

**TOWNSHIP OF LONG HILL
ORDINANCE 494-22
CONCERNING MEETING DECORUM AND SUPPLEMENTING AND AMENDING CHAPTER 3 OF THE
TOWNSHIP CODE ENTITLED "POLICE REGULATIONS"**

WHEREAS, a member of the audience's right to speak at public meetings is established by the Open Public Meetings Act, N.J.S.A. 10:4-12; and

WHEREAS, in *Besler v West Windsor-Plainsboro Regional School District*, 201 N.J. 544 (2010), the New Jersey Supreme Court ruled that:

"A public body may control its proceedings in a content-neutral manor by stopping a speaker who is disruptive or who fails to keep to the subject matter on the agenda (citations omitted), or whose 'speech becomes irrelevant or repetitious' (citations omitted)."; and

WHEREAS, the Township Committee wishes to establish rules of decorum at public meetings which allow the public to participate in those meetings in accordance with the Open Public Meetings Act and the State and Federal Constitutions, while prohibiting disruptive behavior;

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, that Chapter 3 of the Township Code entitled "Police Regulations" is hereby supplemented and amended as follows:

Section 1. There is hereby created a new Section 3-17 entitled "Meeting Decorum" which reads as follows:

"3-17 MEETING DECORUM

3-17.1 Definitions. As used in this section:

'Public Meeting' shall mean any regular or special meeting of the Township Committee or any Township board, commission or advisory committee.

3-17.2 Rules of Decorum.

The following rules of order and decorum shall be observed at all public meetings:

1. **Persons Addressing the Meeting:** Each person who addresses the meeting shall do so in an orderly and respectful manner. Any person who utters threatening, offensive or abusive language, or engages in any other conduct which disrupts, disturbs or otherwise impedes the orderly conduct of the meeting shall, at the discretion of the Mayor or presiding officer, be asked to refrain from such conduct. If such conduct persists, the Mayor or presiding officer shall call a recess to allow time for the issue to be resolved. If the person persists engaging in disruptive conduct after the recess, the Mayor or presiding officer may ask the Long Hill Township Police to intervene and to take such action as the officer deems appropriate.
2. **Audience:** No person at a public meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, or other acts which disturb, disrupt or otherwise impede the orderly conduct of the public meeting and the ability of the public to hear or participate. Any person who conducts himself or herself in a disruptive manner shall, at the discretion of the Mayor or presiding officer, be asked to refrain from such conduct. If such conduct persists the Mayor or presiding officer shall call a recess to allow time for the issue to be resolved. If the person persists engaging in disruptive conduct

after the recess, the Mayor or presiding officer may ask the Long Hill Township Police to intervene and to take such action as the officer deems appropriate.

3. Public Comments: All statements made by anyone present at a public meeting shall be part of the record and cannot be redacted.

3-17.3 Public Participation. The public is encouraged to address the members of the Township Committee or to ask questions during the following portions of Township Committee meetings:

1. Hearings: Township Committee meetings shall be opened for public comment at the appropriate point in the agenda for any hearing with respect to an ordinance or other specific matter required by law. Each speaker shall be allowed three (3) minutes to speak, unless the Mayor or presiding officer extends the allotted time.
2. Open Public Session: During this portion of the agenda, the public is encouraged to comment on any matter of concern. Each speaker shall be allowed three (3) minutes to speak unless the Mayor or presiding officer extends the allotted time.
3. Boards, Commissions and Committees may set their own rules for public participation within the parameters set by the Open Public Meetings Act and the Municipal Land Use Law, if applicable.

3-17.4 Addressing the Meeting. No person shall address the meeting without first being recognized by the Mayor or presiding officer. The following procedures shall be observed by persons addressing the Township Committee:

1. Each person shall step to the podium 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.
2. During any public hearing on 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 Township Committee and not other members of the audience.
4. All persons addressing the meeting shall remain in the immediate vicinity of the speaker's podium and shall not approach the dais or the Clerk or secretary's desk without being invited to do so by the Mayor or other presiding officer.

3-17.5 Enforcement of Decorum. The rules of decorum set forth above shall be enforced in the following manner:

1. The Mayor or other presiding officer shall ask any person who is breaching the rules of decorum set forth above to desist from such behavior.
2. If, after receiving a warning from the Mayor or other presiding officer, the person continues to engage in disruptive or threatening behavior, the Mayor or presiding officer shall order a temporary recess.
3. If the person continues to engage in disruptive or threatening behavior, the Mayor or other presiding officer may ask the Long Hill Township Police to intervene and to take such action as the officer deems appropriate.


3-17-6 Penalty. Any person violating any provision of this section shall be liable to the penalties set forth in § 1-5 of this Code.

Section 2. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 3. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4. This ordinance shall take effect immediately upon final passage and publication as required by law.

ATTEST


Megan Phillips, RMC
Township Clerk


Matthew Dorsi, Mayor

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