

**COUNTY OF YORK, COMMONWEALTH OF PENNSYLVANIA
ORDINANCE NO. 1996-05**

**AN ORDINANCE IDENTIFYING ITEMS THAT ARE PROHIBITED
ENTRY INTO THE YORK COUNTY COURTHOUSE AND OTHER
COUNTY BUILDINGS, ESTABLISHING SECURITY REGULATIONS FOR ALL
COUNTY BUILDINGS, ESTABLISHING EXEMPTIONS FOR LAW
ENFORCEMENT OFFICERS, AND PROVIDING FOR IDENTIFICATION
AND ENTRY TO THE YORK COUNTY COURTHOUSE AND OTHER COUNTY
BUILDINGS OF COUNTY EMPLOYEES AND COURT MEMBERS OF THE
YORK COUNTY BAR**

BE IT AND IT IS HEREBY ORDAINED AS FOLLOWS:

York County Code, Part I, Chapter 85, is amended as follows:

ARTICLE I

§ 85-4. Searches.

Which reads:

All persons, even those with passes or appropriate credentials, shall be subject to search of the person by electronic means and search of all packages and carry-in items. The Sheriff will use spot-checking procedures for those persons holding official ID cards a minimum of once a month.

Shall be amended and changed as follows:

All persons, even those with passes or appropriate credentials, may be subject to search of the person by electronic means and search of all packages and carry-in items. The Sheriff may establish spot-checking procedures for those persons holding official ID cards as he shall deem appropriate.

ARTICLE II

§ 85-6.(New) Prohibited Items.

- A. No person shall enter any County building, unless otherwise exempted hereby, with any of the following items:

1. explosives or explosive devices;
2. firearms of any type, handheld rifles, or shotguns;
3. gas or spring activated BB or pellet guns;
4. any prohibited offensive weapon and/or dangerous weapon as defined by the Pennsylvania Crimes Code; and
5. such other items or devices as may be determined by the Sheriff of York County to represent a danger to any person in a public building.

B. Exemptions

Law enforcement officers "on duty" shall be permitted to carry with them any weapons issued to them or carried routinely in the performance of their duties as law enforcement officers. Also, certain personal defensive weapons such as small tear gas, pepper mace or electronic stun devices may be carried by certain County employees and members of the bar association after hours, if such devices are approved by the Sheriff of York County.

Notwithstanding any of the foregoing, the Court of York County is acknowledged as having inherent power over control of the courtroom and the courtroom environs. The Court of Common Pleas has established the following policy which may be changed from time to time concerning police officers:

1. Police officers shall not wear visible firearms in a courtroom. Concealed firearms may be worn by a police officer if so worn incident to his regular duties.
2. Police officers shall not appear in uniform as a witness at trial unless at the time they report to the courtroom for testifying they are on duty and have just come from duty or after testifying will report to duty. Under these circumstances, a police officer is not expected to have to change his clothes so as not to appear in uniform.

ARTICLE III

§ 85-7.(New) Firearms in Courthouse.

A. Procedures for police officers.

1. Police officers who are not on duty when appearing at the York County Courthouse for actual court appearance must surrender firearms. Police officers "on duty" shall comply with Court of Common Pleas orders that deal with dress or firearms.

2. Police officers appearing at the York County Courthouse on routine business other than court appearance may retain their weapons for short-duration visits if the Sheriff approves of the retention. Security monitors will be advised by the police officer relative to destination.

B. Lockers for firearms.

Firearms lockers are located at the entrances of the Courthouse for the use of police personnel, employees and members of the public.

ARTICLE IV

§ 85-8.(New) Wearing of Bar-Coded Name Identification Badges Required.

- A. The Board of County Commissioners does hereby direct that all County employees and staff will wear bar-coded identification badges in such form as shall be determined by the County Director of Human Resources in all departments at all times when on duty and/or in a County building. This includes elected and appointed officials.
- B. **Disciplinary Measures.** Should any employee refuse to wear the bar-coded identification badge, that individual may be charged with insubordination and be subject to appropriate disciplinary action, including violation of this Ordinance. It is acknowledged that the Court of Common Pleas has exclusive control of the courtroom and the courtroom environs and may adopt or refuse to adopt the applicability of the requirement of name tags in the courtroom or the courtroom environs.

ARTICLE V

§ 85-9.(New) Security Regulations.

The York County Commissioners, at the request of the York County Sheriff, to assure proper security in the York County Courthouse and other County buildings, hereby adopt the following rules and regulations:

- A. The Sheriff of York County shall establish a security unit for the York County Courthouse and other designated County buildings. These regulations shall apply to all County personnel, including appointed and elected officials, and all persons who enter County buildings unless expressly exempted.

