

ORDINANCE NO. 180

AN ORDINANCE OF THE TOWNSHIP OF EAST NORRITON, MONTGOMERY COUNTY, PENNSYLVANIA, PROVIDING FOR THE CREATION OF AN EMERGENCY MANAGEMENT ORGANIZATION IN ACCORDANCE WITH THE PLAN AND PROGRAM OF THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY; TO ASSURE PROMPT, PROPER AND EFFECTIVE DISCHARGE OF BASIC TOWNSHIP RESPONSIBILITIES RELATING TO CIVIL DEFENSE AND DISASTER PREPAREDNESS, OPERATIONS AND RECOVERY; TO BE KNOWN AS THE "EMERGENCY MANAGEMENT ORDINANCE OF EAST NORRITON TOWNSHIP".

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of East Norriton, Montgomery County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same that:

SECTION 1. DEFINITIONS. As used in this Ordinance, the following terms shall have the meanings indicated:

- (a) "ATTACK" - A direct or indirect assault against the Township of East Norriton, its government, its environs, or of the nation, by the forces of a hostile nation or the agents thereof, including, but not limited to, assault by bombings; radiological, chemical or biological means; or sabotage.
- (b) "COORDINATOR" - The emergency management coordinator of the Emergency Management Agency of the Township of East Norriton.
- (c) "DISASTER" - Actual or threatened attack, natural disaster, extraordinary fire, epidemic, evacuations, or any other pending or actual emergency or calamity which endangers or threatens to endanger the health, safety, life or property of the residents of the Township, or endangers or threatens to endanger the constituted government of the nation, or state.
- (d) "EMERGENCY MANAGEMENT" - To carry out the basic government functions of maintaining the public peace, health and safety, including plans and preparations for protection from, and relief, recovery, and rehabilitation from the effects of an attack on the Township and such activity in connection with a disaster as defined herein.
- (e) "EMERGENCY MANAGEMENT FORCES" - The employees, equipment and facilities of all Township departments, boards, institutions and commissions, and all volunteer personnel, equipment and facilities contributed by or obtained from volunteer persons or agencies.

- (f) "EMERGENCY MANAGEMENT VOLUNTEER" - Any person duly enrolled, identified and appointed by the Coordinator, and assigned to participate in Emergency Management Agency activity.
- (g) "PERSON" - Any individual, firm, corporation, association or partnership, including the plural as well as the singular, and both genders.
- (h) "REGULATION" - The plans, programs, and emergency procedures established by the Emergency Management Agency which are deemed essential to an adequate program.
- (i) "VOLUNTEER" - A person contributing a service, equipment or facilities to the Emergency Management Agency without remuneration.

SECTION 2. PURPOSES

- (a) To establish an Emergency Management Agency that will be responsible for the complete and efficient utilization of all township facilities to safeguard and protect life and property within the Township of East Norriton during a state of war, a local emergency or disaster, and during normal day to day operations.
- (b) To establish the Emergency Management Agency and its attendant responsibilities, duties and powers, including, but not limited to, provisions for the promulgation of a basic emergency management plan with necessary lines of succession.
- (c) To establish the Emergency Management Coordinator and his attendant responsibilities, duties and powers as coordinator of the Emergency Management Agency.
- (d) To provide for the promulgation of emergency management regulations, enforcement and penalties.

SECTION 3. EMERGENCY MANAGEMENT AGENCY

- (a) There is hereby created an Emergency Management Agency for the Township of East Norriton. The Emergency Management Agency shall consist of a Coordinator to be known as the "Emergency Management Coordinator", who shall be selected by the Township Board of Supervisors and appointed by the Governor of Pennsylvania. Said Coordinator shall serve at the pleasure of the Township Board of Supervisors or its designated alternate. The

Coordinator may appoint a staff as is necessary but in all circumstances said appointments, if any, shall be with the express approval of the Township Board of Supervisors, or its designated alternate. The members of the Emergency Management Agency shall serve without compensation.

- (b) The Emergency Management Coordinator shall be professionally competent and capable of planning, effecting coordination among various departments and generally controlling coordinated operations by emergency preparedness forces.
- (c) The employees, equipment and facilities of all Township departments, boards, institutions and commissions will be at the disposal of the Emergency Management Agency and will participate as directed by the Coordinator with the approval of the Township Board of Supervisors; provided however, that duties assigned to the various departments shall be the same or similar to the normal activities of said department.
- (d) During normal day to day activities each department head shall be responsible for practicing emergency management within the department, and final Emergency Management Agency authority will rest with the Township Board of Supervisors; provided, however, that the Board of Supervisors may delegate such final authority to the Township Fire Marshall regarding the Fire Department and the Chief of Police with regard to the Police Department.

