. In the case of a Public Hearing, speakers will limit their comments to the topics for which the Public Hearing was noticed.
- Speakers will not engage in disrespectful, disruptive, attacking, threatening, or violent behavior.
- Speakers will not make obscene comments or gestures.
- Clapping, booing, hissing, cheering, and other similar disruptive behavior is prohibited.
- No verbal comments may be made remotely via electronic means except as a reasonable ADA accommodation, upon request. Written comments may be submitted remotely in advance of the meeting, as described in the written comment regulations below.

Written Comments.

- Speakers may submit written comments to the City Recorder or electronically to *cmpubliccomment@tooelecity.gov*.
- Written c~~C~~omments for a Public Hearing shall be submitted~~delivered~~ no later than ~~5:00~~11:59 PM the day prior to the Public Hearing~~meeting~~, and must reasonably express the author's intention that they be considered in connection with the Public Hearing.
- Written comments for a Public Comment Period that are submitted later than ~~5:00~~11:59 PM the day prior to a meeting will be considered for the next calendared meeting.
- The City Recorder will deliver the comments to the City Council.

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- The Chair will indicate during the Ppublic Ceomment Pperiod or Public Hearing the receipt of written comments and at least the substance of their content.
- Individuals submitting written comments will identify themselves in writing by first and last name, and written submissions will otherwise adhere to the standards set forth in~~All of~~ the verbal comment regulations listed above ~~shall also apply to written comments~~.
- The Chair has discretion to disregard any written submission that fails to comply with any regulation in this policy, or which fails to reasonably express the author's intention that it be considered during a City Council meeting.

Signs.

- Signs of any size or type displayed by the public are prohibited in the City Council chambers.
- Signs may be displayed in the City Hall rotunda so long as they do not disrupt the meeting or interfere with patron attendance, in the City Council's discretion, if the comments comply with the verbal comment regulations, above.

The City Council retains discretion in the administration of this Policy, and may alter or add to these regulations for meeting decorum and efficiency. The City Council may utilize all legal means to enforce this Policy. The Council Chairperson is primarily responsible for the enforcement of this Policy.

Council Chairperson: _____ Date:_____

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