

EXHIBIT "A"

Chapter 123

POLICE DEPARTMENT

ARTICLE 1

[HISTORY: Adopted by the Council of the City of Easton as indicated in article histories. Amendments noted where applicable.

GENERAL REFERENCES

Police pension plans	See Chapter 110
False Reports	See Chapter 281
Fees	See Chapter 285
Police services cost recovery..	See Chapter 427
Parking	See Chapter 560

123-1. - Composition.

The City of Easton shall at all times staff and maintain a full service police department, identified as the "*City of Easton Police Department*", under the direct control of the Mayor and the direct supervision of the City Administrator of the City of Easton. The Mayor shall have the sole authority and responsibility to appoint the head of the department identified as the Chief of Police, and any and all Deputy Chiefs of Police, with the approval of council, who shall be a police officer and possess all certifications, education and training required as such. The Chief of Police and Deputy Chiefs of Police shall be qualified by education and experience as a law enforcement administrator.

- A. The Chief of Police shall be the commanding officer of the Police Department and as such shall possess the same powers and may conduct the same duties as other police officers employed by the City of Easton.
- B. All appointments of police officers shall be in accordance with the civil service provisions of law and all other applicable laws.
- C. The organization of the Easton Police Department will be set by ordinance to include the total number of officers to be employed and the organizational rank structure under which the department shall operate.
- D. The Chief of Police shall have the authority, as an administrative prerogative, to hold vacant any open position or promotion for the purposes of successfully managing the department.

123-2. Classifications:

New Officers: New hires shall be selected from a civil service list created under the provision of the Civil Service Act and governed by the City of Easton Civil Service Rules and Regulations, as amended. Eligibility for new hires shall be defined in the City of Easton Rules and Regulations (Article III, Section 302 General Qualifications Police Department) and any amendments or revisions to said document.

Probationary Period: All new appointees shall serve a probationary period of one year from the receipt of the applicants MPOETC certification and, if his/her services prove satisfactory to the Chief of Police, at the expiration of the probationary period such appointee shall automatically be placed on a permanent status. If at any time during the probationary period the officer's performance is deemed not satisfactory, the Chief of Police may make recommendation for termination of employment to the City Administrator and the Mayor. Probationary appointees shall have no seniority rights during the probationary period, and may be disciplined, terminated or laid off at any time at the sole discretion of the Chief of Police with approval from the City Administrator and the Mayor. Nevertheless, the aforesaid right to discipline or terminate shall be for just cause. The probationary officer shall have no rights to appeal the discipline or the termination other than through Civil Service provisions.

Sergeants: Sergeants shall be promoted from a civil service list created under the provisions of the Civil Service Act, the provisions set forth in the Third Class City Code and governed by the City of Easton Civil Service Rules and Regulations. Eligibility for the position of Sergeant shall be defined in the City of Easton Civil Service Rules and Regulations (Article III, Section 311 Qualifications for Promotion) and any amendments or revisions to said document. Upon the certification of a Sergeant's list by the City of Easton Civil Service Board the Chief of Police shall make his/her recommendation to city council as to the best candidate for Sergeant from the top three candidates for approval.

Probationary Period: Any applicant promoted to a Sergeant's position shall serve a twelve month probationary period. The probationary period may be extended for an additional six (6) months in the sole discretion of the Chief of Police. If an officer promoted to Sergeant is involuntarily demoted, he or she has a right to file a grievance in accordance with the Collective Bargaining Agreement between the City of Easton and the Fraternal Order of Police, Washington Lodge No. 17.

Acting Sergeants: There shall be created within the Easton Police Department the position and title of acting Sergeant. The Chief of Police shall be authorized to appoint to the position of Acting Sergeant any member of the police force in good standing temporarily and for such length of time as may be rendered necessary by the needs of the department. Any officer specifically assigned to and performing the duties of Acting Sergeant shall be compensated at Sergeants rate at the time of the assignment.

Inspectors, Lieutenants, Captains: Inspectors, Lieutenants, and Captains shall be promoted from a civil service list created under the provisions of the Civil Service Act, the provisions set forth in the Third Class City Code and governed by the City of Easton Civil Service Rules and Regulations. Eligibility for the position of Lieutenant shall be defined in the City of Easton Civil Service Rules and Regulations (Article III, Section 311 Qualifications for Promotion.) and any amendments or revisions to said document. Upon creation of the Inspector, Lieutenant, or Captain Eligibility list the board shall certify that list representing those names having passed all phases of the examination process. This certified list shall be valid until such time that the promotional position(s) that were advertised and tested for, has been completed and a promotion(s) are awarded.

