

**BOROUGH OF KINNELON
ORDINANCE NO. 16-2025**

**AN ORDINANCE RESTRICTING ACCESS TO CERTAIN AREAS IN MUNICIPAL
BUILDINGS TO PROTECT AND SAFEGUARD PUBLIC RECORDS AND
CONFIDENTIAL INFORMATION**

WHEREAS, the Mayor and Council of the Borough of Kinnelon desire to adopt an Ordinance to restrict areas in municipal buildings where municipal operations are conducted and limited to authorized employees only to protect and safeguard public records and confidential information.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Kinnelon as follows:

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Kinnelon as follows:

Section 1: A new Section 84.10.1 shall be added to the Code of the Borough of Kinnelon to read as follows:

§ 3-1 Purpose.

The purpose of this chapter is to create or otherwise establish designated restricted areas within buildings and/or offices where municipal operations are conducted so as to limit access to those areas to authorized employees and their invitees, to protect and safeguard public records and documents containing confidential and other personal identifying information.

§ 3-2 Definitions.

"Authorized personnel" means any municipal employee, vendor, repair person, or invitee authorized to access an otherwise restricted area.

"Invitee" means any person who, after scheduling an appointment with a municipal employee is invited into a restricted area for the purposes of conducting business with a municipal employee.

"Municipal building" or "office" means any building or office space owned, leased, or utilized by the City of Kinnelon.

"Person" means any individual, partnership, cooperative association, private corporation, personal representative, receiver, trustee, assignee, or any other legal entity.

"Public area" means any room, chamber, lobby, hall, corridor, staircase, meeting or conference space open to the public.

"Restricted area" means any area closed to the public and shall include the private offices of all municipal employees and any work area where municipal employees work with documents and records.

§ 3-3 CONDITIONS IMPOSED ON ACCESS TO MUNICIPAL FACILITY.

All persons entering into or onto Borough owned property, buildings, structures, and facilities shall be subject to the following conditions upon entering onto, into or remaining in any such property, building, structure or facility:

- a. All persons shall have access only to areas that are open to the public and shall not proceed past any posted sign as provided for herein and shall not enter before such time that the property, building, structure, or facility has been opened to the public, or remain therein after such property, building, structure, or facility has been closed to the public.
- b. All persons entering into or onto Borough property, buildings, structures, and facilities shall comply with the directions of any Borough employee, official, or agent to immediately leave any area that has been designated as a restricted area, and to immediately relocate to the nearest public area. Such directions, notwithstanding any posted signage, shall constitute notice of violation of the conditions of entry imposed upon persons of the public.

§ 3-4 Access prohibited.

Except as otherwise provided herein, access shall be prohibited in all offices and any other designated restricted areas of the municipality located in the following places:

1. Kinnelon Borough Hall.
2. Kinnelon Public Library.
3. Kinnelon Department of Public Works.

The Borough Administrator may, in his or her discretion, restrict access to any municipal space or property for reasons of safety, privacy or for the efficient operation of the public facility. In all cases where access is limited, there shall be "authorized personnel" or similar signs prominently displayed.

§ 3-5 Signs.

The Borough of Kinnelon shall post signs outside of those areas designated as restricted areas that provide adequate warning to the public.

§ 3-6 Violations and penalties.

It shall be a violation of this chapter for any person to trespass upon a restricted area. Any person who is found guilty of violating this chapter shall pay fines as follow:
For a first offense, a fine of not less than two hundred fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00).

For a second or subsequent offense, a fine of not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00).

§ 3-7 Enforcement.

The police department is hereby charged with the enforcement of this chapter. All members of the police department are hereby designated as enforcement officers for the purpose of enforcement of this chapter.

Section 2. Repealer.

All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflicts.

Section 3. Severability

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Borough of Kinnelon declares that it would have passed the ordinance and each section thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 4. Effective Date.

This ordinance shall take immediate effect upon passage and publication according to law.

Adopted ___/___/___ on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Chirdo						
Mabey						
Frank						
Lewis						
Reckler						
Harriz						

APPROVED:

JAMES FREDA, MAYOR

Attest:

KAREN IUELE

Borough Clerk