

**RESOLUTION #2025- 08**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF COATESVILLE,  
CHESTER COUNTY, PENNSYLVANIA, ESTABLISHING GUIDELINES  
AUTHORIZING AN ARREST WITHOUT A WARRANT.**

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

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

WHEREAS, 42 Pa.C.S.A. §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. §8902.

***NOW, THEREFORE, BE IT RESOLVED***, by the Council of the City of Coatesville, as follows:

**Section 1.** Prior to making an arrest under 42 Pa.C.S.A. §8902 any Police Officer shall ensure that:

- a) She/he has probable cause to believe that at least one of the following summary offenses is being committed:
  - 1) 18 Pa.C.S. §5503 (disorderly conduct).
  - 2) 18 Pa.C.S. §5505 (public drunkenness).
  - 3) 18 Pa.C.S. §5507 (obstructing highways and other public passages).
  - 4) 18 Pa.C.S. §6308 (purchase, consumption, possession or transportation of liquor or malt or brewed beverages).
- b) The suspect's conduct is ongoing;
- c) The conduct constituting the offense(s) is in the officer's view; and
- d) The conduct imperils the personal safety and security of any person or endangers the public or private property.

**Section 2.** Following an arrest pursuant to 42 Pa.C.S. §8902, the Officer shall forthwith satisfy the procedures set forth in Pennsylvania Rule of Criminal Procedure 440 (Arrest without warrant) and Pennsylvania Rule of Criminal Procedure 441 (Procedure following arrest without warrant).

*[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]*

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IN WITNESS WHEREOF, the Council of the City of Coatesville has adopted and enacted this Resolution this 14<sup>th</sup> day of April, 2025.



Linda Lavender Norris,  
City Council President

ATTEST:



James Logan,  
City Manager