

**BOROUGH OF BELLEVUE**  
**COUNTY OF ALLEGHENY**  
**COMMONWEALTH OF PENNSYLVANIA**

**ORDINANCE NO. 23- 05**

**AN ORDINANCE OF THE BOROUGH OF BELLEVUE, A HOME RULE CHARTER MUNICIPALITY IN THE COUNTY OF ALLEGHENY, IN THE COMMONWEALTH OF PENNSYLVANIA AMENDING SECTIONS OF THE ADMINISTRATIVE CODE TO REVISE PROVISIONS OF THE DEPARTMENT OF PUBLIC SAFETY.**

**WHEREAS**, Bellevue Borough Council has reviewed the provisions of its Administrative Code with regard to expanding the definition of the Public Safety Department; and

**WHEREAS**, Bellevue Borough Council has held a duly noticed public hearing pursuant to §509 of the Home Rule Charter to inform and take public comment on proposed amendments to the Borough's Administrative System.

**NOW THEREFORE BE IT ORDAINED AND ENACTED** by the Borough Council of the Borough of Bellevue, in the County of Allegheny and Commonwealth of Pennsylvania, and it is hereby ordained and enacted by the authority of the same, in accordance with the provisions of the Act of Assembly of the Commonwealth of Pennsylvania, that Section 5-13 "Department of Police" be incorporated under Section 5-14, "Department of Public Safety" and that Section 5-14, "Department of Public Safety" be amended as follows:

**§ 5-14. Department of Public Safety.**

The Department of Public Safety shall be under the direction of a standing committee of Council appointed by the President in accordance with the rules of Council, and shall comprise the Code Enforcement Department, the Fire Department, the Volunteer Fire Association, the Fire Marshal, the Police Department and their respective subsections.

- A. Function. The Department of Public Safety shall be responsible for the protection of persons and property within the Borough or any contracted community; and the enforcement of applicable laws, ordinances, codes, and regulations related to the health and safety of Borough residents and visitors.
- B. Department of Building Inspections and Code Enforcement (reserved)
- C. Department of Fire and Emergency Services (reserved)
- D. Volunteer Fire Association

- (1) The Borough of Bellevue Council hereby authorizes and directs the maintenance of a volunteer fire association to supplement the efforts of the Bellevue Fire Department. Said volunteer fire association shall always be under the direct control and supervision of a Borough-appointed Fire Chief. The Chief of the Fire Department shall be a Borough employee and shall act as a department head as directed by ordinance.
- (2) The volunteer fire association shall be composed of membership groups as approved by Borough Council and the Association's charter and bylaws.
- (3) The volunteer fire association is hereby authorized to elect from their numbers such other officers as they may require for the proper conduct of the association.
- (4) All appropriations made by the Borough of Bellevue to, or for the use of, the volunteer fire association, whether tangible or intangible property, shall continue to be property of the Borough of Bellevue, and any expenditures voluntarily made by the volunteer fire association or citizens of the Borough of Bellevue for the purchase, repair, ornamentation or maintenance of any fire apparatus or equipment belonging to the Borough of Bellevue shall be deemed and treated as the property of the Borough of Bellevue and no fire apparatus or equipment shall be removed permanently from the Borough of Bellevue without the prior written consent of the Fire Chief.
- (5) While at the scene of an emergency, or while traveling to and from the scene of an emergency, fire apparatus and personnel of the volunteer fire association shall be under the supervision and control of the Fire Chief or, in the absence of the Fire Chief, a designated representative, who shall report to and be responsible to the Director of administrative services.

#### E. Volunteer Fire Relief Association

- (1) The Borough of Bellevue hereby recognizes the establishment of the Bellevue Volunteer Firefighters' Relief Association.
- (2) The Association has been formed for the benefit of Volunteer Fire Association members and their families, in order to provide benefits in the event of death, illness, temporary or permanent disability or accident suffered in the line of duty.
- (3) The Association is designated as the proper association to receive such funds as are due and payable to the Borough by the Commonwealth of Pennsylvania from the tax on premiums from foreign fire insurance companies, and other such taxes as may be imposed by the Commonwealth. Annual appropriations received by the Borough from the Commonwealth shall be distributed to the Association within 60 days of receipt in accordance with the Act of December 18, 1984, No. 205, Section 701 et seq., as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.
- (4) Bellevue Borough Council shall annually certify to the Auditor General of the Commonwealth the names of active association members and the percentage of service contributed by them for the protection of the Borough. Such certification shall be on forms as prescribed by the auditor general.