SECTION 4. POWERS AND DUTIES OF EMERGENCY MANAGEMENT AGENCY -
Subject to the direction and control of the Township Board of Supervisors, the Emergency Management Agency shall have the following powers and duties:

- (a) To prepare a comprehensive basic plan for emergency management, and keep the basic plan current to provide for the fullest protection of the Township and its inhabitants in case of disaster or declared emergency.
- (b) Recommend to the Township Board of Supervisors or their designated alternate all necessary rules and regulations for the implementation of the basic plan, and all other rules and regulations necessary for the protection of the Township and its inhabitants in case of disaster or declared emergency.

- (c) Provide individual and organizational training programs to insure prompt, efficient and effective disaster emergency services.
- (d) Organize, prepare and coordinate all locally available manpower, materials, supplies, equipment, facilities and services necessary for disaster emergency readiness, response and recovery.
- (e) Adopt and implement precautionary measures to mitigate the anticipated effects of disaster.
- (f) Have available for inspection at its emergency operations center all emergency management plans, rules and orders, if any, of the agency.
- (g) Provide prompt and accurate information regarding local disaster emergencies to appropriate Commonwealth and local officials and agencies and the general public.

SECTION 5. POWERS AND DUTIES OF EMERGENCY MANAGEMENT COORDINATOR -
 Subject to the direction and control of the Township Board of Supervisors, the Emergency Management Coordinator shall have the following powers and duties:

- (a) To oversee the formulation of the basic plan of emergency management and to direct its implementation in time of disaster or declared emergency.
- (b) Designate the lines of succession within the Emergency Management Agency, and be responsible for the proper performance of all necessary duties and functions assigned to the various departments under the basic plan.
- (c) Seek assistance from outside the Township when a required competency or skill for a disaster function is not available within the Township departments.
- (d) Make recommendations for rulings, orders, or ordinances on behalf of the Emergency Management Agency to the Township Board of Supervisors, or their designated alternate, whenever requested to do so and whenever it is deemed necessary or advisable.
- (e) Make reports to the Township Board of Supervisors as required.

SECTION 6. PURCHASES. No purchase or purchases shall be made, no contract entered into and no expenses incurred by the Emergency Management Agency which involve the payment of more than Twenty-five Dollars (\$25.00) out of the Treasury of East Norriton Township unless the proposed expenditure has been approved in writing by the Township Board of Supervisors. If any purchase or contract is made or other expenses incurred contrary to the provisions of this Section, East Norriton Township shall not be responsible for the payment thereof but the person acting for the agency in the transaction shall be personally liable for the payment.

SECTION 7. VIOLATION OF REGULATIONS. It shall be unlawful for any person to violate any of the provisions of this Ordinance or of the regulations or plans issued pursuant to the authority contained herein, or to willfully obstruct, hinder or delay any member of the Emergency Management Agency as herein defined in the enforcement of the provisions of this Ordinance or any regulation, plan or order issued hereunder.

SECTION 8. PENALTIES. Any person violating any provision of this chapter or any rule, regulation or order promulgated hereunder, upon conviction before a District Justice within the District of which the Township of East Norriton is a part, shall be fined not less than Three Hundred Dollars (\$300.00) plus costs of prosecution. In default of the payment of any fine, such persons shall be liable for imprisonment of not more than ninety (90) days in the Montgomery County prison. Whenever any violators shall be notified by a representative of the Township or by service of summons or prosecution or in any other way that such violation has been committed, each day that the violator shall continue in such violation shall constitute a separate offense punishable by fine or penalty.

SECTION 9. SEVERABILITY. The provisions of this ordinance are severable. If any section, sentence, clause or phrase of this Ordinance shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, or phrases of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid or unconstitutional section, sentence, clause, or phrase had not been included herein. Furthermore, it is the intent of this ordinance to be supplementary to and not contrary to any laws of the Commonwealth of Pennsylvania or regulations of any of its executive agencies.

SECTION 10. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 11. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its approval as provided by law.

ENACTED AND ORDAINED by the Board of Supervisors of the Township of East Norriton, Montgomery County, Pennsylvania this 27th day of September, 1982.

BOARD OF SUPERVISORS OF THE
TOWNSHIP OF EAST NORRITON

BY:

John B. Hawley
Chairman

Attest:

Lemuth J. Bannwald
Secretary