

PUBLIC NOTICE

The Borough of Forest City proposes to adopt at its February 6, 1984 meeting, an ordinance amending its Police ordinance Number 364, in order to provide additional positions within the department and making several minor wording changes.

Said proposed ordinance may be examined at the Law Office of Fields and Bianco, 707 Main Street, Forest City, PA; The Forest City News Office, 636 Main Street, Forest City, PA; or at the Susquehanna County Law Library, Court House, Montrose, PA.

AMENDED ORDINANCE NO. 364

AN ORDINANCE ESTABLISHING A POLICE DEPARTMENT IN THE BOROUGH OF FOREST CITY,
SUSQUEHANNA COUNTY, PENNSYLVANIA.

WHEREAS, the Forest City Borough Council deems it expedient and necessary, for the proper management, care and control of the Borough and in the interest of peace, good government and welfare of the Borough and its citizens, to establish a Police Department.

Be it ordained by the Mayor and Borough Council of the Borough of Forest City, in the County of Susquehanna and Commonwealth of Pennsylvania:

1. Establishment

A Police Department is hereby established in the Borough of Forest City, in the County of Susquehanna and Commonwealth of Pennsylvania.

2. Composition

A. The Forest City Borough Police Department may consist of the following officers:

- | | |
|-------------------------------|-------------------------------|
| (1) Chief of Police | (2) Assistant Chief of Police |
| (3) Sergeant | (4) Patrolman |
| (5) Part Time Police Officers | |

B. In addition the Police Department may, with approval of the Borough Council, employ such clerical personnel and other employees to assist its officers in preserving peace and good order in the borough.

3. Control

A. The Mayor of the borough shall have full charge and control of the Chief of Police and the police force, and he shall direct the time

during which, the place where and the manner in which, the Chief of Police and the Police Force shall perform their duties, except Council shall fix and determine the total weekly hours of employment.

- B. Borough Council may, subject to the Borough Code and or the civil service provision, if they be in effect at the time, appoint and remove, or suspend, or promote or reduce in rank, one or more suitable persons, citizens of the United States of America, as borough policemen.
- C. The Mayor may, subject to the provisions of the Borough Code, for cause and without pay, suspend any policemen until the succeeding regular meeting of the Borough Council, at which time or thereafter the Borough Council may suspend, discharge, reduce in rank or reinstate with pay, such policemen: Provided, however, that a policeman suspended by the mayor may not be reinstated by Council at a date earlier than ten (10) working days from the date fixed by the mayor for the suspension to commence.

4. Appointment and Salary

- A. The full time members of the Police Department shall be appointed by the Borough Council and shall receive such salaries as may, from time to time, be provided by ordinance, resolution or collectively negotiated contract.
- B. The part time members of the Police Department shall be appointed by the Borough Council and shall be compensated at an hourly rate established by the Borough Council.

5. Present Personnel Continued

The full time members of the Forest City Borough Police Department, as presently constituted, are hereby continued in their respective offices.

The salaries established by the collective agreement now in effect shall prevail. Nothing contained in this ordinance shall be considered as affecting the status, rank or any rights heretofore acquired by any full time member of the existing Police Department.

6. Oaths

Every person appointed to the Police Department shall, as a prerequisite to becoming a member thereof and before entering upon his duties as such, take and subscribed to an oath or affirmation as may be required and prescribed by the laws of the Commonwealth of Pennsylvania.

7. Conditions for Appointment

No person shall be appointed a member of the Police Department of the Borough of Forest City unless:

- A. The person is a citizen of the United States.
- B. The person is a resident of the Commonwealth of Pennsylvania.
- C. The person is sound in body and of good health sufficient to satisfy the Borough Council of the Borough of Forest City.
- D. The person is able to read, write and speak the English language well and intelligently and shall have a high school diploma or equivalent thereof.
- E. The person is of good moral character. No person shall be appointed who has been convicted of any crime or offense.

F. The person is physically and mentally sound and emotionally stable, and possesses the necessary ability to understand and obey orders and to perform the duties required of a member of the Forest City Police Department.

8. Physical Examination Required for Applicants

- A. Every applicant for full time appointment to the Police Department or any member of the force considered for promotion, shall, within two (2) weeks prior to said appointment or promotion, submit to a thorough physical examination by a physician approved by the Borough of Forest City, who shall certify that said applicant is in good health, sound body, and able to perform the duties required of him.
- B. In his report the physician shall set forth in writing, in detail, any physical injuries, congenital defects, organic or functional disturbances or other matters ascertained by or made known to him which might, in the opinion of said physician, impair the usefulness of the applicant or cause him to become disabled subsequent to his appointment or promotion.

9. Training School

The Borough Council may assign the Chief of Police or any member of the force to undergo a course of training at any training school for policemen established and made available by the State or Federal government, and may provide for the payment by the borough of his expenses while in attendance in such school.

10. Vacations

The full time members of the Police Department shall be granted a vacation annually, with pay, as provided by a Borough Personnel Ordinance or the negotiated contract with the full time officers. A vacation schedule shall be assigned by the Chief of Police with preference given to those with the most seniority.