Note: For Purposes of appeal it should be noted that Inspectors, Lieutenant's and Captains are administrative positions in nature. If an officer is promoted to Inspector, Lieutenant or Captain and is involuntarily demoted, he or she has a right to file an appeal with the Civil Service Board. Nevertheless, the aforesaid right to discipline or terminate shall be for just cause. The probationary promoted officer shall have no rights to appeal the discipline or termination other than through Civil Service Provisions.

Probationary Period: Each newly promoted Inspector, Lieutenant and Captain shall serve a probationary period of one year from their promotion date, and if his/her services prove satisfactory to the Chief of Police, at the expiration of the probationary period such promotion shall automatically be placed on a permanent basis. If at any time during the probationary period the Inspector, Lieutenant or Captain's performance is not satisfactory, the Chief of Police may make recommendation for demotion of rank back to Officer's previous rank to the City Administrator and the Mayor with the approval of City Council.

123-2. - Powers and Duties.

- A. All sworn City of Easton Police Department officers shall be responsible for the preservation of the public peace, prevention of crime, apprehension of criminals, protection of the rights of persons and property, regulation of traffic, and the enforcement of the laws of the Commonwealth of Pennsylvania and the ordinances of the City of Easton. All sworn members will also be responsible for obeying and upholding all rules and regulations as set forth by the City of Easton Police Department and the rules and regulations in accordance herewith. All sworn City of Easton Police Department officers shall have all powers and duties that are vested in such police officers by the laws of the Commonwealth of Pennsylvania and the City of Easton ordinances.
- B. The Chief of Police, or his/her designee, shall be in direct command of the Police Force and shall, subject to the approval of the Mayor, make rules and regulations concerning the operation and management of the Police Department and shall be responsible for all City of Easton property in his or her custody. All sworn officers of the City of Easton Police Department shall perform such duties and comply with such rules and regulations as are prescribed by law.
- C. The City of Easton Police Department shall at all times operate as an accredited agency through the Pennsylvania Law Enforcement Accreditation Commission. As an accredited department the Easton Police Department shall maintain and operate under an accreditation sanctioned policy manual. The Chief of Police shall have the authority to authorize changes to the department rules and

regulations but at no time may these rules and regulations waiver from the acceptable practices set forth by the accreditation commission. The City of Easton Police Department policy manual will be maintained by the police department.

a. The City of Easton Policy Manual will contain rules and regulations governing at minimum, but not limited to, the following topics:

1. Code of Conduct – G.O. 1-2
2. Administrative Investigations (Citizen Complaint) – G.O. 2-5
3. Fitness and Wellness – G.O. 2-7
4. Special Duty Employment G.O. 2-11
5. Secondary Employment – G.O. 2-12
6. Legal Process – G.O. 4-1
7. Search and Seizure – G.O. 4-4
8. Prisoner Transport – G.O. 4-5
9. Evidence and Property – G.O. 4-6
10. Police Canines – G.O. 4-8
11. Unbiased Policing – G.O. 4-10
12. Temporary Holding Cell and Cell Operations – G.O. 4-12
13. Use of Force – G.O. 4-14
14. Juvenile Procedures – G.O. 4-15
15. Arrest Procedures – G.O. 4-22
16. Special Response Unit – G.O. 4-24
17. Police Response and Pursuit Procedures – G.O. 5-1
18. Traffic Enforcement – G.O. 5-4

**123-3 – Providing for Police Officers to Serve as Park Guards
(Adopted 9-14-77 by Ord. No. 2425)**

A. All members of the City Police are hereby appointed as park guards. Said park guards shall have in the parks and playgrounds and other public places beyond the limits of the City of Easton, the same power, in preserving the peace, maintaining order, and making arrests, as policemen have within the City of Easton.

123-4 Compensation

A. Members of the City of Easton Police Department shall be paid compensation in accordance with the contract negotiated between the City of Easton and The Fraternal Order of Police Washington Lodge 17. This compensation shall be reflected in the schedule of salaries and wages as provided by the City Ordinance now in effect or as hereafter adopted.

123-5 Citizen Complaint Procedure

- A. The accurate and unbiased investigation of complaints or allegations against members of the police department is one of the basic requirements of good law enforcement and effective public relations. Regardless of its source, nature and apparent validity, each complaint must be thoroughly investigated and the complainant made aware of the investigative process.

- B. All citizen complaints will be conducted, recorded and tracked as per Easton Police Policy, General Order 2-5 entitled Administrative Investigations.

**File of the
Council of the City of Easton, Pa.**

Ordinance No.

SESSION 2016

Bill No. 44

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Introduced by: Peter Melan – November 9, 2016
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Enacted by Council:
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AN ORDINANCE Amending Sections contained in Chapter 399 Parking Permits, of the Code of the City of Easton, Pa.

