

ORDINANCE NO. 2006-2

**AN ORDINANCE OF THE TOWNSHIP OF CONEWAGO, DAUPHIN COUNTY,
PENNSYLVANIA, ESTABLISHING A PARK AND RECREATION ADVISORY BOARD,
AUTHORIZING THE ADOPTION OF RULES AND REGULATIONS FOR TOWNSHIP PARK AND
RECREATION FACILITIES AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.**

IT IS HEREBY ENACTED AND ORDAINED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF CONEWAGO, AS FOLLOWS:

§1. Title.

This article shall be known as the "Conewago Township Park and Recreation Advisory Board Ordinance."

§ 2. Establishment; terms of office; compensation.

There is hereby established a Conewago Township Park and Recreation Advisory Board, which shall consist of five (5) residents of Conewago Township who shall be appointed by the Board of Supervisors. The terms of office shall be for a period of five years or until their successors are appointed. All members appointed to the Park and Recreation Advisory Board shall serve without pay and shall serve their full terms unless they voluntarily resign or are removed by the Board of Supervisors for dereliction or neglect of duty. Vacancies in the Park and Recreation Advisory Board occurring otherwise than by expiration of the term shall be for the unexpired term of the vacant position, and shall be filled in the same manner as the original appointment. The terms of office shall be so fixed that the term of one member shall expire each year. Inasmuch as a Township Park and Recreation Committee was previously established by Conewago Township Board of Supervisors, and inasmuch as the appointees thereto, and the terms of office thereof, generally correspond with the provisions of this Article, those appointees shall now serve on the Park and Recreation Advisory Board created herein for the duration of the term of office to which each was originally appointed, which terms expire on September 30, the first of which expires on September 30, 2007

§ 3. Organization.

During the month of October of each year, the members of the Park and Recreation Advisory Board shall reorganize and shall elect their own Chairman and Secretary and select all other officers to serve for a period of one year.

§ 4. Duties of the Board.

The Park and Recreation Advisory Board shall be responsible for reviewing the recreational programs and facilities of the Township, and shall make recommendations to the Board of Supervisors for new programs or facilities or for improving existing programs or facilities. It is anticipated that the advisory role will enable the Board to be the eyes and ears of the Supervisors as to public park and recreational needs and will allow the Advisory Board to concentrate on plans and programs since the Board of Supervisors will have operational and budgetary responsibility. The Advisory Board shall submit an annual report to the Board of Supervisors on or before March 1 of each year which shall include an analysis of the community recreation areas, facilities and leadership, with particular reference to the extent and adequacy of the program and its effectiveness in view of the public expenditure involved and the public needs to be met. The Advisory Board shall submit such other reports as the Board of Supervisors may request from time to time on specific subjects relating to parks and recreation. The Advisory Board shall meet no less than quarterly with the Board of Supervisors to exchange ideas and information.

§ 5. Staff and technical assistance.

Within the constraints of the Township budget and other demands, the Board of Supervisors shall work with the Advisory Board and supply such secretarial and technical assistance to the Advisory Board as the Board of Supervisors deems practical and appropriate.

§ 6. Rules and regulations; violations and penalties

A. Rules and regulations may be proposed by the Park and Recreation Advisory Board for use of various Township recreation areas and facilities. All rules and regulations shall be adopted by resolution of the Board of Supervisors.

B. Enforcement remedies.

(1)

If it appears to the Township that a violation of the rules and regulations adopted pursuant to this article has occurred, the Township may initiate civil enforcement proceedings by complaint or such other means as may be provided by the Pennsylvania Rules of Civil Procedure; provided, however, that if the violation involves health, fire, public safety, solicitation, curfew, water, air or noise pollution, summary criminal proceedings may be filed pursuant to the Pennsylvania Rules of Criminal Procedure.

(2)

Civil enforcement remedies.

(a)

Any person, partnership or corporation who or which has violated or permitted the violation of rules and regulations adopted pursuant to this article shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$600 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable Rules of Civil Procedure. Each day that a violation continues and each section of this Article, including rules and regulations adopted hereunder, which shall be found to have been violated shall constitute a separate violation.

(b)

Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this section.

(c)

District Justices shall have initial jurisdiction over proceedings brought under this section.

(3)

Summary criminal violation and penalties. Any person, firm or corporation who shall violate any rules and regulations adopted pursuant to this Article, upon conviction thereof in an action brought before a District Justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation continues or each rule or regulation which shall be found to have been violated shall constitute a separate offense.

§ 7. Operational responsibility.

The Conewago Township Park and Recreation Advisory Board shall be responsible for the operation of all Township recreation areas, facilities and programs, subject to the budgetary authorization established for those purposes by the Conewago Township Board of Supervisors.

Ordained and enacted this 9th day of August, 2006, to become effective five (5) days after enactment.

BOARD OF SUPERVISORS
TOWNSHIP OF CONEWAGO
DAUPHIN COUNTY, PENNSYLVANIA

Attest:

Shirley Bretz, Secretary

By: _____
John D. Rochat, Chairman