

# Town of Pelham, NH

## Open Forum Procedure Policy

As Adopted by the Board of Selectmen  
October 20, 2009

In order to provide a safety valve for people who wish to express opinions to the Board of Selectmen but who may be unable otherwise to do so, the Board opens each meeting with “Open Forum” – time on the Selectman’s agenda for any Pelham resident to address the Board without prior arrangement. All that is necessary is for the resident is to be at the Selectmen’s meeting at the time Open Forum is held (usually at the beginning of the meeting) and to make known to the Board, during the Open Forum period, that they wish to address the Board.

The opportunity to address the Board is not unlimited. The Board has the right to place reasonable limits on Open Forum and to not recognize speakers at other than Open Forum.

*United States District Court, Spaulding v. Newport, at al, CV – 94-316-SD (1/31/96):*

*“Meetings held by local governing bodies occupy their own corner of First Amendment jurisprudence. On the one hand, when a local board invites commentary from the public, it resembles the traditional public forum which time immemorial has been sanctified as a place for unfettered debate, and commentary, and the airing of various views....On the other hand, in the interest of the efficient execution of town business, local governing bodies are generally granted latitude to regulate the public discussion.”*

In order to help the Selectmen organize their agenda so they may accomplish the town’s business in a timely manner and to prevent unnecessary disruptions of Selectmen’s meetings while continuing the tradition of providing opportunities for citizens to address the Board, the Board has adopted the following procedures.

- Any citizen who has a matter to discuss with the Board is most strongly encouraged to contact the Town Administrator or a Selectmen in advance and request to be on the Selectmen’s agenda. This allows the Board to set aside time on their agenda to give the matter the time and attention it may deserve.
- The Board will set aside a Public Forum period on each agenda, at the beginning of the meeting where practical; but not at a time to make it difficult for citizens to address the Board, for example, at the end of a late meeting. The Open Forum period may be waived by the chairman, with the Board’s consent, if the meeting is a special meeting which sole or major purpose is a public hearing or the like.

**(over)**

- Any Pelham resident may address the Board on any matter before the Board or within the Board's responsibility. The chairman may extend the opportunity to non-residents with the Board's consent.
- A time limit of five minutes will apply to each person speaking in Open Forum. The time limit may not be exceeded.
- If more than one citizen wishes to address the Board on the same subject, the chairman may determine that repetition is taking place and may recognize only those speakers who have something new to say. The same may apply if a citizen wishes to address the Board on a subject on which he or she has previously addressed the Board. The Board will limit or prohibit remarks which are excessively repetitive or irrelevant.
- The chairman will limit or prohibit remarks which are rude, personal, or slanderous. Speakers who are determined by the chairman to be disruptive or whose remarks are rude, personal or slanderous will be required to step down.

Adopted by the Pelham Board of Selectmen 10/20/09.