

**CAERNARVON TOWNSHIP
BERKS COUNTY, PENNSYLVANIA
RESOLUTION NO. 2023-16**

WHEREAS, the Pennsylvania Sunshine Law permits persons attending a public meeting to record the proceedings; and

WHEREAS, Sections 710 and 711 of the Sunshine Law permits an agency such as a Township to adopt and enforce reasonable rules for the use of recording devices;

WHEREAS, the Board of Supervisors believes that it is in the best interest of the Township to adopt such reasonable rules.

NOW, THEREFORE, be it resolved and it is hereby resolved this 3rd day of January 2023, by the Board of Supervisors of Caernarvon Township, Berks County, Pennsylvania that the following rules are hereby adopted with respect to any person wanting to make a video or audio recording of the proceedings at any public meeting of the Caernarvon Township Board of Supervisors, or any of its various boards or commissions:

1. The Township shall be under no obligation to request, obtain or maintain a copy of such recording, nor shall the same constitute a public record under the Pennsylvania Open Records Act.

2. The video or recording device shall be located either at the rear or side of the meeting room, or such other area designated by the Chairperson, in plain view of the public and the presiding Board or Commission. Such recording devices shall not be situated so as to hinder or impede accessways or the ability of the general public to observe the Board or Commission presiding over the meeting.

3. A notice shall be posted in the Township meeting room as follows:

NOTICE. Please note that the Township meeting room is considered to be a public forum during the time periods when such is being used for a public meeting. Any statements or comments that you make may be recorded by an individual other than the Township. Pursuant to the Pennsylvania Sunshine Law, individuals have the right to record a public meeting pursuant to certain reasonable regulations established by the Township.

NOTICE is further given that, to the extent that an individual desires to record a public meeting, the individual must comply with any applicable ordinances, resolutions, rules and regulations established by the Township from time to time. Additionally, all individuals desiring to record a public meeting shall take note that such recording is subject to the individual's compliance with all applicable laws and regulations, including, but not limited to, any wiretap, copyright, trademark, child welfare, privacy or other applicable laws and regulations.

4. Recording devices shall not be utilized to record: executive sessions of the Board or Commission presiding over the public meeting that is to be recorded; discussions between the Board or Commission and its counsel; or private discussions between any individual and his counsel.

5. The use of recording devices shall not be permitted to disrupt the normal routine of the meeting. An individual recording a public meeting should not expect that the meeting will be stopped or recessed for any changes of recording media or due to technical difficulties with the recording device/media.

6. With respect to conditional use hearings, proceedings before the Township Zoning Hearing Board, and any other public meeting that is being transcribed by the Township, the official record shall be the stenographic record taken by the Township.

CAERNARVON TOWNSHIP BOARD OF SUPERVISORS

ATTEST



Township Secretary



Chairperson