



## ORDINANCE

### Amending Chapter 2, Section 2-18 of the Code of Ordinances – Remote Participation at Board of Commissioners Meetings

**WHEREAS**, to promote full participation of board members while ensuring access and transparency for the public as required by the Open Meetings Law, G.S. § 143-318.9, the board desires to amend its rules of procedures in Chapter 2 of the town code to allow members to participate through electronic means when member(s) are unable to be physically present at an official meeting.

**NOW, THEREFORE**, the Hillsborough Board of Commissioners ordains:

**Section 1.** Chapter 2, Article II, of the Hillsborough Code of Ordinances is amended to add Section 2-18, titled "Remote participation by board members," as follows:

Board members may participate remotely in any duly called Board of Commissioners meeting or workshop under the following conditions:

- (a) A quorum of the board is physically present at the meeting; and
- (b) Notice is given to the mayor, town manager and town clerk at least 24 hours in advance; and
- (c) The member may engage in deliberations but not vote nor be counted for a quorum; and
- (d) The member has means to engage in clear, direct, and simultaneous communication with the board in a manner that those in attendance can hear the member attending remotely; and
- (e) The minutes must reflect that the remote board member was not physically present; and
- (f) A member entitled to participate in open session deliberations may participate in a closed session if no other person can hear, see, or participate from the remote location; and
- (g) A remote member may not participate in any quasi-judicial or public hearing proceeding; and
- (h) If the mayor is participating from a remote location, the mayor pro tem or other physically present designee shall preside at the official meeting.

**Section 2.** All provisions of any town ordinance in conflict with this ordinance are repealed.

**Section 3.** This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 25<sup>th</sup> day of March in the year 2024.

Ayes:

Noes:

Absent or excused:

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Sarah E. Kimrey, Town Clerk