THE CITY OF EASTON HEREBY ORDAINS:

SECTION 1. Section 399-10 E (1) (c), be and it is hereby amended to read as follows:

- (c) Proof of Payment of Per Capita Tax, verification that all outstanding parking fines/fees have been satisfied for any and all vehicles of the owner; and

SECTION 2. Section 399-15 D (3), be and it is hereby amended to read as follows:

- (3) Proof of Payment of Per Capita Tax, verification that all outstanding parking fines/fees have been satisfied for any and all vehicles of the owner; and

SECTION 3. Section 399-19 B (2), be and it is hereby amended to read as follows:

- (2) A permit shall be issued upon application and payment of any applicable fee only to the eligible owner or operator and verification that all outstanding parking fines/fees have been satisfied for any and all vehicles of the owner.

SECTION 4. All Ordinances or parts of Ordinances inconsistent herewith be and the same are hereby repealed.

SECTION 5. This Ordinance shall become effective 30 days following adoption by Council.

Signed the day of , 2016

ATTEST: _____
City Clerk

Mayor

File of the Council of the City of Easton, Pa.

Ordinance No. **SESSION 2016** **Bill No. 45**

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Introduced by: Kenneth Brown – November 9, 2016

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Enacted by Council:

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AN ORDINANCE: Amending the 2016 Police Station Construction Fund Budget

THE CITY OF EASTON HEREBY ORDAINS:

SECTION 1. The 2016 Police Station Construction Fund Budget be and it is hereby amended as follows:

<u>Account No.</u>	<u>Description</u>	<u>Current Budget</u>	<u>Proposed Change</u>	<u>Proposed Budget</u>
124-2000-35811	Reimb. Fm. LT Debt	\$100,000.00	\$276,913.00	\$376,913.00
Total Revenue Increase			\$276,913.00	

<u>Account No.</u>	<u>Description</u>	<u>Current Budget</u>	<u>Proposed Change</u>	<u>Proposed Budget</u>
124-2000-04314	Legal	\$0.00	\$ 21,913.00	\$ 21,913.00
124-2000-42604	IT Infrastructure	\$0.00	\$230,000.00	\$230,000.00
124-2000-04660	Prof. Services	\$0.00	\$ 25,000.00	\$ 25,000.00
Total Expenditure Increase			\$276,913.00	

SECTION 2. All Ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

SECTION 3. This ordinance shall become effective immediately following adoption by Council.

Signed the day of November, 2016

ATTEST: _____
City Clerk

Mayor

File of the Council of the City of Easton, Pa.

Ordinance No. **SESSION 2016** **Bill No. 46**

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Introduced by: Kenneth Brown – November 9, 2016

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Enacted by Council:

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AN ORDINANCE: Amending the 2016 Debt Service Fund Budget

THE CITY OF EASTON HEREBY ORDAINS:

SECTION 1. The 2016 Debt Service Fund Budget be and it is hereby amended as follows:

<u>Account No.</u>	<u>Description</u>	<u>Current Budget</u>	<u>Proposed Change</u>	<u>Proposed Budget</u>
131-1000-03991	PY Undesignated	\$ 0.00	\$17,025.99	\$17,025.99
Total Revenue Increase				\$17,025.99

<u>Account No.</u>	<u>Description</u>	<u>Current Budget</u>	<u>Proposed Change</u>	<u>Proposed Budget</u>
131-1000-49471	GO Bond Principal	\$2,742,891.77	\$7,114.71	\$2,750,006.48
131-1000-49472	GO Bond Interest	\$2,059,519.18	\$9,911.28	\$2,069,430.46
Total Expenditure Increase				\$17,025.99

SECTION 2. All Ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

SECTION 3. This ordinance shall become effective immediately following adoption by Council.

Signed the day of November, 2016

ATTEST: _____
City Clerk

Mayor

**File of the
Council of the City of Easton, Pa.**

Ordinance No.

SESSION 2015

Bill No. 48

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Introduced by: Kenneth Brown – November 22, 2016

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Enacted by Council:

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AN ORDINANCE: FIXING THE TAX RATE FOR ALL CITY PURPOSES FOR THE YEAR 2017

THE CITY OF EASTON HEREBY ORDAINS:

SECTION 1. A tax rate of 24.95 Mill on each dollar of assessed valuation, provided such valuation is fixed at a rate of 50% of market value as established by the Northampton County Assessment Office, be and the same is hereby levied on all persons and property within the said City subject to taxation for City purposes for the year 2017 as follows:

	<u>Mills</u>	<u>Per One Dollar</u>	<u>Per One Hundred Dollars of Assessed Valuation</u>
General City Purposes	13.965	.013965	1.3965
Debt Fund Real Est. Tax	7.716	.007716	.7716
Rec. Fund Real Est. Tax	<u>3.269</u>	<u>.003269</u>	<u>.3269</u>
	24.950	.024950 per \$1.00	2.4950 per \$100

SECTION 2. All Ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

SECTION 3. This ordinance shall become effective January 1, 2017

Signed the day of December, 2016

ATTEST: _____
City Clerk

Mayor

Resolution
Of the
City of Easton, Pennsylvania

No. -2016

Date: November 22, 2016

Introduced by: James Edinger

RESOLVED, that Council has reviewed and approves a Settlement Agreement and Release, copy attached hereto, re: Sarah Trimmer vs. Cucciuffo and City of Easton Police Department, Northampton County Docket No.: C-0048-CV-2016-6199.

