

ORDINANCE NO. 2025-____

AN ORDINANCE OF THE EAST ROCKHILL TOWNSHIP BOARD OF SUPERVISORS AMENDING CHAPTER 10 OF THE EAST ROCKHILL TOWNSHIP CODE TO CREATE A NEW PART 5 ENTITLED “WARRANTLESS ARRESTS” ADOPTING GUIDELINES FOR ARRESTS EFFECTUATED BY THE PENNRIDGE REGIONAL POLICE DEPARTMENT FOR CERTAIN SUMMARY OFFENSES CONSISTENT WITH THE PENNSYLVANIA RULES OF CRIMINAL PROCEDURE AND THE PENNSYLVANIA RULES OF JUDICIAL PROCEDURE

WHEREAS, the East Rockhill Township Board of Supervisors desires to adopt warrantless arrest procedures for certain summary offenses which upon probable cause when there is ongoing conduct that imperils the personal security of any person or endangers public or private property; **AND**

WHEREAS, the East Rockhill Township Board of Supervisors desires to amend the East Rockhill Township Code to provide procedures for warrantless arrests for certain summary offenses consistent with Section 8902 of the Pennsylvania Judicial Code (42 Pa.C.S. §8902) and the Pennsylvania Rules of Criminal Procedure.

NOW, THEREFORE, the East Rockhill Township Code is hereby amended as follows:

ARTICLE I

Chapter 10 of the East Rockhill Township Code, relating to Health and Safety, is hereby amended with the creation of a new Part 5 entitled “Warrantless Arrests.” The newly created Part 5 shall read as follows:

Part 5 Warrantless Arrests

§10-501 Authority to Arrest Without Warrant.

In addition to the powers provided by 53 P.S. §66905, relating to powers of police officers, and 42 Pa.C.S. §6324, relating to taking a juvenile into custody, police officers of the Pennridge Regional Police Department when operating within East Rockhill Township shall, upon view and upon probable cause, have the right of arrest without warrant when there is ongoing conduct that imperils the personal security of any person or endangers public or private property for the following offenses, consistent with Section 8902 of the Pennsylvania Judicial Code (42 Pa.C.S. §8902):

1. Disorderly Conduct (18 Pa.C.S. §5503)
2. Public Drunkenness (18 Pa.C.S. §5505)
3. Obstructing Highways (18 Pa.C.S. §5507)

4. Underage Drinking (18 Pa.C.S. §6308)

§10-502 Issuance of Summary Citations.

Where a warrantless arrest occurs under Section 501 of Part 5 of Chapter 10 of the East Rockhill Township Code, a citation shall be issued to the defendant at the time of his or her release and, thereafter, the case shall proceed in accordance with Chapter 4 of the Pennsylvania Rules of Criminal Procedure.

§10-503 Relationship to Other Laws and Regulations.

This Part does not and is not intended to limit any arrest powers conferred upon duly sworn Police Officers under any federal, state, or municipal law or regulation.

ARTICLE II REPEALER

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

ARTICLE III SEVERABILITY

If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than portion specifically declared invalid.

ARTICLE IV EFFECTIVE DATE

This Ordinance shall become effective five (5) days after final enactment.

ENACTED AND ORDAINED this 25th day of November, 2025.

ATTEST:

**EAST ROCKHILL TOWNSHIP
BOARD OF SUPERVISORS**

Marianne Morano, Manager

Gary W. Volovnik, Chair

David R. Nyman, Vice Chair

DRAFT

(Municipal Seal)

James C. Nietupski, Member