

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 1527 Session of  
1997

INTRODUCED BY VAN HORNE AND RAMOS, MAY 23, 1997

RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, SEPTEMBER 28, 1998

## AN ACT

1 Amending the act of August 9, 1955 (P.L.323, No.130), entitled  
2 "An act relating to counties of the third, fourth, fifth,  
3 sixth, seventh and eighth classes; amending, revising,  
4 consolidating and changing the laws relating thereto,"  
5 further providing for police duties.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Sections 2511 and 2512 of the act of August 9,  
9 1955 (P.L.323, No.130), known as The County Code, are amended to  
10 read:

11 Section 2511. Employees; Police.--(a) For the purpose of  
12 performing all necessary duties relating to the establishing,  
13 making, enlarging, extending and maintaining public parks,  
14 buildings and other county-owned properties and for enforcing  
15 the rules and regulations ordained or resolved by the county  
16 commissioners or by any body or board of control where no  
17 penalty or fine is involved, the county commissioners of the  
18 county are hereby authorized to employ or appoint and equip

proper persons to do all necessary and proper work connected therewith, including police or guard duty.

(b) The board of commissioners of any county of the third class may, by ordinance, create or disband a county park police force within the county. When such a county park police force is created in accordance herewith, the county commissioners shall have power to employ the number of officers as may be fixed by the salary board of the county. The compensation of the county park police officers shall be paid by the county.

Section 2512. Duty of Police.--(a) It shall be the duty of the police, county park police or guards appointed to duty in any recreation places, buildings and other county-owned properties, without warrant, forthwith to arrest any offender against the rules and regulations, ordained or resolved by the county commissioners, that they may detect in the commission of such offense, and to take the person so arrested forthwith before a magistrate, alderman or justice of the peace having competent jurisdiction.

(b) In the ordinance creating a county park police force, the county commissioners shall designate a PRIMARY jurisdictional area, which shall be limited to the geographic area upon which the county park police officers shall have jurisdiction, and which shall include only property owned, leased or controlled by the county or, by a county municipal authority, county redevelopment authority, county industrial development authority or agency, or county airport authority formed by the county, or by a community college of which the county is a local sponsor, whether such property is within or outside the territorial limits of the county., and county roads, streets and highways located in county parks and other property

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~~owned by the county or by a county authority.~~

~~(c) County park police officers shall have the power to make arrests, without warrant, for all violations of the laws of this Commonwealth or ordinances of the county for the violation of which a fine or penalty is imposed, which they may witness, and to serve and execute warrants issued by the proper authorities.~~

~~In cases of offenses for violation of any of the provisions of 75 Pa.C.S. (relating to vehicles), the power to make arrests~~

~~without warrant shall be limited to the jurisdictional area~~

~~defined in subsection (a) and in cases where the offense is~~

~~designated a felony, a misdemeanor or summary offense and cases~~

~~causing or contributing to an accident resulting in injury or~~

~~death to any person.~~ A COUNTY ROAD, STREET OR HIGHWAY SHALL NOT

BE DESIGNATED OR CONSIDERED AS A PRIMARY JURISDICTIONAL AREA

UNLESS IT IS LOCATED WITHIN THE BOUNDARIES OF A GEOGRAPHICAL

AREA OTHERWISE DESIGNATED BY ORDINANCE AS A PRIMARY

JURISDICTIONAL AREA PURSUANT TO THIS SECTION.

(C) COUNTY PARK POLICE SHALL HAVE THE POWER AND THEIR DUTY SHALL BE:

(1) TO ENFORCE GOOD ORDER AND PROTECT THE GROUNDS AND

BUILDINGS WITHIN A PRIMARY JURISDICTIONAL AREA;

(2) TO EXCLUDE ALL DISORDERLY PERSONS FROM THE GROUNDS AND

BUILDINGS WITHIN A PRIMARY JURISDICTIONAL AREA;

(3) TO EXERCISE THE SAME POWERS AS ARE NOW OR MAY HEREAFTER

BE EXERCISED UNDER AUTHORITY OF LAW OR ORDINANCE BY THE POLICE

OF THE MUNICIPALITIES WHEREIN THE PRIMARY JURISDICTIONAL AREA IS

LOCATED, INCLUDING, BUT NOT LIMITED TO, THOSE POWERS CONFERRED

PURSUANT TO 42 PA.C.S. CH. 89 SUBCH. D (RELATING TO MUNICIPAL

POLICE JURISDICTION);

(4) TO PREVENT CRIME, INVESTIGATE CRIMINAL ACTS, APPREHEND,

1 ARREST AND CHARGE CRIMINAL OFFENDERS AND ISSUE SUMMARY CITATIONS  
2 FOR ACTS COMMITTED ON THE GROUNDS AND IN THE BUILDINGS OF THE  
3 PRIMARY JURISDICTIONAL AREA AND CARRY THE OFFENDER BEFORE THE  
4 PROPER AUTHORITY AND PREFER CHARGES AGAINST THE OFFENDER UNDER  
5 THE LAWS OF THIS COMMONWEALTH. EXCEPT WHEN ACTING PURSUANT TO 42  
6 PA.C.S. CH. 89 SUBCH. D, COUNTY PARK POLICE SHALL EXERCISE THESE  
7 POWERS AND PERFORM THESE DUTIES ONLY ON THE GROUNDS OF THE  
8 PRIMARY JURISDICTIONAL AREA;

9 (5) TO ORDER OFF THE GROUNDS AND OUT OF THE BUILDINGS WITHIN  
10 THE PRIMARY JURISDICTIONAL AREA ALL VAGRANTS, LOAFERS,  
11 TRESPASSERS AND PERSONS UNDER THE INFLUENCE OF LIQUOR AND, IF  
12 NECESSARY, REMOVE THEM BY FORCE AND, IN CASE OF RESISTANCE,  
13 CARRY SUCH OFFENDERS BEFORE THE PROPER AUTHORITY; AND

14 (6) TO ARREST ANY PERSON WHO DAMAGES, MUTILATES OR DESTROYS  
15 THE TREES, PLANTS, SHRUBBERY, TURF, GRASS PLOTS, BENCHES,  
16 BUILDINGS, AND STRUCTURES OR COMMITS ANY OTHER OFFENSE ON THE  
17 GROUNDS AND IN THE BUILDINGS WITHIN THE PRIMARY JURISDICTIONAL  
18 AREA, AND CARRY THE OFFENDER BEFORE THE PROPER AUTHORITY AND  
19 PREFER CHARGES AGAINST THE OFFENDER UNDER THE LAWS OF THIS  
20 COMMONWEALTH.

21 (d) The county commissioners shall designate, from the  
22 county park police officers, the chief and such other ranks or  
23 classifications of officers as desired by the county  
24 commissioners.

25 Section 2. This act shall take effect in 60 days.