

TOWN OF MOUNT VERNON, MAINE ORDINANCE REVIEW COMMITTEE

REMOTE PARTICIPATION IN PUBLIC PROCEEDINGS POLICY

Pursuant to 1 M.R.S. § 403-B, and after public notice and hearing, the Town of Mount Vernon, Ordinance Review Committee ("ORC") hereby adopts the following policy governing the participation, via remote methods, of members of the ORC and the public in the public proceedings or meetings of the ORC. As used herein, "remote methods" means telephonic or video technology (i.e., audio and/or visual systems) that allow simultaneous reception of information and may also include other means necessary to accommodate disabled persons.

In accordance with the public policies underlying Maine's Freedom of Access Act, it is the intention of this body to conduct its business open to public observation.

- I. Remote Participation by Members. Members of the body must be physically present for public proceedings at the public meeting location, except when authorized to participate by remote methods under this policy.
 - a. When remote participation is authorized. Members of the body may participate via remote methods in the following circumstances:
 1. *when a medical condition of the member or family makes attendance impracticable*
 2. *when traveling*
 3. *when unexpectedly outside the municipality*
 4. *based on each member's own convenience.*
 - b. Notice to chair or presiding officer. A member must notify the chair or presiding officer of the body *as far in advance as possible*; if the member will be unable to physically attend a meeting of the body.
The chair or presiding officer will make a determination that remote participation by the individual member meets the criteria for remote participation stated above.
 - c. Public access. The public will be provided a meaningful opportunity to attend the meeting via remote methods when any member of the body participates via remote methods. Reasonable accommodations will be provided to any individual with a disability upon request. Members of the public will also be provided an opportunity to attend the meeting in-person.
- II. Remote Only Participation. The public body named above may meet solely by remote means if an emergency or urgent situation requires that all members of the body meet only by remote methods. In that circumstance, public attendance may be restricted to remote access only at the public proceeding.

- b. The chair or presiding officer, in consultation with other members if appropriate and possible, is authorized to make a determination that an emergency or urgent situation requires the body to meet only by remote methods and to limit public attendance at the proceeding to remote means only. The chair or presiding officer's determination will be put in writing and attached to the record of the meeting. Public notice of the determination will be provided as soon as practicable consistent with subsection III.
 - c. Reasonable accommodations will be provided to any individual with a disability upon request.
- III. Public Notice. Notice of all body meetings will be provided in accordance with 1 M.R.S. § 406 and any applicable charter, ordinance, policy, or bylaw. When the public may attend via remote methods, notice will include the means by which members of the public may access the meeting by remote methods and will provide a method for disabled persons to request necessary accommodation to access the meeting. The notice will identify the time of the meeting as well as a location where the public may attend the meeting in person, unless in-person participation is limited in a case of emergency under Section II.
- IV. Documents and Materials Made Available. The body will make all documents and materials to be considered by the body available, electronically or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs are incurred by the body.
- V. Roll Call Vote. All votes taken during a meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the body and the public.
- VI. Public Input. If the body allows or is required to provide an opportunity for public input during the public proceeding, an effective means of communication between the members of the body, participating by remote methods and in-person, and the public, participating by remote methods and in-person, must be provided.
- The methods of communication the body can use to facilitate public comment.*
- a. *The body will accept written comments from the public prior to the meeting, which will be read at a subsequent meeting.*
 - b. *The body will make microphones available at the in-person location or provide alternative means which will ensure those meeting by remote methods can hear the public comment and speakers to allow those meeting in-person to hear public comments from those meeting remotely. Other accommodations will be made upon request.*

This policy will remain in force indefinitely unless amended or rescinded.

Dated: 1/4/2023

Signed: Susan P. Herm

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Kyley Oytanen

