

**TOWNSHIP OF MANSFIELD  
ORDINANCE 2020-15**

**AN ORDINANCE AMENDING THE MANSFIELD TOWNSHIP CODE, CHAPTER 2,  
“ADMINISTRATION OF GOVERNMENT” TO CREATE A NEW SECTION 2-18  
ENTITLED “CONDUCT OF PUBLIC MEETINGS”**

**BE IT ORDAINED** BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AS FOLLOWS:

**SECTION 1. Purpose and intent.** The New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 *et. seq.* provides that “Nothing herein shall be construed to limit the discretion of a public body to permit, prohibit or regulate the active participation of the public at any meeting except that a municipal governing body and a board of education shall be required to set aside a portion of every meeting of the municipal governing body or board of education, for public comment on any governmental or school district issue that a member of the public feels may be of concern to the residents of the municipality or school district.” This Ordinance amends the Mansfield Township Code so as to establish regulations pertaining to the conduct of public meetings in Mansfield, with the express intent being to enact regulations in a manner which ensures the orderly and efficient conduct of public meetings in the Township and protects the safety, health and welfare of residents of the Township and the public at large.

**SECTION 2. Amendment:** The Mansfield Township Code, Chapter 2, entitled “Administration of Government,” is hereby amended to adopt a new Section 2-18 entitled “Conduct of Public Meetings”, as follows:

§ 2-18 Conduct of Public Meetings.

- A. Applicability: This Ordinance shall apply to all public meetings conducted by any “public body” in Mansfield Township (as defined in the Open Public Meetings Act, N.J.S.A. 10:4-8.a), specifically including the Mansfield Township Committee and the Mansfield Township Planning Board operating as a Joint Land Use Board, but shall not apply to the Board of Education or any committee or subcommittee thereof, who may establish its own rules and regulations for public comment. For purposes of this Ordinance, the term “Chair” shall mean the Mayor, Planning Board Chairperson or other person in charge of conducting the meeting of the public body.
- B. Rules of conduct:
  - 1. Compliance with Open Public Meetings Act. All meetings of public bodies to which this Ordinance is applicable, including the Township Committee, shall comply with all provisions of the State of New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 *et. seq.*, specifically including, but not limited to, establishing its

regular meeting time, its standing order of business, and its agenda for each meeting.

2. Roberts Rules of Order. Except as may be modified by this § 2-18 or any rules of procedure duly adopted by the Township Committee, all public meetings shall be conducted pursuant to Robert's Rules of Order.
3. Public Comment. Persons addressing the Township Committee shall be allowed a maximum of three (3) minutes for comment, and shall not be permitted to comment more than one time. Time cannot be shared with or allotted to other speakers. The allotted time of three (3) minutes shall commence from the beginning of the speaker's remarks and shall include any time that passes during questioning or colloquy between the speaker and members of the Township Committee or its professionals.
4. Agenda Public Hearings. If the item on which the public comment is addressed is a matter on the Township Committee agenda for which there is a scheduled public hearing, all comments must be addressed to the Township Committee during the public hearing on that matter and not during the general Public Comment period of the Township Committee agenda.
5. Notice. Any person wishing to comment during a public hearing on any matter on the Township Committee agenda, or during the general Public Comment period of the Township Committee agenda, may notify the Township Clerk no later than twelve o'clock noon on the date of the scheduled Township Committee meeting that the person intends to comment. The Township Clerk shall maintain the list and call the speaker to address the Township Committee in the order in which the speakers have notified the Township Clerk. Notice is not required for public comment; however, any person who provides the notice herein shall be entitled to priority and shall be permitted to comment prior to any person who has not provided notice.
6. Overall Time Limit. Unless relaxed for good cause by the Chair, the total time period of a Township Committee meeting shall not exceed two and one-half hours, excluding any executive session during which the public is excluded pursuant to N.J.S. A. 10:4-12(b).
7. Planning Board. All public comment at meetings conducted by the Mansfield Township Planning Board operating as a Joint Land Use Board shall be limited to matters on the agenda and for which a public hearing is required. There shall be no general Public Comment period. All public comment at meetings conducted by the Mansfield Township Planning Board operating as a Joint Land Use Board shall be limited to matters on the agenda and for which a public hearing is required. There shall be no general Public Comment period. There shall be no fixed time limit for the presentation or hearing of applications for development or objections or comments thereto, but the Planning Board shall establish by Resolution, for its own meetings (a)

the overall maximum time of its meeting; (b) the maximum time limit for consideration of any matter on its agenda and (c) the maximum time limit for any public comment.

- C. Violations; removal from meeting. All persons, including members of the public body, attending any meeting of a public body in Mansfield Township shall observe order and decorum during the meeting. No person in the audience shall engage in noisy or disruptive conduct such as hand clapping, stamping of feet, whistling, using profane language, shouting or other similar demonstration which may disturb the peace and order of the meeting. Any person(s) making personal, defamatory or profane remarks or who willfully utters loud, threatening or abusive language or engages in any disruptive conduct which disturbs or disrupts the orderly conduct of any meeting shall be called to order by the Chair. If such conduct continues, after the call to order by the Chair, the Chair may order such person removed from that meeting by the Sergeant at Arms.
- D. Sergeant at Arms. The Chief of Police, or such member of the Department of Police as the Chair of the meeting may designate, shall be available as Sergeant of Arms at the meetings. Nothing herein shall require a police officer to be present during any meeting but the Sergeant at Arms shall be available to carry out all orders given by the Chair of the meeting for the purpose of maintaining order and decorum at the meeting. On instruction of the Chair, the Sergeant at Arms shall remove from the meeting any person who disturbs the proceedings of the public meeting.
- E. Resisting removal. Any person who resists removal from the meeting by the Sergeant of Arms, when directed by the Chair, may be charged with a violation of N.J.S.A. 2C:33-8, Disrupting Meetings and Processions, and the penalties for a disorderly person offense as set forth in N.J.S.A. 2C:52-3.

**SECTION 3. *REPEALER, SEVERABILITY AND EFFECTIVE DATE***

- A. Any and all Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency
- B. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.
- C. This Ordinance shall take effect immediately upon final passage and publication according to law.