B. Disciplinary Action.

All employees shall abide by these rules and regulations. Employees who violate these rules and regulations shall be subject to disciplinary action which may include dismissal. In addition, employees and all other persons will be subject to the penalties provided herein.

C. The intent of these regulations shall be to provide a safe work environment for employees and a safe place for members of the public to visit and receive the service provided in such public building by the County.

D. Identification Badges.

1. All staff within the County Government Center and the County Courthouse initially will be issued bar-coded identification badges which will include photo ID, name and other relevant information as may be needed for security and payroll processing under the County time and attendance system.
2. All employees issued identification badges shall be require to display such badges on the person at all times while in any County government facility.
3. The badges issued shall also provide ingress and egress when in the facilities monitored by the installed security devices. Employees and any other person using a personal bar-coded identification badge to allow other individuals or employees to gain access to, or egress from, County facilities will be subject to immediate dismissal or prosecution for violation of this Ordinance.
4. County identification badges shall not be transferrable and must be surrendered to the County Personnel Department prior to leaving government employment for any reason.
5. Personnel failing to surrender their identification badges prior to or at the time of termination of employment shall be subject to a Ten Dollar (\$10.00) administrative and material assessment charge for the badge, which must be paid prior to receiving their final paycheck.
6. Badges lost or misplaced by employees must be reported to the County Personnel Department immediately, and individuals losing or misplacing a badge for the second time shall be assessed the Ten Dollar (\$10.00) administrative and material charge prior to being issued a new badge.

7. Identification badges will be color coded and coordinated in order to allow employees access into those facilities that are necessary to conduct their business transactions.

E. Hours of Operation for Metal Detectors and Security Monitors.

1. The normal hours of operation for the metal detectors and security monitors in the County Government Center and the Courthouse shall be determined on an as-needed basis. Badges must be visibly worn by all County personnel. If it is necessary to be in the building after normal working hours, everyone shall be required to sign in and out on an after hours docket at the designated area.
2. During normal working hours, employees shall be required to pass through the metal detector system upon entering a building not authorized by their identification badges.

F. Employees to Use Identification Badges to Enter and Exit Facilities.

1. All employees and staff shall utilize their identification badges when first entering the building.
2. In the event that employees/staff misplace, lose or forget their identification badge, when reporting to work they will be required to inform the security monitor of the circumstances, and the monitors shall then call the department supervisor to verify authorization for admittance to the government facility.

- G. Visitors must proceed through the metal detectors or other security devices approved by the Sheriff when entering a County building.**

ARTICLE VI

§ 85-10.(New) Identification and Entry Procedures.

A. Employees, Appointed and Elected Officials

All County employees, appointed and elected officials shall be issued a bar-coded identification badge. Such individuals shall comply with all work conditions, rules and regulations promulgated by the County.

B. Members of the York County Bar Association

Members of the York County Bar Association shall be issued a bar-coded identification badge that will permit them to enter the Courthouse at the employee entrances. Such individuals shall be permitted to utilize after hours use of the Courthouse for the purpose of performing legal research in the County Law Library. Members of the Bar and after hour employees who gain access to the Courthouse with or without clearing the security facilities must agree to sign an application and agreement that contains the following language:

**APPLICATION FOR YORK COUNTY IDENTIFICATION BADGE
(MEMBER OF THE BAR OR YORK COUNTY EMPLOYEE)**

I do hereby certify that:

Check one:

_____ I am a member of the York County Bar Association

or

_____ I am an employee of York County and am supervised by

(name of supervisor)

I do hereby apply for a York County identification badge that will allow me to access to the York County Courthouse without clearing security and also to gain entry to the Courthouse at times when the Courthouse is closed to the public. I recognize after hours entry to the Courthouse to be a privilege involving self-discipline, honor and personal integrity that is conditioned upon my promise to follow the rules and regulations set forth herein and which may be from time to time amended by the York County Commissioners.

I agree to the following:

1. I will not carry any firearm or explosive device into the Courthouse at any time.
2. I agree to be subject to pat-down searches or use of the scanner at any time by the sheriff, his deputies, or the security officers who are in the Courthouse after hours.
3. I agree to sign a sign-in roster for all persons using the Courthouse after hours.

