

**TOWNSHIP OF CUMBERLAND,
ADAMS COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2021-185

**AN ORDINANCE AMENDING CHAPTER 1 OF THE CODE OF THE
TOWNSHIP OF CUMBERLAND RECOGNIZING AND ESTABLISHING
THE CUMBERLAND TOWNSHIP POLICE DEPARTMENT**

WHEREAS, the Board of Supervisors of the Township of Cumberland, Adams County, Pennsylvania deems it to be in the best interest and the general welfare of the citizens and residents of the Township to update and amend Chapter 1 of the Code of the Township of Cumberland to recognize and establish the Cumberland Township Police Department; and

WHEREAS, Article XIX of the Second Class Township Code (53 P.S. § 66901-66915) permits the Board of Supervisors to provide for the establishment, organization, and supervision of a police department.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Supervisors of Cumberland Township, Adams County, Pennsylvania, that Chapter 1 of the Code of the Township of Cumberland, is hereby amended as follows:

SECTION 1. Chapter 1 of the Code of the Township of Cumberland, entitled “Administration and Government” is hereby amended by adding Part 5 entitled “Police Department” as follows:

Part 5 POLICE DEPARTMENT

- §1-501. A police department is established in and for the Township of Cumberland, Adams County, Pennsylvania. The Chief of Police shall be the chief executive of the Police Department and shall serve at the pleasure of the Board of Supervisors. He shall, under the direction of the Township Board of Supervisors, be in charge of the police force and have supervision over its members in the exercise of their powers, duties and authority. The Police Department existing on the effective date hereof shall constitute the Police Department hereby recognized and nothing herein shall affect the tenure of any of the members thereof.
- §1-502. Subordinate to the Chief of Police in the Police Department, the following classifications are hereby established: Lieutenant, Sergeant, Detective, patrol officer, and such additional classifications to which the Township Supervisors shall at any specific time have appointed one or more police officers. The order of authority among such subordinate classifications shall be in the order above listed. The number of persons to serve in each of such subordinate classifications on a full-time or a part-time basis, and the compensation of each as may be set forth in a collective bargaining agreement, shall be as determined by the Township Supervisors from time to time. The Board of

Supervisors shall have the exclusive authority to appoint all full-time and part-time positions and establish the duties thereof.

- §1-503. Members of the police department shall have such powers and duties as may be exercised by police officers under the laws of this Commonwealth, the rules of the Supreme Court, or the ordinances of the Township unless otherwise excepted by the Board of Supervisors.
- §1-504. The Board of Supervisors shall, from time to time, establish the insignia and shield of the Cumberland Township Police Department by Resolution.
- §1-505. Nothing herein contained shall affect the authority of the Township Supervisors to appoint special policemen or utilize the Cumberland Township Fire Police during emergencies.

SECTION 2. Repealer. All provisions of previous Ordinances of the Township of Cumberland which are contrary to this Ordinance are expressly repealed.

SECTION 3. Savings Clause. In all other respects, the Code of the Township of Cumberland shall remain as previously enacted and ordained.

SECTION 4. Severability. The provisions of this Ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid to be unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this ordinance.

SECTION 5. Effective Date. This Ordinance shall take effect in accordance with law.

ENACTED AND ORDAINED on this 25th day of May, 2021.

Cumberland Township Board of Supervisors, Adams County, Pennsylvania

ATTEST:

Carol Merryman
Carol Merryman, Secretary

David P. Waybright
David Waybright, Chairperson