

**Chapter 41**  
**POLICE DEPARTMENT**

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**[HISTORY: Adopted by the Council of the Borough of Berwick as indicated in article histories. Amendments noted where applicable.]**

**GENERAL REFERENCES**

Police Department canine dogs — See Ch. 82, Dogs, Art. III  
Police Pension Fund — See Ch. 43.  
Police Civil Service — See Ch. 39.

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**ARTICLE I**  
**General Provisions**  
**[Adopted 1-12-1970 as Ch. 69 of the 1970 Code]**

- § 41-1. **Composition.** [Amended 4-1-1974 by Ord. No. 1072; 4-1978 by Ord. No. 1123; 6-27-1980 by Ord. No. 1143]

The members of the Police Department of the Borough of Berwick may consist of a Police Commissioner, a Chief of Police and Assistant Chief of Police, Sergeant(s) and/or Corporal(s) and such other number of patrolmen not exceeding one per thousand population as the Borough Council may from time to time prescribe.

- § 41-2. **Promotions.** [Amended 4-1-1974 by Ord. No. 1072; 4-1978 by Ord. No. 1123; 6-27-1980 by Ord. No. 1143]

A. Promotion of any member of the Police Department below the rank of Assistant Chief shall be made by the Borough Council in the following manner:

- (1) Testing of police officers for advancement in rank will be conducted through the Police Civil Service Commission. This test will consist of two parts: oral and written. All applicants must take both parts.
- (2) Point system of promotions.
  - (a) Promotions will be made on a point system based on a maximum of 100 points, graduated in the following manner:
    - [1] A maximum of 40 points for the oral test and a maximum of 40 points for the written test. Example of point system application: 100% test score equals 40 points; 80% test score equals 32 points; 70% test score equals 28 points.
    - [2] The maximum for Commissioner/Chief's and Mayor's rating: 15 points.
    - [3] The maximum for education, police schooling: five points.
  - (b) The above procedures will be detailed in rules and regulations.
- B. The Commissioner shall be appointed by the Borough Council. The Council may dismiss the Commissioner, at its discretion, with two weeks' severance pay.
- C. The Chief of Police and/or Assistant Chief of Police shall be appointed by the Borough Council after Council's nominee for the respective position of appointment shall have been subjected, through the Police Civil Service Commission, to a noncompetitive examination, and the nominee shall have been certified by the Police Civil Service Commission as being qualified for the designated appointment.

#### **§ 41-3. Probationary period.**

All appointees as members of the police force, with the exception of the Chief of Police and present full-fledged members of the police force, shall be classified at the time of their respective appointments as "probationary" and shall serve such probationary period as the Borough Council shall prescribe.

#### **§ 41-4. Salary and clothing.**

- A. The salary of the members of the Police Department shall be fixed at such annual rates as Council shall establish by appropriate action.<sup>1</sup>
- B. In addition to the salaries herein provided, each member of the Police Department shall be supplied with such clothing and upon such terms and conditions as the Borough Council may designate.

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<sup>1</sup> Editor's Note: As to salaries and compensation generally, see Ch. 52.

**§ 41-5. Supervision.**

The supervision of the members of the Police Department in the performance of the ordinary duties of their respective offices shall be vested in the Mayor.

**§ 41-6. Council members to be ex officio patrolmen.**

All members of the Borough Council shall be ex officio patrolmen without salary or uniform allowance.

**§ 41-7. Special policemen.**

- A. The Borough Council may in its discretion appoint additional policemen who shall be designated as special policemen, who shall have no civil service standing or uniform allowance and who shall be paid such rates of pay as the Council may from time to time designate.
- B. All special policemen will receive 10 hours of instruction within 60 days of their appointment. Instruction will be prescribed by the Commissioner/Chief. [Added 4-1-1974 by Ord. No. 1072]
- C. Special policemen will be appointed as needed for the calendar year in which the appointment is made. A list of names for reappointment will be submitted to the Council by the Commissioner/Chief by the first Council meeting each year. No one shall be appointed a special policeman after he has reached the age of 55 years. [Added 4-1-1974 by Ord. No. 1072]

**§ 41-8. Adoption of rules and regulations.**

The Police Civil Service Commission is hereby authorized and empowered to adopt, subject to the approval of the Borough Council, rules and regulations relating to the appointment, suspension, demotion and removal of members of the police force.

**ARTICLE II****Special Police Officer in Charge of Animal Regulations  
[Adopted 1-12-1970 as Ch. 83 of the 1970 Code]****§ 41-9. Office created.**

The office of Special Police Officer of the Borough of Berwick in Charge of Animal Regulations is hereby created.

**§ 41-10. Appointment.**

There shall be appointed by the Borough Council during the month of January of each year, or as soon thereafter as feasible, an elector of the Borough of Berwick to act as Special Police Officer in Charge of Animal Regulations.

**§ 41-11. Duties.**

The duties of said officer shall be the same duties as performed heretofore by the High Constable in connection with the enforcement and regulation of the ordinances of the Borough of Berwick and the laws of the State of Pennsylvania prohibiting or regulating the running at large of dogs and in the enforcement of said regulations, the killing of dogs or their seizure and sale for the benefit of the borough and prohibiting and regulating the running at large of other animals and authorizing their seizure and sale for the benefit of the borough.

**§ 41-12. Regulating dogs at large.**

It shall be the duty of said officer to enforce the statutes of the State of Pennsylvania and the ordinances of the Borough of Berwick prohibiting and regulating the running at large of dogs and other animals and directing the killing of dogs and other animals or their seizure and sale for the benefit of the borough.

**§ 41-13. Fees.**

Said special officer shall receive, in addition to the amounts paid by the Commonwealth of Pennsylvania for his services, if any, the following fees from the Borough of Berwick: for each dog killed by him in the performance of his duties and in the enforcement of borough ordinances and state laws, the sum of \$50 for each dog disposed of.