

Chapter 56

POLICE DEPARTMENT

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[HISTORY: Adopted by the Borough of Columbia as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Civil Service Commission — See Ch. 15.

Fire police — See Ch. 31.

ARTICLE I

Creation; Organization**[Adopted 5-8-1978 by Ord. No. 548 (Ch. 61 of the 1971 Code)]****§ 56-1. Creation.**

There is hereby created a Police Department for Columbia Borough which shall consist of the Chief of Police, superior officers and patrolmen.

§ 56-2. Word usage.

All terms herein used in the masculine shall be deemed to include the feminine.

§ 56-3. Superior officers.

All members of the Police Department shall be termed "patrolmen," except those who may be designated by the Council as superior officers, of which the following may be appointed to hold such rank or designation and assignment during the pleasure of the Council: Sergeants.

§ 56-4. Rank.

The Chief of Police shall be the head of the Department and have supervision over all officers and members thereof. Following him in rank shall be the Sergeants and then patrolmen, in order of seniority in each group.

§ 56-5. Appointment; promotion; removal; suspension; demotion.

The Borough Council may, subject to the civil service provisions of the Borough Code, appoint, promote, remove, suspend or reduce in rank suitable persons as Borough policemen.

§ 56-6. Duties of Chief.

The Chief of Police shall be the keeper of the Borough jail and shall have custody of all persons incarcerated therein. He shall keep such records and make such reports concerning the activities of his Department as may be required by statute or by the Borough Council. The Chief shall be responsible for the performance by the Police Department of its functions, and all persons who are members of the Police Department shall serve subject to the orders of the Chief of Police.

§ 56-7. Duties of members.

It shall be the duty of all members of the Police Department to see to the enforcement of all of the ordinances of the Borough and all statutes applicable therein, and to preserve order and prevent infractions of the law and arrest violators thereof.

§ 56-8. Establishment of divisions.

With the approval of the Borough Council, the Chief of Police may establish a traffic division or detective division or other special division within the Police Department, assigning such policemen to such division and designating such duties therefor as may be deemed necessary.

§ 56-9. Conduct of members.

It shall be the duty of every member of the Police Department to conduct himself or herself in a proper and law-abiding manner at all times and to avoid the use of unnecessary force. Each member of the Department shall obey the orders and directions of his superior.

§ 56-10. Fees and compensation.

- A. It shall be unlawful for any Borough policeman to charge or accept any fee or other compensation in addition to his salary for any service performed pertaining to the duties of his office as policeman, except as provided herein.
- B. With the approval of the Borough Council, members of the Police Department may be allowed court pay for attendance at court proceedings and hearings.
- C. With the approval of the Borough Council, members of the Police Department may receive payment for mileage for attendance at approved training programs, court or hearing appearances or otherwise, as specified by the Borough Council.
- D. For meritorious service rendered by any member of the Police Department in the due discharge of his duty, the Borough Council may permit such member to retain for his own benefit, so far as he may be permitted by law, any reward or present tendered him therefor.

§ 56-11. Rules and regulations.

The Chief of Police may make or prescribe such rules and regulations as he shall deem advisable, and such rules, when approved by the Borough Council, shall be binding on such members. Such rules and regulations may cover, besides the conduct of the members, uniforms and equipment to be worn or carried, hours of service, vacations and all other similar matters necessary or desirable for the better efficiency of the Department. Such rules and regulations must be consistent with the ordinances of the Borough and the laws of the State of Pennsylvania, and must be posted.

§ 56-12. Special policemen.

The Borough Council may appoint any suitable person as a special policeman to serve for such term and on such conditions as may be designated by the terms of such appointment. No such special policeman shall be entitled to any compensation from the Borough unless such compensation is ordered by the Council, nor shall such special policeman be considered an employee of the Borough by reason of such appointment. Appointments may be revoked at any time by the Council.

§ 56-13. Vehicles.

The Committee on Public Safety is hereby empowered to secure such vehicles for the use of the Borough Police Department as they deem necessary for the proper functioning of said Department.

§ 56-14. Temporary or Acting Chief.

- A. A temporary or Acting Chief of Police may be appointed by the Borough Council under any of the following circumstances:
 - (1) Should incapacity, illness or other involuntary cause render the Chief of Police unable to fulfill his duties for a period of time expected to be in excess of 30 days.

- (2) Should the Chief of Police voluntarily absent himself from active duty for a period of time in excess of 30 days.
 - (3) Should the Chief of Police resign or have his employment terminated by Borough Council.
[Added 12-16-2003 by Ord. No. 726]
- B. Such temporary or Acting Chief of Police shall be charged with the duties of the Chief of Police and shall exercise the complete authority of the Chief of Police under this chapter.
- C. Such appointment may be terminated at any time by the Borough Council and is not a provisional appointment or promotion for purposes of the civil service provisions of the Borough Code.

ARTICLE II
Warrantless Arrests
[Adopted 11-12-2012 by Ord. No. 832]

§ 56-15. Arrests without warrant authorized.

Borough Council hereby authorizes its police officers to make arrests without warrant upon probable cause when there is ongoing conduct that imperils the personal security of any person or endangers public or private property or when there are circumstances involving violence, or the imminent threat of violence, or the danger that the defendant might flee in accordance with 42 Pa.C.S.A. § 8902.

§ 56-16. Display of badge.

If possible, the arresting officer should be in uniform or display some badge of authority.

§ 56-17. Rules of Criminal Procedure.

The police officers of the Borough of Columbia are directed to follow all the Pennsylvania Rules of Criminal Procedure regarding making arrests and regarding the determination of whether probable cause exists for the making of an arrest.

§ 56-18. Arrest guidelines.

Any procedures and policies of the Bureau of Police for the Borough of Columbia regarding when, where and how its officers are authorized and entitled to make arrests upon probable cause, whether with a warrant or without, are incorporated herein and are determined to be the guidelines of the Borough of Columbia for making arrests without warrant upon probable cause in accordance with 42 Pa.C.S.A. § 8902.