

ORDINANCE NO. 2022- 43

ORDINANCE DESIGNATING CERTAIN AREAS OF MUNICIPAL BUILDINGS RESTRICTED TO PUBLIC ACCESS FOR PRIVACY AND SECURITY PURPOSES.

Whereas, the Mayor and Governing Body recognize that it is important to assure that free speech, public debate and assembly is available by maintaining public forums wherein the public is free to gather information while in public spaces without disturbing the peace or interfering with others around them while ensuring the orderly conduct of government business; and

WHEREAS, the Mayor, Governing Body, public officials and employees likewise have a responsibility to maintain and safeguard public records that consist of confidential information as well as provide security to keep people, information and assets secure through protective security policies and practices, including security for the electric generation and distribution facilities, First Responder facilities and areas of a sensitive nature such as monetary collection areas; and

WHEREAS, the responsibility for the maintenance and safeguarding of records, reports, documents and information in municipal offices may not be available for immediate public view since they may contain personal information, phone numbers, social security numbers, dates of birth and other confidential information; and

WHEREAS, each department within the City has areas within said department which contains such confidential information and certain areas within First Responders facilities contain rescue equipment and other areas are living quarters for employees serving the public and said employees have a right to their privacy; and

WHEREAS, certain portions of the facilities contain sensitive equipment which need to be protected from a possible threat to the physical security of said equipment, such as HVAC systems, computer systems and the like; and

WHEREAS, in order to protect the public's access to public forums where the public is free to gather information while in public spaces and assure free speech, public debate and assembly within municipal buildings but to maintain safe and secure government business is conducted without interference or disturbing of the peace it is necessary to designate areas that are restricted to public access as designated Non-Public Areas.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that the Business Administrator, in consultation with the Department of Law, shall designate all areas to be restricted to the public so as to protect privacy and security in each department within City Hall, which shall be posted with signage that states "Restricted Area. Authorized Employees Only" and shall be posted in a conspicuous place visible to the public.

BE IT FURTHER ORDAINED that each municipal building, other than City Hall, shall be posted with signage that states "Restricted Area. Authorized Employees Only" which may include the whole structure such as Electric Generation and Distribution Facilities to protect against a potential threat to physical security and safety of such facilities and employees.

BE IT FURTHER ORDAINED that the Business Administrator shall be duly authorized to continue to review and consider further areas to be restricted or unrestricted, and provide for signage specifying the same or alternatively redesignate areas as unrestricted after consultation with the Department of Law.

CITY OF VINELAND

BE IT FURTHER ORDAINED that persons that trespass these posted, protected offices, areas and facilities shall be subject to prosecution under N.J.S.A. 2C-18-3.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed unenforceable by a court of competent jurisdiction, that portion so determined to be unenforceable, shall be void and the balance hereof shall remain in full force and effect.

BE IT FURTHER ORDAINED that should any Ordinance or portion thereof be inconsistent herewith, such Ordinance or portion thereof shall be void to the extent of such inconsistencies.

This Ordinance shall take effect upon adoption and publication according to law.

Passed first reading:

Passed final reading:

President of Council

Approved by the Mayor:

Mayor

ATTEST:

City Clerk