

**UPPER DARBY TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA**

RESOLUTION NO. 4-26

**A RESOLUTION OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA ESTABLISHING A POLICY FOR PUBLIC COMMENT;
REPEALING ALL INCONSISTENT RESOLUTIONS OR PART THEREOF;
PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Township of Upper Darby (“Township”) is a Home Rule Municipality organized and existing under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, the Township Council of Upper Darby Township (“Township Council”) is committed to promoting civic engagement, transparency, and public participation in local government; and

WHEREAS, pursuant to Section C-302 of the Home Rule Charter (“Charter”), all legislative powers of the Township are vested in and exercised by a Council, including the power to make and adopt ordinances and resolutions consistent with the Constitution and the laws of the Commonwealth and the Charter; and

WHEREAS, the Pennsylvania Sunshine Act requires the opportunity for public comment at all public meetings; and

WHEREAS, Pennsylvania statute permits agencies to adopt rules and regulations necessary for the conduct of its meetings and the maintenance of order; and

WHEREAS, pursuant to Section C-311 of the Charter, Township Council shall meet regularly at least twice in each month at such times and places as Council may prescribe by Rule; and

WHEREAS, pursuant to Section C-311 of the Charter, up to the first 1/2 hour of all public meetings shall be devoted to a public forum where concerned persons may address the Council; and

WHEREAS, pursuant to Section C-311 of the Charter, persons who wish to address the Council shall be given the opportunity to sign their names to a sign-in sheet which Council shall make available immediately preceding its public meeting; and

WHEREAS, pursuant to Section C-311 of the Charter, persons who wish to address the Council shall be recognized in the order in which they have signed their names to the sign-in sheet; and

WHEREAS, pursuant to Section C-311 of the Charter, Council may, by majority vote, extend the time of the public forum; and

WHEREAS, pursuant to Resolution No. 05-22, Township Council has previously adopted rules of decorum for public meetings; and

WHEREAS, Township Council wishes to establish a uniform policy for public comment and public hearings for all Township Council and advisory bodies, thereto, except for any advisory board or quasi-judicial body established pursuant to the Pennsylvania Municipalities Planning Code, to ensure orderly and productive meetings.

NOW, THEREFORE, be it, and it is hereby **RESOLVED** by the Upper Darby Township Council, and it is hereby **ADOPTED** and **RESOLVED** by authority of same as follows:

1. All public comment shall be made in person before the Township Council or the applicable advisory body thereto.
2. All speakers shall state their first and last name and confirm whether or not they are a resident or taxpayer of Upper Darby Township prior to making a comment. Nothing herein shall be construed to limit speakers to only residents or taxpayers of Upper Darby Township.
3. Public Comment on matters not on the agenda shall be limited to matters of concern that may come in front of the Township Council or applicable advisory board thereto. A time shall be provided for such public comment towards the beginning of the meeting.
4. During public comment, the Council Secretary shall recognize individuals to make comment.
5. All public comment shall be delivered at the podium and shall be directed to the officer presiding the meeting. If the speaker wishes to hand something out, the speaker shall seek permission from the presiding officer and, if granted, it should be given to the Municipal Clerk. In no event shall any speaker approach the Mayor, Township Council or the applicable advisory board, or Township staff.
6. Each speaker shall be permitted to speak once during the Public Forum.
7. Time for public comment is assigned to the speaker and cannot be ceded to another speaker.
8. As previously established in Resolution No. 05-22, speakers shall have the opportunity to speak for three (3) minutes. Speakers are prohibited from making threats, using profanity, or acting in a manner that would impede or prevent the conduct of the business meeting.
9. All comments shall be directed to Township Council or the applicable advisory body thereto and shall be germane to the specific topic or matter to be considered by the Township Council or the applicable advisory body thereto, and related to matters that are or may come before the Township Council or the applicable advisory body thereto.

10. Township Council Members, the Mayor, and/or Council President may question speakers for clarification, but no debate shall occur during any public comment period.
11. All comments shall be made in a respectful manner without obscenity or threat. Council President or their designee may rule out-of-order comments which are irrelevant or otherwise disrupt decorum or the proceedings of the meeting.
12. Any person disrupting the orderly conduct of the meeting after being duly warned may be removed or subject to citation.
13. Public hearings.
 - a. All public hearings shall conform to the above listed rules of public comment, except that all persons interested shall be given an opportunity to speak once for a maximum of three (3) minutes during all public hearings in addition to any comments made during the Public Forum. No person may cede any part of their allocated time to any other person.
 - b. Upon motion from Council, the Council member presiding over the meeting shall open the public hearing and may call for a presentation of the matter under consideration by the Mayor, Council Member, staff member or applicant, as appropriate. Upon conclusion of any presentation, the Council member presiding over the meeting shall open the public hearing to comments from interested members of the public. The Council Secretary or Municipal Clerk shall then call upon interested members of the public for comment, which shall conform to the rules set forth herein. The Council member presiding the meeting shall call for any additional public comment once and, upon receiving no public comment from any member of the public, shall, upon motion from Council, close the public hearing. The Council member presiding over the meeting shall then call for a motion related to the public hearing, and members of Council shall be permitted to make additional comment or ask any questions, pursuant to rules established for Council pursuant to the Charter at section C-311(E). The Council Secretary shall then take a roll call vote on the motion.
14. All resolutions, or parts thereof, inconsistent with the provisions of this Resolution are hereby repealed to the extent of the inconsistency.
15. **Severability.** The provisions of this Resolution are declared to be severable. If any provision of this Resolution is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Resolution.
16. **Effective Date:** This Resolution shall become effective immediately upon the signature of the Mayor or, in the event the Mayor neither approves nor vetoes this Resolution, fifteen days after the last day on which the Mayor can approve or veto this Resolution, as set forth in the Upper Darby Township Home Rule Charter, Section C-702.C.

17. **Implementation.** Notwithstanding the effective date of this Resolution, implementation of the policy set forth herein shall begin on March 1, 2026.

BE IT FURTHER RESOLVED, that advisory bodies established as required pursuant to the Pennsylvania Municipalities Planning Code shall establish public comment policies at their own discretion.

RESOLVED and **ADOPTED** this 18th day of February, 2026.

ATTEST: _____
MICHELLE BILLUPS
SECRETARY OF COUNCIL

BY: _____
MARION MINICK.
PRESIDENT OF COUNCIL

Resolution No. 4-26 is hereby approved this _____ day of February, 2026.

ATTEST: _____
CRANDALL O. JONES
CHIEF ADMINISTRATIVE OFFICER

BY: _____
EDWARD BROWN
MAYOR