

## West Wyoming Borough Ordinance No. 5

### **An ordinance of the Borough of West Wyoming, establishing rules for remote attendance of Borough Council meetings**

WHEREAS, from time to time, or under certain defined conditions it is not possible for a council member to attend a Borough Council meeting; and

WHEREAS, the borough would benefit by the council member's participation in a council meeting by means of remote communication in limited instances where the Council member is unable to attend the meeting; and

WHEREAS, the Borough, desires to establish a procedure for council members to attend meetings remotely via speakerphone, Skype, or other electronic, video or digital data communication device,

NOW THEREFORE, THE BOROUGH OF WEST WYOMING DOES ORDAIN AS FOLLOWS:

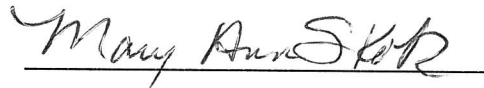
#### Section 1. Meetings – Attendance from Remote Location

- A. Purpose – The Council, recognizing the benefits of fullest practicable attendance and participation by its members allows for attendance from remote locations through use of electronic means including, but not limited to such two-way communication methods as speakerphone, Skype, or other media that provide full audio or audio and video capability. In certain circumstances, including emergencies it may be necessary for one or more members of the Council to attend from remote location(s) in order to have a quorum.
  1. For the purposes of voting by a member (or members) of the Council, such attendance from remote location(s) shall be considered the equal of being physically present in the Council Chamber.
  2. In the case of executive sessions, the Council may permit participation from remote location(s) by the above alternative means only when the Council on a case-by-case basis considers such participation to be necessary and Council is confident in the security of such remote communications.
  3. Attendance from remote locations is intended to be an alternative and relatively infrequently-used method for participation by members of the Council.
- B. Protocol and Procedures: In all meetings involving remote attendance, the presiding officer shall inform all present in the Council Chamber of the intent to initiate a remote communication.
  1. The Presiding Officer shall confirm and announce to all that all present in the Chamber and in the remote location can clearly hear all other parties and (as appropriate) clearly see visual content as will be presented. The Secretary shall record such confirmation.
  2. With such confirmation, members of Council – whether they are in the Chamber or at remote location(s) – constituting a majority may approve the use of remote communication for the entirety of the meeting or for a specified portion thereof.
  3. The if Council by a majority approves use of remote communication for only a specified portion of any meeting, the Presiding Officer shall announce same and, at the end of the

specified section shall clearly announce to all the close of the remote communication and shall order that the connection be stopped. The attendance of the remote party shall be at an end. The Secretary shall record the beginning and ending times of each such remote communication.

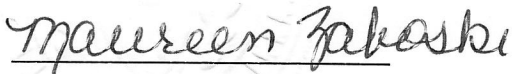
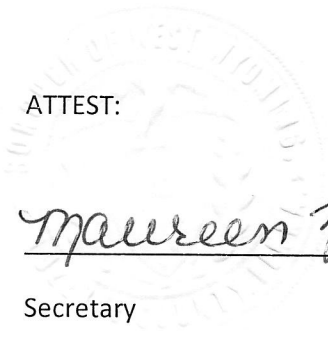
4. In the event that the remote communication link is broken or significantly degraded such that it no longer meets the full requirements of this section, the Presiding Officer shall confirm the loss of service and announce the close of the remote attendance. The attendance of the remote party shall be at an end. The Secretary shall record the time of such closure.
- C. Requirements of the System(s): Any such communications system utilized shall reliably permit all persons attending – whether physically in the Council Chamber or in remote location(s) – to be clearly heard by all others and to clearly hear all audio content of the meeting; and where applicable by the Council’s determination, be clearly seen by all others and clearly see all visual content that is determined by Council to be crucial to the understanding of matters discussed. Systems used in the course of executive sessions shall be reasonably secure from unauthorized access.
- D. Severability: The provisions of this ordinance are severable. If any part of the ordinance is declared to be unconstitutional, illegal, the validity of the remaining provisions shall be unaffected thereby.

Passed by West Wyoming Borough Council of the 14<sup>th</sup> day of July 2014.

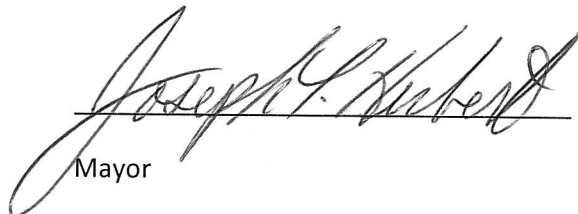


Council Chairman

ATTEST:



Secretary



Mayor