

TOWNSHIP OF WYCKOFF

ORDINANCE # 1919

AN ORDINANCE TO CREATE A NEW CHAPTER IN THE CODE OF THE TOWNSHIP OF WYCKOFF, CHAPTER 20, "RULES OF DECORUM FOR GOVERNING BODY MEETINGS".

WHEREAS, the public are encouraged to speak at all open meetings of the Township Committee in accordance with the provisions of this ordinance; and

WHEREAS, in New Jersey, a citizen's right to speak is established by the Open Public Meetings Act; and

WHEREAS, in the 2010 decision in Besler v West Windsor Plainsboro Regional Board of Education, the New Jersey Supreme Court ruled that governing bodies should adopt their decorum rules sufficiently in advance so that the public has reasonable notice and governing bodies may apply these rules in a content neutral fashion without regard to the viewpoint being expressed.

SECTION 1 - Chapter 20-1, Decorum

Meetings of the Township Committee shall be conducted in an orderly manner to ensure that the public has a full opportunity to be heard and that the deliberative process is retained at all times. This also includes meetings of all boards and other bodies created by the Township Committee of the Township of Wyckoff. The presiding officer shall be responsible for maintaining the order and decorum of meetings.

SECTION 2 - Chapter 20-2, Rules of Decorum

While any meeting is in session, the following rules of order and decorum shall be observed:

1. Rules of Order: Unless otherwise provided by law, Robert's Rules of Order shall govern the conduct of all meetings when necessary. The attorney for the body or the attorney's designee shall act as Parliamentarian.
2. Members: The members of the governing body and members of all boards and other bodies shall preserve order and decorum, and a member shall make best efforts not to interrupt or disrupt the proceedings or disturb any other member while speaking.

3. Matters Discussed in Closed Session: No person shall disclose in open session the matters discussed in closed session without the expressed authorization of the Municipal Attorney appointed or in accordance with the law.

4. Persons Addressing the Meeting: Each person who addresses the meeting shall do so in an orderly manner. Any person who utters physically threatening, patently offensive or abusive language, or engages in any other conduct which disrupts, disturbs or otherwise impedes the orderly conduct of any meeting shall, at the discretion of the presiding officer or a majority of the members, be asked to refrain from such conduct.

5. Audience: No person at a meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, physically threatening or abusive language, or other acts which disturb, disrupt or otherwise impede the orderly conduct of any meeting and the ability of the public to hear or participate. Any person who conducts himself in the aforementioned manner shall, at the discretion of the presiding officer or a majority of the body, be requested to refrain from such conduct.

6. Personal Comments: All statements are part of the public record and cannot be redacted.

SECTION 3 - Chapter 20-3, Public Participation

The public is encouraged to address the members or comment on any governmental issue that a member of the public feels may be of concern to the residents of the Township of Wyckoff during the following portions of the meeting:

1. Hearings: The meeting shall be opened for public comment at the appropriate point on the agenda for any hearing with respect to an ordinance or other specific matter required by law. The maximum that any individual speaker shall be allotted is five (5) minutes.
2. Open Public Work Session Meetings: During this period of the agenda, a member of the public is encouraged to comment on any government issue that a member of the public feels may be of concern to the residents of the Township of Wyckoff. The maximum that any individual speaker shall be allotted is two (2) minutes for a total public comments period of ten (10) minutes.
3. Open Public Business Meetings: During this period of the agenda, a member of the public is encouraged to comment on any governmental issue that a member of the public feels may be of concern to the residents of the Township of Wyckoff. The maximum that any individual speaker shall be allotted is five (5) minutes per speaker.

SECTION 4 - Chapter 20-4, Addressing the Meeting

No person shall address the meeting without first being recognized by the presiding officer. The following procedures shall be observed by persons addressing the members:

1. Each person shall step to the microphone provided for the use of the public and shall state his or her name and address; the organization, if any, which he or she represents; and, if during the open public session of the meeting, the subject he or she wishes to discuss. Children under 18 shall not be required to give their last name or address.
2. During any hearing with respect to an ordinance or other specific matter required by law, speakers shall limit comments to the specific ordinance or matter on the agenda. Speakers may be requested not to be repetitious.
3. All remarks shall be addressed to the body as a whole.

SECTION 5 - Chapter 20-5, Curfew

All meetings shall be adjourned by the presiding officer not later than 10:30 PM except the meeting may be extended by a vote of two-thirds of the members present.

SECTION 6 - Chapter 20-6, Enforcement of Decorum

The rules of decorum set forth above shall be enforced in the following manner:

1. The presiding officer shall request that a person who is breaching the rules of decorum to be orderly.
2. If, after receiving a warning from the presiding officer, a person persists in disturbing the meeting, the presiding officer may order a temporary recess.
3. If the person repeatedly continues to disturb the meeting, the presiding officer may request that person to leave the meeting.
4. If such person does not leave the meeting and continues disruptive conduct, the presiding officer may order any law enforcement officer to remove that person from the chambers.
5. If a meeting is disturbed or disrupted in such a manner as to make the restoration of order infeasible or improbable, the meeting may be adjourned or continued by the presiding officer or a majority of the members, and any remaining business may be considered at the next meeting.

SECTION 7 - Chapter 20-7, This Ordinance Shall

Take effect upon final passage and publication according to law.