

A RESOLUTION OF THE BOROUGH OF CHAMBERSBURG, FRANKLIN COUNTY, PENNSYLVANIA, ESTABLISHING RULES AND REGULATIONS FOR THE CONDUCT OF BOROUGH MEETINGS AND THE MAINTENANCE OF ORDER.

WHEREAS, pursuant to the laws governing open minutes, 65 Pa.C.S. §701 et seq. (hereinafter the “Sunshine Act”), an agency may establish reasonable rules and regulations for the conduct of its meetings and the maintenance of order; and

WHEREAS, the Borough of Chambersburg (the “Borough”) is an “agency” as defined by the Sunshine Act; and

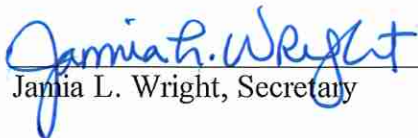
WHEREAS, the Borough desires to adopt rules and regulations for the conduct of its meetings and the maintenance of order.

NOW THEREFORE, BE IT RESOLVED, that Town Council of the Borough of Chambersburg hereby adopts the rules and regulations as set forth on Exhibit “A” attached hereto and made a part hereof, entitled “Rules and Regulations of the Borough of Chambersburg, Franklin County, Pennsylvania, Regarding Conduct of Public Meetings.” Said rules and regulations shall take effect on 8-14-2023.


DULY ADOPTED this 14th day of August, 2023 by the Town Council of the Borough of Chambersburg, Franklin County, Pennsylvania, in lawful session duly assembled.

ATTEST:

TOWN COUNCIL OF THE BOROUGH OF
CHAMBERSBURG, FRANKLIN COUNTY,
PENNSYLVANIA



Jamia L. Wright, Secretary

By: 

Allen B. Coffman, President of Town Council

**RULES AND REGULATIONS OF THE BOROUGH OF
CHAMBERSBURG, FRANKLIN COUNTY, PENNSYLVANIA
REGARDING CONDUCT OF PUBLIC MEETINGS**

WHEREAS, pursuant to the laws governing open meetings, 65 Pa.C.S. §701 et seq. (hereinafter the “Sunshine Act”), an “agency” as defined by the Sunshine Act; and

WHEREAS, the Borough of Chambersburg Town Council shall use Robert’s Rules of Order (as revised from time to time) (hereinafter “Robert’s Rules”) as a general guide for the conduct of meetings with the application thereof to be at the discretion of the presiding officer; and

WHEREAS, the purpose of this document is to set forth further rules and regulations regarding the conduct of public meetings of the Borough of Chambersburg Town Council (hereinafter “Town Council”) including guidelines for public comment, conduct and protocol and the use of recording devices as such meetings.

NOW THEREFORE, BE IT ADOPTED by the Borough of Chambersburg, Franklin County, Pennsylvania, by the Town Council, and it is hereby **ADOPTED** by the authority of the same as follows:

1. **SCOPE OF PUBLIC COMMENT:** The scope of public comment, as defined in the Sunshine Act, shall be limited to matters of concern, official action or deliberations which are or may come before Town Council. These matters are defined by the Borough Code which sets forth the powers and responsibilities and delineates the corporate and specific powers of Town Council. Public comment is not intended for the purpose of solely reciting or reading legislation, ordinances or other such documents. The Public Comment period is not a question-and-answer session; it is time available to an individual to provide their comments regarding a matter of borough business that may come before the elected officials.
2. **PROCEDURES FOR ACCEPTING PUBLIC COMMENT AT REGULAR OR SPECIAL MEETINGS OF TOWN COUNCIL:**
 - (i) Resident/Taxpayer: Town Council will give residents and/or taxpayers the right to provide public comment on issues that are or may be before Town Council at time(s) in the agenda to be set by Council. These matters are defined by the Borough Code which sets forth the powers and responsibilities and delineates the corporate and specific powers of Town Council. Public comment is not intended for the purpose of solely reciting or reading legislation, ordinances or other such documents.

Public comment is not a question-and-answer session; it is time available to an individual to provide their comments regarding a matter of borough business that may come before the elected officials.

In addition to any designated public comment period, during the course of each regular and/or special meeting, residents and/or taxpayers may also be recognized at the discretion of the Town Council President, Vice President or president pro tempore (hereinafter the “presiding officer”), whoever is presiding over the meeting on behalf of Town Council, in order to provide comments or information which may be helpful to Town Council in its deliberations on a matter before Town Council.

- (ii) Nonresident/non-taxpayer: Extending the courtesy of public comment to nonresident/non-taxpayer individuals is at the discretion of the presiding officer. If a nonresident/non-taxpayer wishes to address Town Council on a matter for official action or a matter of concern, Town Council may extend the courtesy of public comment and may want to provide for this comment, especially if the individual(s) has information that may be helpful or in the best interests of the Borough, for Town Council to consider.
- (iii) Name and address: The Presiding Officer will request that all citizens addressing Town Council to state their full legal name and their full legal address for the minutes (as required by the Sunshine Act). In lieu of a public pronouncement, the Borough Secretary is permitted to take one’s name in writing either directly during public comment or from a required sign-in sheet at the entrance to the room.
- (iv) Time limits: The purpose of a time limit is to assure that all wishing to speak have the opportunity to do so, that all shall have an equal opportunity to speak and that the Town Council shall receive all comments on matters for official action prior to voting, and that Town Council shall be able to conduct the required business of the meeting agenda.

