

Draft Municipal Public Participation Ordinance

Produced by the Working Group on Legal Frameworks for Public Participation

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Whereas, public participation and collaboration may enhance local government's effectiveness, expand its range of options, improve the quality of its decisions, and enlist the problem-solving capacities of the general public and organizations outside local government, and

Whereas, knowledge and talent are widely dispersed in society, and all benefit when those skills and abilities are directed toward common goals, and

Whereas, public agencies and municipal authorities may collaborate with the general public and state, regional, and local government agencies, tribes, nonprofit organizations, businesses, and other nongovernmental stakeholders to accomplish public work and deliver public services more efficiently and effectively,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF

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Section 1: Definitions

- a) "Public participation," is defined to include "public comment", "public hearing", "public engagement," or "community engagement," includes, but is not limited to, any form of in-person, technology-aided, or online communication that provides for discussion, dialogue, or deliberation among participants, allowing residents to engage meaningfully in the policy process.
- b) "Policy process" means any action developing, implementing, or enforcing public policy, including but not limited to identifying and defining a public policy issue, defining the options for a new policy framework, expanding the range of options, identifying approaches for addressing an issue, setting priorities among approaches, selecting from among the priorities, implementing solutions, project management, and assessing the impacts of decisions.

Section 2: Public Participation Policy

- a) It is hereby declared a matter of public policy that the active public participation of community members to come together to deliberate and take action on public problems or issues that they themselves have defined as important is a public necessity and is required in the interest of the health, prosperity, safety, and welfare of the community.

- b) The city and its municipal departments may use any process that meets the principles for public participation set forth in Section 3 in addition to notice and comment or public hearings required by law.
- c) The city shall adopt and make publicly available a Public Participation Policy to guide the city's use of participation strategies satisfying the principles for public participation set forth in Section 3.

Section 3. Principles for Public Participation

- a) The following principles govern the design of public participation:
 1. **Inclusive Design:** The design of a public participation process includes input from appropriate local officials as well as from members of intended participant communities. Public participation is an early and integral part of issue and opportunity identification, concept development, design, and implementation of city policies, programs, and projects.
 2. **Authentic Intent:** A primary purpose of the public participation process is to generate public views and ideas to help shape local government action or policy.
 3. **Transparency:** Public participation processes are open, honest, and understandable. There is clarity and transparency about public participation process sponsorship, purpose, design, and how decision makers will use the process results.
 4. **Inclusiveness and Equity:** Public participation processes identify, reach out to, and encourage participation of the community in its full diversity. Processes respect a range of values and interests and the knowledge of those involved. Historically excluded individuals and groups are included authentically in processes, activities, and decision and policymaking. Impacts, including costs and benefits, are identified and distributed fairly.
 5. **Informed Participation:** Participants in the process have information and/or access to expertise consistent with the work that sponsors and conveners ask them to do. Members of the public receive the information they need, and with enough lead time, to participate effectively.
 6. **Accessible Participation:** Public participation processes are broadly accessible in terms of location, time, and language, and support the engagement of community members with disabilities.
 7. **Appropriate Process:** The public participation process uses one or more engagement formats that are responsive to the needs of identified participant groups; and encourage full, authentic, effective and equitable participation consistent with process purposes. Participation processes and techniques are well-designed to appropriately fit the scope, character, and impact of a policy or project. Processes adapt to changing needs and issues as they move forward.
 8. **Use of Information:** The ideas, preferences, and/or recommendations contributed by community members are documented and given consideration by decision-makers. Local officials communicate decisions back to process

participants and the broader public, with a description of how the public input was considered and used.

9. **Building Relationships and Community Capacity:** Public participation processes invest in and develop long-term, collaborative working relationships and learning opportunities with community partners and stakeholders. This may include relationships with other temporary or ongoing community participation venues.
10. **Evaluation:** Sponsors and participants evaluate each public participation process with the collected feedback and learning shared broadly and applied to future public participation efforts.

Section 4. Public Participation Specialist

The mayor/city manager shall designate a staff member to be the public participation specialist. The city shall provide for training on a regular basis for the public participation specialist and other employees involved in implementing the public participation policy.