

**Chapter 18**  
**POLICE DEPARTMENT**

**§ 18-1. Department established.**

**§ 18-4. Special policemen.**

**§ 18-2. Composition of Department.**

**§ 18-5. Warrantless arrests.**

**§ 18-3. Compensation of members.**

**[HISTORY: Adopted by the Borough Council of the Borough of Heidelberg 7-15-1980 as Ch. 18 of the 1980 Code. Amendments noted where applicable.]**

**GENERAL REFERENCES**

**Police Pension Fund — See Ch. 21.**

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**§ 18-1. Department established.**

A Police Department is hereby established in and for the Borough of Heidelberg.

**§ 18-2. Composition of Department. [Amended 12-15-2009 by Ord. No. 586, §1]**

The size, number and composition of the Heidelberg Borough Police Department will be determined by the Heidelberg Mayor and Borough Council and may consist of full time and/or part time officers.

**§ 18-3. Compensation of members.**

The compensation of the aforesaid police officers shall be as determined by Borough Council.

**§ 18-4. Special policemen.**

Nothing herein contained shall affect the authority of the Mayor to appoint special policemen during emergencies.

**§ 18-5. Warrantless arrests. [Added 6-17-1997 by Ord. No. 522]**

- A. Purpose. The purpose of this section is to permit borough police officers to make arrests, without a warrant, for specific summary offenses.
- B. General rule. An officer shall not take persons into custody for summary offenses except in those situations where the officer has probable cause to believe that the suspect is posing a danger to himself/herself or others. Officers may make an arrest without a warrant upon probable cause for any of the following offenses committed in the officers' presence when there is ongoing conduct that imperils the personal security of any person or endangers public or private property:

- (1) Under Title 18, § 5503,<sup>1</sup> pertaining to disorderly conduct;
  - (2) Under Title 18, § 5505,<sup>2</sup> pertaining to public drunkenness;
  - (3) Under Title 18, § 5507,<sup>3</sup> pertaining to obstructing highways or other public passages;  
and
  - (4) Under Title 18, § 6308,<sup>4</sup> pertaining to the purchase, consumption, possession or transportation of liquor or malted or brewed beverages.
- C. Prior to making an arrest in accordance with 42 Pa.C.S.A. § 8902, officers shall ensure that the following requirements contained within the statute are satisfied:
- (1) The officer has probable cause to believe that one of the aforementioned summary offenses is involved;
  - (2) The officer has probable cause to believe that the defendant's conduct is ongoing;
  - (3) The officer has probable cause to believe that the conduct constituting the summary offense occurred within the officer's presence or within the officer's view; and
  - (4) The officer has probable cause to believe that the conduct constituting the summary offense imperils the personal security of any person or endangers public or private property.

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<sup>1</sup> Editor's Note: See 18 Pa.C.S.A. § 5503.

<sup>2</sup> Editor's Note: See 18 Pa.C.S.A. § 5505.

<sup>3</sup> Editor's Note: See 18 Pa.C.S.A. § 5507.

<sup>4</sup> Editor's Note: See 18 Pa.C.S.A. § 6308.