VILLAGE OF SOUTH ELGIN
10 N. Water Street, South Elgin, IL 60177
Office of the Village Clerk
847-742-5780 · Fax: 847-742-3253

A GUIDE TO PUBLIC HEARINGS RULES AND PROCEDURES

Purpose of a Public Hearing

The purpose of a public hearing is to give everyone the opportunity to express their views and to provide evidence in support of those views. These opinions and evidence create the record, which the Board of Trustees relies upon for its decisions.

An agenda is established for each hearing and is available for viewing in advance of the hearing at Village Hall, 10 N. Water Street. Members of the public are welcome to view file information on a proposed application in advance of the hearing at Village Hall.

Public Hearing Procedures

Before the hearing, anyone wishing to speak must complete an appearance form and give it to the Village Clerk. The Village President will call the hearing to order and make a statement. The Village President has the authority to take any necessary measures to control the hearing, including closing the meeting, clearing the hearing room, calling the public in one-at-a-time to testify, and ruling on evidentiary objections and issues. The Village President will introduce the staff, petitioner and participants. Staff and the Petitioner shall then present proof that proper notice was given. Provided that the notice is valid, the Village Clerk will swear in all persons intending to speak on the case.

All information presented at the public hearing constitutes testimony and as such must be offered under oath and is subject to cross-examination. Cumulative/duplicative evidence will be strictly limited.

Petitioner's Testimony

The petitioner will be given a suitable amount of time to provide an overview of the application and to provide factual information (by the petitioner or by witnesses called by the petitioner) in support of this request (generally 15 -20 minutes). The Board of Trustees may ask questions at this time to clarify the petitioner's request. Cross-examination of each witness—which shall be limited to the scope of the direct testimony of each witness--will then take place. Attorneys will be given the first opportunity to cross examine witnesses, followed by members of the public. Duplicative examination will not be permitted.

Public Testimony

Following the completion of the petitioner's testimony, participants shall be entitled to present evidence. Attorneys will be called first and then members of the public in the order in which they filed appearance sheets with the Clerk. All testimony before the Clerk must be given from the podium so that a transcribable record may be made. Spontaneous comments from the floor are not permitted and will not be considered in the public record. Persons testifying are required to state their name, address and interest in the proceedings (i.e. neighbor, property owner, etc.) for the record. Any exhibits presented to the Clerk will be included in the record.

Testimony will be limited to the relevant facts of the case and standards for approval. All testimony will be recorded as part of the public record. As such, it is not necessary to repeat previously stated testimony. If members of the public have questions, regarding any factual testimony provided during the public hearing, either by the petitioner, another speaker, or of staff, questions may be directed to the Village President who will request a response from the appropriate person (please note that follow-up questions relating to individual opinion will be allowed). When factual data is offered as part of the public testimony, the Board of Trustees may ask for the speaker's qualifications on the topic to complete the record. The petitioner and/or other members of the audience also have the right to call witnesses in support of their position.

Any member of the public may also provide written testimony at any time during the public hearing process. The hearing will remain open until all evidence and testimony is presented.

Contact Information

These rules and procedures are designed to ensure a fair and orderly decision-making process and to promote public participation in the decisions rendered by the Village Board of South Elgin. If you have questions, the Village Clerk's office (847-742-5780) would be happy to further explain this process.

Attachment: Public Hearing Appearance Form