11. Vigilance of Members Required

- A. Members of the Police Department shall give particular attention at all times to and make prompt report of any unsanitary or unsafe conditions, and street or sidewalk obstructions, any unlighted street lights in the night and any other unusual or suspicious circumstances existing in the borough.
- B. Members of the Police Department shall exert themselves to discover and prevent any violations of the laws of the Commonwealth of Pennsylvania or the ordinances of the Borough of Forest City and shall promptly apprehend all violators thereof.
- C. Members of the Police Department shall and may, within the borough or upon property owned or controlled by the borough or by a municipal authority of the borough, without warrant and upon view, arrest and commit for hearing any and all persons guilty of breach of the peace, riotous or disorderly conduct or drunkenness, or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens.
- D. During night patrol members of the Police Department shall examine doors of all stores to see that they are property secured.

12. Appeals

Any member of the Police Department who desires to bring any matter pertaining to the business of the department or of any personal relations with the department to the attention of the Mayor shall first request permission to do so from the Chief of Police. If such permission is refused, such member may make a written application directly to the Mayor requesting a hearing and stating his object. Any officer suspended from duty by the Mayor, for more than ten (10) working days, shall have the right to an appeal and hearing before Borough Council.

13. Police attendance at Private Gatherings

A. Any request for police attendance at a private gathering from which the general public is excluded, whether by ticket or invitation, shall be made to the Chief of Police.

B. The Chief of Police at his discretion may assign members of the Police Department not on regular duty to perform police duty at private affairs. While on said duty, the members of the Department so assigned shall be under the supervision and control of the Chief of Police and be subject to the provisions of this ordinance.

C. For this service, the persons sponsoring or responsible for such private gatherings shall compensate, at a rate established by Council, the Borough for the services rendered by officers of the Forest City Police Department.

14. Absences from Duty

A. No member of the Police Department shall absent himself from duty without the permission of the Mayor.

15. Absences from Borough

No member of the force shall leave the Borough in uniform except when on authorized police duty or to return to his home if he resides outside the borough limits.

16. Special Duty

The Mayor or the Chief of Police, whenever in their opinion the public service so requires, may detail any of the members of the force to any special or particular duty connected with the police service of the borough, and for such purpose may send any member of the force outside the borough limits, together with any police car or equipment required in the performance of such special or particular police service.

17. Automotive Equipment

No police car or other police equipment shall be used for any purpose other than police duty, except under instructions from the Mayor.

18. Special Police

The Mayor may appoint special policemen during an emergency in which the safety and welfare of the borough and the public is endangered.

19. Police Badge

All members of the Police Department shall, when on duty, wear a shield or badge with the word "Police".

20. Prohibited Acts

A. Any member of the Police Department of the Borough of Forest City shall be subject to reprimand, suspension from duty without pay, reduction

in rank or dismissal, according to the nature of the aggravation of the offense, for violating the Borough Code or any rule or regulation governing the Police Department or for any of the following causes:

- (1) Intoxication or consumption of intoxicants or ingestion of narcotics while on duty, or appearing for duty under the influence of intoxicants or narcotics.
- (2) Willful disobedience of orders.
- (3) Indecent, profane or abusive language.
- (4) Violence to a prisoner.
- (5) Disrespect to superior officers.
- (6) Absence without leave, sleeping on duty or for not properly patrolling his beat.
- (7) Gross ignorance of the law or the regulations of the Department.
- (8) Violation of any criminal law or penal ordinance.
- (9) For making known any proposed action or movement of the Department, or the contents of any order or other information of a confidential nature other than to persons concerned with the proper enforcement of the law, or to whom the same may be directed.
- (10) For conduct unbecoming an officer.
- (11) Conduct subversive to good order or to the discipline of the force.
- (12) Making adverse public comments concerning any official action of a superior officer.

21. Reporting for or Being on Duty in Unfit Condition

Any member of the Police Department who shall report for duty in an unfit condition or while on duty shall become physically unfit, believed to be due to the use of intoxicants, drugs or narcotics, shall immediately be reported to the Mayor.

22. Use of Headquarters Restricted

No loafing or lounging shall be permitted at Police Headquarters, and the same shall not be used as a gathering place for social activities. Use of the Police Headquarters shall be restricted to departmental purposes and the convenience of persons required to be present in connection with police matters. No visiting will be permitted with officers and patrolmen while on duty at headquarters.

23. Serving of Processes

It shall be the duty of the members of the Police Department to serve and execute all process issuing out of the Magistrate's Court and involving matters pertaining to the Forest City Police Department or residents of the Borough of Forest City, when directed by said Magistrate.

24. Police Pension Fund

Where a Police force of less than three full time members is being maintained, the Borough Council may provide for the purchase of annuity contracts for the payment of pensions, or establish a police pension fund in accordance with the provisions of the Borough Code.

25. Uniforms

Every member of the Police Department, while on duty, except when otherwise directed by the Chief of Police, must be in uniform with the

standards fixed by the Chief of Police. Members of the force shall be required to keep equipment in good condition and their uniforms clean and in good appearance.

26. Rules and Regulations

The Mayor may establish rules, regulations and procedures deemed necessary or prudent for the efficient operation of the Police Department and which shall be binding upon all members of the Police Department as they pertain to the performance of their official duties.

27. Validity

If any sections of this Ordinance shall be found to be invalid, the other sections of the Ordinance shall not be affected thereby.

28. Repealer

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

Approved by the Borough Council of the Borough of Forest City, this
_____ day of _____, 198__.

ATTEST:

BOROUGH OF FOREST CITY

BOROUGH SECRETARY

BY: _____

BOROUGH PRESIDENT

APPROVED:

MAYOR

DATED: _____