

RESOLUTION NO. 2022-19

**New Britain Township
Bucks County, PA**

**A RESOLUTION ENACTED IN ACCORDANCE WITH ACT 25 OF 1995
ESTABLISHING GUIDELINES AUTHORIZING AN ARREST WITHOUT
A WARRANT IN ACCORDANCE WITH THE ACT.**

WHEREAS, on November 17, 1996, the Governor of the Commonwealth of Pennsylvania signed an Act known as Act 25 of 1995; and,

WHEREAS, Title 42 of Pennsylvania Consolidated Statutes was amended by adding Section 8902 authorizing an arrest without a warrant for certain specific summary offenses; and,

WHEREAS, 42 Pa.C.S.A. Section 8902 (B) provides that the governmental body must promulgate guidelines to be followed by a police officer when making a warrantless arrest under 42 Pa C.S. A. Section 8902.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS,

Section 1

Subject to the requirements of Section 2, and pursuant to 42 Pa.C.S. § 8902(a), a police officer employed by New Britain Township shall have the right of arrest without warrant upon probable cause for the following offenses:

- (a) When such offense constitutes a summary offense:
 - a. Disorderly Conduct, 18 Pa.C.S. § 5503,
 - b. Public Drunkenness, 18 Pa.C.S. § 5505,
 - c. Obstructing Highways and Other Public passages, 18 Pa.C.S. §5507,
 - d. Purchase, Consumption, Possession, or Transportation of Liquor or Malt or Brewed Beverages, 18 Pa.C.S. § 6308.

Section 2

Prior to making an arrest under 42 Pa. C.S.A. 8902 any police officer shall ensure that:

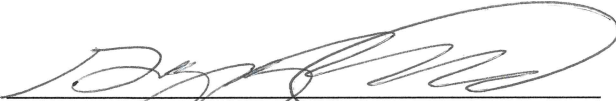
- (a) The suspect's conduct is ongoing;
- (b) The conduct constituting the offense is occurring within the officer's view, and
- (c) The conduct imperils the personal security of any person or endangers public or private property.

Section 3

At all times following an arrest without warrant pursuant to 42 Pa. C.S. § 8902, the police officer shall act in compliance with the provisions of Pennsylvania Rule of Criminal Procedure 441 (Procedure Following Arrest without Warrant).

DULY ADOPTED BY THE BOARD OF SUPERVISORS OF NEW BRITAIN TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, the lawful session duly assembled this 26th day of September, A.D. 2022.

NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS



Gregory T. Hood, Chair



William B. Jones, Co-Chair

SEAL


Cynthia M. Jones, Member



MaryBeth McCabe, Esq., Member



Stephanie Shortall, Member

Attest: 
Matt West, Township Manager