#### F. Fire Marshal (reserved)

## G. The Department of Police

The Department of Police shall be responsible for the protection of persons and property within the Borough against crime.

- (1) Responsibility. Responsibility for keeping of peace and order in the Borough shall be vested in the Police Department of the Borough. The Borough of Bellevue may agree with the Borough of Avalon, Borough of Ben Avon, Borough of Ben Avon Heights and Borough of Emsworth or any of said boroughs, for the purpose of providing police or police services for the Borough of Bellevue and said municipality or municipalities.
- (2) Duties. The Police Department and its personnel shall at all times aid the administration and enforcement within the Borough of the laws of the United States of America, the Commonwealth of Pennsylvania and the ordinances of Allegheny County and of the Borough. It shall be the duty of the Police Department to:
  - (a) Preserve the public peace.
  - (b) Prevent and detect crimes against persons and property.
  - (c) Police the streets and highways.
  - (d) Enforce traffic statutes, ordinances and regulations relating thereto.
  - (e) Enforce all criminal laws and ordinances.
  - (f) Detect and apprehend offenders and suspected persons.
  - (g) Maintain records and files of crimes and criminals.
  - (h) Operate facilities for the safekeeping of prisoners.
  - (i) Develop and conduct community relations and education programs.
  - (j) Operate and maintain the police radio and other municipal radio and emergency communication systems as may be assigned to the Department by the Chief Executive Officer.
  - (k) Maintain records and logs relating to radio and emergency communication systems as are required by law.
- (3) Operation and administration. Operation and administration of the Police Department shall be under the general supervision of the Mayor acting through the Chief of Police. The routine operation of the Police Department, including, but not limited to, the direction of the time during which, the place where, and the manner in which the police force shall perform its duties, shall be under the sole supervision of the Chief of Police.
- (4) Department head. The Department of Police shall be headed by a Chief who shall be responsible to the Chief Executive Officer for the performance of the function of the department.

- (5) Supervision of the Police Department. The highest-ranking officer within the Police Department shall be designated the Chief of Police. The Chief of Police shall be named and appointed by the Mayor with the confirmation of an absolute majority of the Council and shall serve at the pleasure of the Mayor. He shall meet all the qualifications for other Borough police officers as set out in § 1104 of the Charter and, in addition, shall have at least three years' creditable service in the field of law enforcement next prior to his appointment.
- (6) Selection of police officers and department employees. All Police Department personnel shall be, or upon their employment shall become, Borough employees. Except as hereinafter provided in this section, members of the police force, other than the Chief, shall be selected in accordance with the appointment provisions of the police civil service statutes of the Commonwealth of Pennsylvania applicable to the Borough in effect at the time of such selection. Police Department employees who are not members of the police force, as described in said statutes, shall be selected in accordance with the Borough personnel system as set forth in the Charter. All police officers shall have passed complete medical examinations as established by the civil service rules of the Borough of Bellevue of 1996, as amended, which are incorporated herein by reference thereto. All police officers shall be required to undergo and have passed psychological and/or psychiatric examinations.
- (7) Powers. Police officers shall have all the powers, protections and prerogatives now or hereafter conferred upon Borough police officers by ordinance or by law and upon constables of the Commonwealth of Pennsylvania. They shall have the power to make lawful searches, seizures and arrests for violation of any statute or ordinance in force in the Borough and to do such other acts as may be required of them by statute or ordinance.

ORDAINED AND ENACTED THIS 26<sup>th</sup> DAY OF September, 2023.

ATTEST:

BOROUGH OF BELLEVUE

Cindy L. Bahn  
Cindy L. Bahn, Secretary,  
Director of Administrative Services

By: Jodi Cerminara  
Jodi Cerminara, President  
Bellevue Town Council

Examined and approved this 26<sup>th</sup> day of September, 2023

Val Pennington  
Hon. Val Pennington, Mayor

