

RESOLUTION NO. 9 OF 2018

**BOROUGH OF MOUNT POCONO
MONROE COUNTY, PENNSYLVANIA**

A Resolution to establish a Code of Conduct governing participation at all public meetings of the Borough of Mount Pocono, Monroe County, Pennsylvania.

WHEREAS, in order to establish the greatest level of civility and promote an atmosphere of reasoned expression of ideas the Borough Council desires to promulgate rules and regulations for its public meetings;

WHEREAS, the Borough Council strongly advocates for “free speech” and wishes to promote an atmosphere of reasoned expression of ideas;

WHEREAS, the Borough Council acknowledges the right of citizens of the Borough to comment on matters of concern, official action or deliberation which are or may be before Council prior to taking official action, as is described in the Pennsylvania Sunshine Act, Section 710.1; and

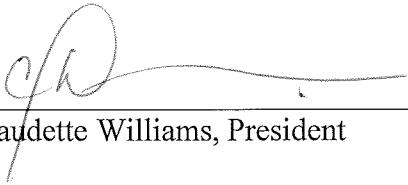
WHEREAS, the Borough Council is permitted to adopt rules and regulations for the conduct of its meetings and the maintenance of order in accordance with the Pennsylvania Sunshine Act, Section 710.

NOW, THEREFORE, BE IT RESOVLED, that the Borough Council of the Borough of Mount Pocono hereby establishes the following rules and regulations regarding public comment and conduct at public meetings.


1. Management of meetings will be under the direction of the presiding member of Borough Council. Any comments made by the public during the meeting will be for the benefit of Borough Council.
2. *Persons to Be Heard* shall be limited to three (3) to five (5) minutes per individual. Any additional time to make comments shall be at the discretion of the presiding member of Borough Council.
3. *Public Participation* shall be limited to one (1) to two (2) minutes per individual. Any additional time to make comments shall be at the discretion of the presiding member of Borough Council.
4. Management of public participation, including public comments, shall be within the discretion and under the direction and control of the presiding member of Borough Council in accordance with the terms of this code.
5. Public comment shall be made only by residents or taxpayers of the Borough of Mount Pocono. Said participants must be recognized by the presiding officer and must preface their comments by an announcement of their name, address, and group affiliation, if any. Recognition of non-residents or taxpayers shall be at the discretion of the presiding member of Borough Council.
6. Public comment may be made only by a person who has been recognized by the presiding member of Borough Council. If necessary, Borough Council will provide a microphone for use by the public. Parties making a formal presentation to Borough Council must use a microphone and designate one (1) person to speak.
7. Comments shall be limited to matters of concern, official action, or deliberation which are before the Council.

8. Public comments shall be conducted in a civil and polite manner. Speaker shall refrain from acting in a threatening and/or intimidating manner. Speaker shall address their comments to Borough Council, and not to members of the audience. Comments which are merely attacks on members of Borough Council, employees of the Borough, members of the audience, or any other individuals will be ruled to be out of order.
9. The presiding member of Borough Council shall rule out of order any speaker or comments which are defamatory, contentious, scandalous, impertinent, redundant or disruptive. The presiding member of Borough Council may rule out of order any speaker whose comments raise a topic or matter which has been acted upon by the Borough Council in the preceding six (6) months.
10. In order to address and conduct the business of the Borough, the presiding member of Borough Council may rule out of order any speaker for comments which are solely designed to support or oppose any specific political candidate or party, or which are not, in the discretion of the presiding member, germane to matters as described in paragraph 7 above.
11. The presiding member of Borough Council may request the Pocono Mountain Regional Police Department or security personnel present at meeting to remove individuals from the meeting room who violate the within rules after being requested to cease and desist from such violations.
12. Placement on the Agenda – Special Requests
To be placed on the Agenda for the night of a scheduled meeting of Borough Council, those with issues that wish to come before Borough Council need to contact the Mount Pocono Borough Secretary and **write, fax or E-mail** such a request, no later than Thursday, 12:00 P.M. (noon) before the meeting in question and include a brief description (no more than a short paragraph) of the issue in question. *Telephone requests will NOT be accepted.*
13. Recording Devices
Meetings of the Borough Council are open and public. As such, citizens have the right to record the proceedings. In fairness to all parties, and in an attempt to lend order to the process, recordings shall be made upon compliance with the following rules:
 - a. Any individual wishing to record a meeting must state so when the question is asked, “Is anyone taping this meeting via audio and/or video?”
14. These rules may be temporarily suspended or amended, without prior notice or comments, upon the consent of a majority of the Borough Council, or by the presiding member upon the advice of the Borough Solicitor as may be required in the context of Public Hearing or pursuant to applicable law.
15. Rulings by the presiding member of the Borough Council shall be final and not subject to appeal. Where any member of the public is aggrieved by such ruling, he or she shall be entitled to submit a concise written statement of his or her comments to the Borough Secretary within three (3) business days following the meeting. The Borough Secretary shall circulate such statement to the Borough Council and a copy of the statement shall be included as a “public comment” addendum to the minutes of the meeting without endorsement or ratification by the Borough Council.

BOROUGH COUNCIL OF THE BOROUGH OF MOUNT POCONO



Claudette Williams, President



Michael Penn, Mayor

I, Lori Noonan, Secretary, of the Mount Pocono Borough Council do hereby certify that the foregoing is a true and correct copy of the Resolution adopted at a regular meeting of Mount Pocono Borough Council held 3rd day of December, 2018.



Lori Noonan, Borough Secretary