

JOINT RESOLUTION NO. 2008-19

A RESOLUTION OF THE TOWNSHIP OF LIBERTY AND THE TOWNSHIP OF HAMILTONBAN, ADAMS COUNTY, PENNSYLVANIA, ESTABLISHING A MUTUAL AID AGREEMENT FOR POLICE WITHIN THE TOWNSHIPS.

WHEREAS, Liberty Township and Hamiltonban Township desire to enter into mutual aid agreement for the provision of police, as may be requested or as is appropriate under certain circumstances, in each other's jurisdiction,

NOW THEREFORE, BE IT RESOLVED by the Boards of Supervisors of Liberty Township and of Hamiltonban Township, Adams County, Pennsylvania, that the duly appointed and acting police officers of Liberty Township and of Hamiltonban Township may provide police services to the other jurisdiction pursuant to this Agreement. It is further RESOLVED that:

1. Each municipality shall, and hereby does, empower its police to enter into the jurisdiction of the other municipality and to perform police functions when the request to so enter and to act has been requested by a police official from the other jurisdiction.
2. Police officers may enter and perform police functions in the other municipality without prior request when the circumstances constitute an emergency, a fresh pursuit, a call to aid another police officer, or the occurrence of any violation in a police officer's presence.
3. Nothing herein shall limit the power of the chief law enforcement officer of the primary jurisdiction, or his delegate, from re-assigning or recalling any officer of the primary jurisdiction who has entered into the other municipality pursuant to a mutual aid request or under any other circumstance stated in this agreement.
4. This agreement shall continue in effect until such time either municipality wishes to terminate said agreement, and provides no less than 30 days notice in writing to the other municipality of its intent to do so.
5. The entry into, and performance of police functions in, the other municipality's jurisdiction shall have no effect upon the duty of the primary jurisdiction to pay the compensation of the police officer or officers. The provisions of workers compensation coverage and liability coverage shall remain with the primary jurisdiction as the officer's employer.

6. In the event any specific provision of this agreement is found to be unconstitutional or invalid, it is the intent of the parties that all other provisions shall remain in full force and effect.

ADOPTED this ____ day of _____, 2008.

TOWNSHIP OF LIBERTY

Attest:

Chairman, Board of Supervisors

Its Secretary

ADOPTED this ____ day of _____, 2008.

TOWNSHIP OF HAMILTONBAN

Attest:

Chairman, Board of Supervisors
Robert L. Gordon

Its Secretary
LuAnn M. Dille