

BOROUGH OF NORWOOD

ORDINANCE NO. 13:09

AN ORDINANCE AMENDING CHAPTER 168 OF THE CODE OF THE BOROUGH OF NORWOOD REGARDING PARKS AND RECREATION AREAS TO INCLUDE PROVISIONS ON LIGHTENING RISK DETECTION AND WARNINGS.

WHEREAS, the purpose of this ordinance is to amend Chapter 168 of the Code of the Borough of Norwood to include a new provision regarding lightening risk detection and warnings to protect the health, safety, and welfare of Norwood residents and all others using Norwood's parks and recreation areas.

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

Section 1: Chapter 168 of the Code of the Borough of Norwood ("Code") is amended to add a new section 168-15 to state the following:

§168-15. Closing of Parks or Recreational Facilities; Lightning Risk Warnings.

- A. Definitions: When used in this section the terms listed below are defined as follows:
- (1) "All persons" includes all employees of the Borough of Norwood, volunteers, coaches, team members and their families, umpires-referees, as well as all members of the public.
 - (2) "Enforcing authorities" means members of the Police Department of the Borough of Norwood; members of the Norwood Fire Department; designated agents of the Department of Public Works and Recreation Department; the Mayor and Council members; and any other agents designated by the Mayor and Council.
 - (3) "Lightning risk warning" means notice to the Borough of a lightning risk, the activation of the lightning warning system siren or strobe, or the happening of any event deemed by any of the enforcing authorities to be a risk to health and safety due to lightning.

- B. If a lightning risk warning occurs, all parks and recreational facilities will be closed including (but not limited to) the Norwood Municipal Pool, municipal fields and lots, and other similar outdoor areas.
- C. If a park or recreational facility is closed, as provided in this section:
 - (1) All activities within the park or recreational facility will immediately cease until the lightning warning system provides the all-clear sound or any of the enforcing authorities authorizes the facility (or facilities) to re-open; and
 - (2) All persons within the park or recreational facility when the lightning risk warning occurs will immediately exit the park or recreational facility and they will not return until the lightning warning system provides the all-clear sound or any of the enforcing authorities authorizes the facility (or facilities) to re-open.
- D. The Borough may act to temporarily close or limit the use of parks, recreational facilities, including (but not limited to) the Norwood Municipal Pool, school, and municipal fields and lots, whenever, in the judgment of any of the enforcing authorities, to this action is deemed necessary or desirable for the protection of public health or safety.
- E. Nothing in this section is intended to negate the authority of the enforcing authorities to take any action as deemed necessary or desirable for the protection of the public's health or safety.
- F. Violations and penalties.
 - (1) If the Code of the Borough of Norwood provides for the licensing or permitting of any person or entity who/which violates the terms of this section, the Mayor and Council of the Borough of Norwood reserves the right to revoke that permit or license.
 - (2) Any person or entity found guilty of violating this section of the Code of the Borough of Norwood will be subject to a penalty consisting of a fine not to exceed \$1,000.00.

Section 2: All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of any inconsistencies.

Section 3: The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional or invalid by any court, the remaining parts of this ordinance will remain in full force and effect.

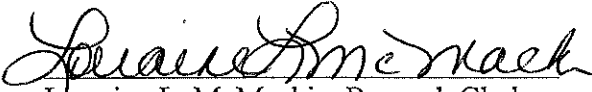
Section 4: This ordinance will take effect upon final reading and final approval and publication according to law.

Introduced and passed first reading: September 11, 2013

Passed second reading: October 9, 2013

ATTEST:

APPROVED BY:


Lorraine L. McMackin, Borough Clerk


James P. Barsa, Mayor

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