

RESOLUTION NO. 3 of 2014  
A RESOLUTION OF PLYMOUTH BOROUGH,  
COUNTY OF LUZERNE, COMMONWEALTH OF PENNSYLVANIA,  
APPROVING PUBLIC MEETING RULE AND REGULATIONS

WHEREAS, the Borough desires to establish a policy concerning rules and regulations to ensure that public meetings are conducted without disruption;

WHEREAS, section 710 of the Sunshine Act permits council to adopt rules and regulations necessary for the conduct of its meetings and the maintenance of order;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Plymouth that the policy of the Borough Council relating to rules and regulations applicable to the conduct of public meetings as set forth in Exhibit "A" attached hereto and incorporated herein by reference are hereby adopted, effective immediately.

This resolution was adopted by the Plymouth Borough Council at a rescheduled regular meeting held on December 16, 2014.

ATTEST:

**BOROUGH OF PLYMOUTH:**

Holly Spece  
Holly Spece, Secretary

By: William Sutor  
President of Council

(Municipal Seal)

### **Rules and regulations.**

- A. Cell phones, pagers and similar communication devices shall be placed in such a mode (off, silent, vibrate) so that no noise is emitted from the device which disturbs or interrupts the meeting or its participants. No conversations requiring verbalization on such devices shall occur during the meeting in the meeting room.
- B. Persons attending a meeting shall observe proper decorum so that orderly conduct of the meeting allows the Borough Council to appropriately perform its duties. No talking, outbursts, or side commentary by persons not recognized by the Presiding Officer to address the Council shall be tolerated. Persons failing to observe this regulation shall be requested by the Presiding Officer to leave the meeting.
- C. Persons attending the meeting shall be permitted to bring a sign into the meeting room unless the sign contains obscene, profane or slanderous content, or threatens violence. Signs shall be no larger than 2' x 3' and shall be placed or held in such a manner that the view of other meeting participants is not obstructed.
- D. Residents and/or taxpayers shall be provided a reasonable opportunity to address the Council on any agenda item or any public matter in which the Borough has jurisdiction or authority. There will be placed at the beginning of the agenda for each public meeting a time for residents and/or taxpayers of the Borough to comment on matters of concern, official actions or deliberation which are or may be before the Board of Council. Such time on the agenda shall be titled "Visitor's Requests and Comments Regarding Agenda Items". There will be placed later in the agenda another time where the residents and/or taxpayers may comment on any public matter. This privilege shall occur during the part of the agenda titled "Visitor's Requests and Comments Regarding General Matters".

The following guidelines are established for these portions of the public meeting:

- (1) Residents and/or taxpayers shall comment only after being recognized by the Presiding Officer conducting the meeting.
- (2) Residents and/or taxpayers of the Borough shall proceed to the front of the meeting room and announce their name and address prior to addressing the Council.
- (3) The Presiding Officer may rule out-of-order scandalous, impertinent, and redundant comments, or comments the discernible purpose or effect of which is to disrupt the proceedings of the meeting.
- (4) Any person making offensive, insulting, threatening, insolent, slanderous or obscene remarks or who becomes boisterous or who makes threats against any person or against public order and security while in the Council Room shall be forthwith removed at the direction of the presiding officer from further audience at the meeting, unless permission to continue is granted by the majority vote of the Council members present.

***Exhibit "A"***

- (5) The Presiding Officer may request any individual to leave the meeting when that person does not observe reasonable decorum.
- (6) The Presiding Officer may call a recess or adjournment to another time when the lack of public decorum interferes with the orderly conduct of the meeting.
- E. Time allocated for each public comment period at each meeting shall not exceed 30 minutes. Each speaker will be allotted three (3) minutes to present his or her topic or up to five (5) minutes or the allocation of additional available time via the majority vote of the Council members present.
- F. At the discretion of the Presiding Officer conducting the meeting, a group of citizens registered to address the Council on the same issue may be required to designate a spokesman.
- G. At the discretion of the Presiding Officer conducting the meeting, residents and/or taxpayers of the Borough may comment on issues being discussed during the meeting other than during "Visitor's Requests and Comments Regarding General Matters".
- H. In the event that there is not sufficient time for all public comments, the Council, at its discretion, may continue the public comment to its next regular meeting or to a special meeting occurring in advance of the next regular meeting.
- I. Enforcement of decorum. The Chief of Police, or a police officer designated by the Chief or Council, shall be ex officio Sergeant at Arms of the Council. He/she shall carry out all orders and instructions given him/her by the presiding officer for the purpose of maintaining order and decorum in the Council Room.
- J. Any resident and/or taxpayer proposing to operate recording equipment at the public meeting shall make a general announcement, prior to the operation of recording equipment, that the meeting shall be so recorded and must adhere to the rules listed in Audio and Video Recording section.

**Audio and Video Recording:**

Pursuant to the Sunshine Act, 65 Pa.C.S. 710, the Council hereby adopts the following rules and regulations governing the use of recording devices at meetings.

- 1. Recording devices include tape recorders, video cameras, television cameras, microphones, cameras, wireless telephones, and other similar mechanical or electric or electronic devices.
- 2. All persons desiring to operate a recording device must, prior to commencement of a meeting, provide the following information in writing:
  - a. The operator's name and address;
  - b. A description of the recording device to be used; and

- c. An acknowledgment that the operator using the device is aware of and will abide by the rules and regulations set forth in this policy.
3. During the meeting, individuals operating recording devices must identify themselves and describe the recording device they are operating when asked to do so by Council.
4. No recording devices which produce sound distracting to the audience or to meeting participants shall be permitted.
5. Only available light is to be used.
6. Television camera equipment and stationary video cameras, tape recorders or microphones shall be positioned only in the location designated by the Council (table in back of room, picture attached), which designation shall provide reasonable access to record the proceedings, without distracting or blocking the view of audience members and without being affixed to or occupying spaces on furniture, walls or fixtures in the meeting room.
7. Movement about the room while a meeting is in progress may be distracting and bothersome to the audience and to meeting participants. Persons operating recording devices shall remain in a single location during the meeting and will not be permitted to move about in order to videotape, tape record, take pictures or otherwise record while a meeting is in progress.
8. No recording device may be operated while concealed.
9. No recording device may be operated prior to the meeting being called to order, while a meeting is in recess, or after a meeting is adjourned.
10. No recording device may be used to record private conversations between audience members, officials or others whose comments or questions are made privately and not for public consumption.
11. Recording devices may not be plugged into municipal outlets.
12. Recording devices operated in violation of this policy will be confiscated for the duration of the meeting.
13. Operators of recording devices who violate this policy may be removed from the meeting at which the violation occurred and may be barred from recording meetings occurring for 90 days following the violation.



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