

**TOWNSHIP OF QUINTON
COUNTY OF SALEM
ORDINANCE NO. 2025-06**

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF QUINTON TO
ENACT GUIDELINES FOR THE ORDERLY RECORDING OF OPEN PUBLIC
TOWNSHIP MEETINGS**

WHEREAS, the Township of Quinton, Salem County, recognizes that members of the general public have the right to record portions or all of an open public meeting of the governing body, except at closed or executive session discussions; and

WHEREAS, the Supreme Court of New Jersey, in *Tarus v. Borough of Pine Hill*, 189 N.J. 497 (2007) has recognized the common-law rights of members of the public to videotape municipal meetings which are open to the public subject to reasonable restrictions designed to prevent disruption of the meeting; and

WHEREAS, the Township Committee of the Township of Quinton deems it in the best interest of the Township to adopt an ordinance to ensure that the rights of the public to videotape and record official public meetings of the governing body does not interfere with the business of the governing body or other citizens' right of access to the proceedings ;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Quinton, County of Salem, State of New Jersey, as follows:

Section 1. Purpose

Members of the general public have the right to videotape portions or all of an open public meeting of the governing body, except at closed or executive session discussions. These guidelines are intended to ensure that the right of the public to videotape and record official public meetings does not interfere with the business of the governing body or other citizens' right of access to the proceedings.

Section 2. Videotaping permitted.

Recording, videotaping and photography during Township Committee meetings are permitted within applicable laws and the precedence of courts of competent jurisdiction. No such recording, taping or photography shall in any way interfere with the orderly conduct of public meetings, nor shall it impede ingress or egress or otherwise cause any distraction or interruption of the meeting. No flash photography or auxiliary lighting is permitted except during periods set aside for photographs such as the conclusion of special presentations or awards.

Section 3. Guidelines for Videotaping of meetings.

To minimize the possibility of disruption of the public meeting of the governing body, any member of the public ("citizen") who wishes to videotape, photograph or record portions or all of the public meeting must do so in accordance with the following guidelines:

A. The citizen requesting to videotape, photograph or record portions of the public meeting must notify the Clerk of the municipality no less than one hour prior to the public

meeting of his or her intention to exercise his/her right to videotape or photograph the meeting. Such notification may be in writing or verbal.

B. No more than one portable videotape electronic camera or other recording device shall be permitted at any public meeting of the Quinton Township Committee or any of its boards, commissions or bodies. Requests and approvals of taping at meetings in accordance with this article shall be approved in the order the requests for taping are received, in other words, on a first-come-first-served basis, subject to the compliance provisions of this section of this article.

C. The citizen must have completed setup of the videotape recorder or any related photographic equipment no less than 10 minutes prior to the official start time of the public meeting.

D. Location of recording equipment. All recording equipment, including photography, shall be set up by the citizen in the rear of the meeting room, at such location specifically identified by the Township Clerk. The citizen shall be instructed as to the location where he or she may record, and the location shall provide a clear view of the proceedings by the camera or videotaping equipment.

E. The video recorder, camera or any associated equipment utilized by the citizen must be battery operated, compact, quiet, may be set on a tripod and generally unobtrusive. The videotape recorder and all associated equipment may take up no more space than that designated by the Township Clerk. No video recording, photographic or other equipment will be permitted that makes any beeping sounds or other noises. Should any beeping sounds or other noise emanate from the videotape recorder at any time during the public meeting, the citizen shall be required to cease videotaping or taking photographs immediately. Further, only videotape cameras, audio equipment or photographic equipment which do not produce distracting light shall be permitted in the meeting. No artificial lighting devices of any kind shall be employed in connection with the use of video cameras. No artificial lighting of any kind shall be employed in connection with a still camera. It shall be the affirmative duty of any individual seeking to videotape a public meeting to demonstrate to the Clerk or Deputy Clerk, adequately in advance of any public hearing, that the equipment sought to be utilized meets the sound and light criteria as enumerated herein. A failure to obtain advance approval for the equipment prior to the public meeting shall preclude its use at any such meeting.

F. The citizen may not disrupt the public meeting with his or her recording equipment. The citizen may not set up or use the videotape recorder or any other equipment, including photographic equipment, in such a way as to block or obstruct the view of other members of the public of the governing body proceedings. The videotaping, photographing and/or recording by the citizen may only be done in a manner is orderly and unobtrusive. The citizen may not exit and reenter the meeting room, or continuously move around within the meeting room during the public meeting. The citizen must remain with the videotape recorder and equipment at all times, except for any period of time during which the citizen is making a comment during any public comment portion of the public meeting. The citizen may not narrate the proceeding, or speak into the videotape recorder or microphone or engage in any verbal conversation, discourse or

comment whatsoever, unless the citizen is making a formal comment during any public comment portion of the public meeting.

G. If the citizen chooses to cease videotaping or taking photographs at any time during the public meeting, he or she may do so, provided that the citizen does not commence removal or begin to disassemble any videotape recorder or associated equipment until there is a break of at least five minutes of the public meeting or the public meeting has concluded.

H. In addition to photography and videotape recordings of the public meetings, any individual or citizen may tape record a public meeting subject to the notice requirements as set forth above. The recording device shall be unobtrusive and limited to the size commonly known as "hand-held," "mini cassette" or other similar recording devices. It shall be placed in an appropriate position that will not interfere with the conduct of the meeting or in any way attract attention. The recording device shall not produce any distracting sounds, beeps or other noises in its operation. The tape may not be rewound or played back while the meeting is in session.

Section 4. Prohibited acts.

A. Meetings or any portions of meetings which are permitted by law to be closed to the public (commonly known as "executive sessions") shall not be videotaped, photographed or audiotaped.

B. During the public meeting, including any executive session, photographs, videotapes and/or audiotape recordings made in any corridor, hall or any other area outside of the meeting room of the Township Committee may only be made with the express permission of the Township Committee or Clerk.

C. To protect the attorney-client privilege, there shall be no audio pickup of conferences which occur at the public meeting or in a public facility between the Municipal Attorney, special counsel or any other special attorney for the Township of Quinton and any member of the Township Committee, Municipal Clerk, or any other officer or employee of the Township.

D. No recording, whether audio or video, may be used in any court proceeding, nor may the same be used to contest the accuracy of the official record of the Township Committee. No such recordings may be represented in any capacity as the official transcript in any manner or for any purpose.

Section 5. Recording of Ceremonial proceedings

The Mayor, in the capacity as Chairman at the public meeting, may relax the above guidelines during ceremonial proceedings involving the Township Committee, such as the annual reorganization, the administration of oath of office, or otherwise.

Section 6. Enforcement

The Municipal Clerk, and during the course of meetings, the Mayor and Township Committee shall be the enforcement agent of this article.

Section 7. Severability

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

Section 8. Repealer

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 9. Effective Date

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

Introduced: 09/02/2025

Adopted: _____

Notice is hereby given that the foregoing proposed Ordinance No. 2025-06 was introduced and passed on first reading by the Township Committee of the Township of Quinton, County of Salem, State of New Jersey, at a regular meeting held on September 2, 2025. A second reading and public hearing on the foregoing Ordinance will be conducted by the Township Committee at a regular meeting to be held on October 7, 2025 at 6:00 p.m., at the Quinton Township Municipal Building in Quinton, New Jersey after which the Ordinance will be considered for final passage.