

COPY

**TOWNSHIP OF UPPER MACUNGIE
LEHIGH COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2012-1
(Duly adopted April 5, 2012)**

**ORDINANCE CREATING A POLICE FORCE WITHIN
UPPER MACUNGIE TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA**

WHEREAS, the Township of Upper Macungie (“Township”), Lehigh County, Pennsylvania, is a political subdivision of the Commonwealth of Pennsylvania, governed under the Second Class Township Code (“Township Code”), Act of May 1, 1933, P.L. 103, No. 69, as reenacted and amended on July 10, 1947, P.L. 1481, No. 567, as further reenacted and amended on November 9, 1995, P.L. 350, No. 60, 53 P.S. Section 65101 et seq.; and

WHEREAS, the Township is governed and supervised by a three-member Board of Supervisors (the “Board”), 53 P.S. Section 65601; and

WHEREAS, among other matters, the Board is “***charged with the general governance of the township ***”, and it “*** shall *** perform duties and exercise powers as may be imposed or conferred by law.” 53 P.S. Section 65607(1) and (7); and

WHEREAS, joint police services (i.e., a force that serves two or more municipalities and is under the joint control and direction of the participating municipalities) can be organized under the provisions of the Intergovernmental Cooperation Law, 53 Pa. C.S.A. Section 2301 et seq.; and

WHEREAS, pursuant to the power conferred by the Township Code and under the authority of the Intergovernmental Cooperation Law, the Board enacted Ordinance No. 2000-07 which is an ordinance authorizing the Township to enter into an intergovernmental cooperation agreement creating a Regional Police Department; and

WHEREAS, subsequent to the enactment of Ordinance No. 2000-07, the Township entered into the Composite Charter of the Berks-Lehigh Regional Police Commission Agreement for Joint Police Services (“Composite Charter”), dated on or about December 31, 2000; and

WHEREAS, pursuant to the terms and conditions of the Composite Charter and any amendments thereto, the Township has given notice of its intent to withdraw and its support of the dissolution of the Commission effective December 31, 2012; and

WHEREAS, under the Township Code, the Board “*** may *** create *** a police force within the Township ***,” 53 P.S. Section 66901; and

WHEREAS, the Board wishes to create a police force within the Township in order “*** to

secure the health, safety and welfare of the citizens of the township,” 53 P.S. Section 65607(1), a duty which is imposed upon it by the Township Code.

NOW, THEREFORE, it is hereby ordained and enacted by the Board of Supervisors of Upper Macungie Township, Lehigh County, Pennsylvania, that:

1. Creation of Police Force. The Board hereby creates a police force within the Township which henceforth shall be known and referred to as the “Upper Macungie Township Police Department” with an effective date of January 1, 2013.

2. Appointment of Police. The Board shall provide for the organization and supervision of the Upper Macungie Township Police Department, and the Board shall determine the number and the compensation of the police officers. The Board may assign any police officer to undergo a course of training at any training school for police officers established or made available by the Federal or State Government and provide for payment of the officer’s expenses while in attendance at the training school.

3. Powers. Each police officer of the Upper Macungie Township Police Department shall have those powers and abilities as are granted to police officers under the laws of the Commonwealth of Pennsylvania or the rules of the Supreme Court of Pennsylvania or the ordinances of this Township for which a fine or penalty is imposed, unless otherwise excepted by law.

4. Shield. Each police officer, when on duty, shall wear a shield or badge with the words “township police” and the name of the Township inscribed thereon.

5. Miscellaneous. All ordinances or resolutions or parts thereof, insofar as they are inconsistent herewith, shall be and the same are hereby repealed, including (but not limited to) Ordinance No. 2000-07. This Ordinance shall be recorded in the Ordinance Book of the Township and it shall be effective five (5) days after adoption

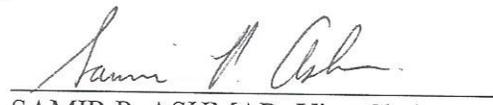
ENACTED AND ORDAINED the 5th day of April, 2012, by the Board of Supervisors of the

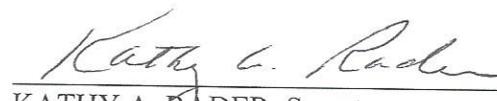
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Township of Upper Macungie, Lehigh County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF UPPER MACUNGIE
LEHIGH COUNTY, PENNSYLVANIA
BOARD OF SUPERVISORS


EDWARD J. EARLEY, Chairman


SAMIR P. ASHMAR, Vice-Chairman


KATHY A. RADER, Secretary

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