Each person to address Town Council during public comment shall be provided a maximum of three (3) minutes.

In certain circumstances, including if a large crowd wants to speak, a time limit of fewer than three (3) minutes may be utilized due to a desire to accommodate as many individuals during public comment as time allows, the presiding officer shall indicate the limit at the beginning of the public comment portion of the meeting and such limit shall be uniformly enforced during the meeting. In no case shall a time limit of fewer than two (2) minutes be designated.

On any given subject, no more than one (1) public speaking opportunity will be afforded to any speaker. Time cannot be yielded to another speaker.

The presiding officer shall designate the timekeeper, usually the Borough Secretary. The speaker will be told when one (1) minute remains on time.

- (v) Written comments: There is no limitation on the submission of written comments, which may be used as a substitute for time to speak at a Town Council meeting. Written comments can be submitted to the Borough Secretary before, during, or after any public meeting. In the event that an individual desires to provide written comments to Town Council prior to a public meeting, such written comments must be received by the Borough Secretary in hard copy or electronically no later than 3:00 p.m., prevailing time, the day of the meeting.

3. CONDUCT AND PROTOCOL:

- a. All public comment shall be directed directly to the presiding officer, who will provide a response if appropriate. The speaker shall not address any other person in the room unless in response to a direct question permitted by the presiding officer. This shall include comments related to any presentation made to Town Council. In those instances, the presenter, when asked to make responses, shall also do so through the presiding officer.
- b. If a member of Town Council has information he or she wishes to offer, the member may request to be recognized by the presiding officer, and then provide the information to the presiding officer. The presiding officer may also, at his or her discretion, request or offer a member of Town Council the opportunity to respond to a comment.
- c. The public and members of Town Council are at all times to demonstrate mutual respect and decorum. Town Council is not to engage members of the public in argument, nor are members of the public to speak out from their seats or engage one another in argument. Any Council member or members of the public engaging in any such conduct shall be called out of order.
- d. Comments which are obscene, profane, or threatening shall not be permitted.
- e. In general, Robert's Rules as modified by Chambersburg's unique Council traditions and procedures, are used as a general guide for public meetings. However, any actions by Town Council which may not be in strict accordance with Robert's Rules or the within Rules and Regulations shall not be deemed invalid or illegal unless and except any federal, state or local law or ordinance is violated. The presiding officer will determine the application of Robert's Rules and may use the Borough Solicitor or Borough Manager as the Parliamentarian.

4. USE OF RECORDING DEVICES:

- a. Recording devices, including tape recorders, video cameras, television cameras, microphones, cameras, wireless telephones, and other similar mechanical, electric or electronic devices shall generally be permitted in public meetings. However, no recording devices which produce sound distracting to the audience or to meeting participants shall be permitted. No recording devices shall be permitted prior to the commencement of a public meeting, following the adjournment of a public meeting, during a recess of a public meeting, during a conference held pursuant to §707(b) of the Sunshine Act, or during an executive session of Town Council held pursuant to §708 of the Sunshine Act.
- b. Recording devices shall be operated from the area set aside for the general public so as not to interfere in any way with the activities of Town Council or the ability of the general public to observe Town Council.
- c. Recording devices shall be positioned only in the location designated by Town Council, which designation shall provide reasonable access to record the proceedings, without distracting or blocking the view of the audience.
- d. No supplementary lighting shall be used for recording devices unless prior approval for additional lighting is granted by the Borough Manager in consultation with the presiding officer.
- e. Movement about the room while a meeting is in progress may be distracting and disruptive to the audience and to meeting participants. The presiding officer may request that distracting behavior be discontinued.
- f. No recording devices may be operated while concealed.
- g. Recording devices should not be used to record private conversations between audience members or officials who are engaging in private discussions that may occur before or after a public meeting.

The official minutes, as recorded by the Borough Secretary, are the official record of the meetings of the Town Council of the Borough of Chambersburg. The Borough does not maintain audio or video recording of public meetings.

5. AMENDMENTS:

Town Council may adopt amendments to these Rules and Regulations from time to time in order to comply with the Sunshine Act or as it deems necessary to further ensure order in the conduct of public meetings.

6. POSTING:

A copy of these Rules and Regulations shall be conspicuously posted at the Borough of Chambersburg Borough Hall, 100 South Second Street, Chambersburg, PA 17201.

7. EFFECTIVE DATE:

These Rules and Regulations shall take effect on 8-14-2023.

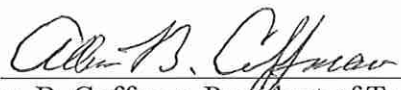
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