BE IT FURTHER RESOLVED, that Council authorizes the Mayor and City Controller to sign said Agreement and Release on behalf of the City and the City Clerk to attest to same.

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____
City Clerk

Mayor

Resolution
Of the
City of Easton, Pennsylvania

No. -2016

Date: November 23, 2016

Introduced by: David O'Connell

WHEREAS the Easton Historic District Commission at its November 14, 2016 meeting reviewed the plans and specifications of Julia McMahan, owner/applicant for 125 Spring Garden Street, Easton, Pa., for replacement of roof at 125 Spring Garden Street.

WHEREAS the Commission recommended approval of the Certificate of Appropriateness; and

WHEREAS the report has been submitted to the Council of the City of Easton, Pa., for review and approval of the Certificate of Appropriateness.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Easton, Pa., accepts and approves the Certificate of Appropriateness Report dated November 14, 2016 and hereby authorizes the issuance of a Certificate of Appropriateness commensurate with report of the Commission for 125 Spring Garden Street.

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____
 City Clerk

Signed: _____
 Mayor

Resolution
Of the
City of Easton, Pennsylvania

No. -2016

Date: November 23, 2016

Introduced by: David O'Connell

WHEREAS the Easton Historic District Commission at its November 14, 2016 meeting reviewed the plans and specifications of 315 Northampton LLC, owner/applicant for 315 Northampton Street, Easton, Pa., for renovations of the building at 315 Northampton Street.

WHEREAS the Commission recommended approval of the Certificate of Appropriateness; and

WHEREAS the report has been submitted to the Council of the City of Easton, Pa., for review and approval of the Certificate of Appropriateness.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Easton, Pa., accepts and approves the Certificate of Appropriateness Report dated November 14, 2016 and hereby authorizes the issuance of a Certificate of Appropriateness commensurate with report of the Commission for 315 Northampton Street.

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____
 City Clerk

Signed: _____
 Mayor

Resolution
Of the
City of Easton, Pennsylvania

No. -2016

Date: November 23, 2016

Introduced by: David O'Connell

WHEREAS the Easton Historic District Commission at its November 14, 2016 meeting reviewed the plans and specifications of Clark Gill, owner/applicant for 515 Ferry Street, Easton, Pa. for replacement of the roof at 515 Ferry Street.

WHEREAS the Commission recommended approval of the Certificate of Appropriateness; and

WHEREAS the report has been submitted to the Council of the City of Easton, Pa., for review and approval of the Certificate of Appropriateness.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Easton, Pa., accepts and approves the Certificate of Appropriateness Report dated November 14, 2016 and hereby authorizes the issuance of a Certificate of Appropriateness commensurate with report of the Commission for 515 Ferry Street.

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____
 City Clerk

Signed: _____
 Mayor

Resolution
Of the
City of Easton, Pennsylvania

No. -2015

Date: , 2015

Introduced by Kenneth Brown

BE IT RESOLVED, that the Council of the City of Easton, Pa., hereby removes its authorization for Cassandra Williams, Finance Director to sign checks, on behalf of the City for the following Lafayette Ambassador Bank Accounts, effective November 3, 2016;

BE IT FURTHER RESOLVED, that Council of the City of Easton, pa. hereby authorizes Luis Campos, City Administrator, on behalf of the City, to sign checks on the following Lafayette Ambassador Bank Accounts, effective November 3, 2016.:

General Fund	#411-069-3
Real Estate Lockbox	#8159772
Utility Lockbox	#7930057
Easton Parking Authority	#7503245

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____
 City Clerk

Signed: _____
 Mayor

Resolution
Of the
City of Easton, Pennsylvania

No. -2015

Date: November 9, 2016

Introduced by Kenneth Brown

BE IT RESOLVED, that the Council of the City of Easton, Pa., hereby removes its authorization for Cassandra Williams, Finance Director to sign checks, on behalf of the City for the following Lafayette Ambassador Bank Accounts, effective November 3, 2016;

BE IT FURTHER RESOLVED, that Council of the City of Easton, pa. hereby authorizes Luis Campos, City Administrator, on behalf of the City, to sign checks on the following Lafayette Ambassador Bank Accounts, effective November 3, 2016.:

General Fund	#411-069-3
Real Estate Lockbox	#8159772
Utility Lockbox	#7930057
Easton Parking Authority	#7503245

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____
City Clerk

Signed: _____
Mayor