4. I also agree, if requested, to be searched or to pass through the entrance scanner during regular Courthouse hours, if requested to do so by members of the Sheriff's Department or other security officers employed by the County.
5. I agree to limit movement in the Courthouse after hours to the law library and the adjoining lawyer's lounge and toilet facilities.
6. I agree that I will not remove from the Courthouse any item as a result of my use of the Courthouse facilities after hours. (Law books may be removed if and only if in accordance with a system approved by the County Law Library Committee.)
7. I agree to keep and display the identification badge at all times while using the Courthouse facilities.
8. I agree not to allow anyone else to gain access to the Courthouse with the use of my identification badge. I will always use my identification badge to enter the Courthouse at the employee's entrance and will not enter there if opened by another identification badge. If I am found in the Courthouse "after hours" and the computerized security system does not have a record that I entered the Courthouse at a specified time, I will be presumed to have violated the rules and regulations of entry that require each individual to activate the Courthouse security system when entering the Courthouse. (Explanation: the bar code on your badge records the time of your entry to the Courthouse. If for some reason you enter the Courthouse during its open hours and do not use your security badge to enter, you must leave the Courthouse at closing time and use your badge to gain access to re-enter the Courthouse to use the law library. This is required so that your presence is noted on the County access computer records.)
9. I agree to pay Ten Dollars (\$10.00) for the first identification badge issued to me and understand that if I lose this card, I will be required to pay Fifty Dollars (\$50.00) for its replacement. If an identification badge is lost or stolen, I agree to immediately report this fact to the Human Resources Director, York County Government Center, One Hundred West Market Street, 2nd Floor, York, Pennsylvania 17401, within twenty-four (24) hours of recognizing that my badge has been lost or stolen. (Note: Initial payment provision does not apply to County employees.)
10. I understand that if I violate any of the conditions of this Agreement that I may be subject to penalties for violation which may include the loss of the use of the access badge for two years, a fine of not less than Fifty

Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00), and perhaps criminal prosecution, depending upon the seriousness of the violation.

11. For County employees who seek to gain access after hours, the following must also be signed:

I, _____, do hereby designate _____ (employee's name) as a key employee in whom I have complete trust and who must obtain access to the Courthouse or other County buildings after hours. I understand that it is necessary for me to justify the need for this employee to have after hours access to the Courthouse or other County buildings and will provide such justification upon request.

Date: _____

Applicant's Signature

Applicant's Name
(Print legibly or type)

Applicant's Street Address

Applicant's City, State, Zip

Applicant's Telephone No.

Applicant's Social Security No.

Supreme Court Identification No.
(if an attorney)

- C. **Jurors** (Sole control of jurors after they enter the Courthouse becomes the responsibility of the Court. This section may be modified by the Court at any time.)

Jurors shall be given identification badges so that they may be conveniently recognized and managed by Courthouse personnel. Jurors shall be given

specific instructions that when they come to the Courthouse to perform jury service that they may not bring with them firearms, weapons or explosive devices and that they are subject to reasonable searches while they are serving on jury duty. The Sheriff and Court Administrator may establish a program that permits immediate entry of the jurors reporting for jury duty and establishing a security process in the Central Jury Room where they will be identified and processed in a manner deemed appropriate by the President Judge.

D. Group Visitors

Group visitors must be chaperoned. If the tour guide vouches for the tour members and each has signed a security compliance agreement, entry may be accelerated past the entry portal. These groups will bypass the security system subject to the written understanding that the chaperon shall be fully responsible for keeping track of the tour members and for insuring that there is no violation of the County firearms and explosive devices policy. These groups will be subject to pat-down or use of the magnometer if it is deemed appropriate by the security personnel on duty at any location in the building.

E. Members of the Public

Members of the public shall be required to pass through a security check point but have free access to the County Courthouse and other County buildings without the need to be supplied with a specific identification badge. Members of the public, however, shall not enter any portion of any public building where access has been prohibited.

F. Minimal Attire Requirements

All persons entering the Courthouse shall be appropriately dressed. Persons seeking entry to the Courthouse with bare feet and/or bare chests will be denied access.

G. Animals to be Denied Entry

Except for seeing eye dogs, visitors may not bring animals of any kind into the Courthouse or other County buildings.

H. Other Prohibited Items

Except for disabled persons who use a scooter or self-propelled vehicle to transport themselves, no person, unless authorized in writing by the Sheriff, shall bring any of the following items into the Courthouse or other County buildings:

1. Bicycles
2. Roller skates
3. Skateboards
4. Roller blades
5. Scooters
6. Wagons
7. Shopping carts

ARTICLE VII

§ 85-11.(New) Additional Penalties.

If any person shall violate any of the specific conditions established for individuals who have a bar coded identification badge that allows entry into the Courthouse and shall be found guilty of the violation in a summary proceeding, such person may be, upon conviction thereof, fined not less than Fifty Dollars (\$50.00) or more than Five Hundred Dollars (\$500.00), or imprisoned up to ninety (90) days, or both, by the District Justice having jurisdiction of the matter. In addition, there shall be an automatic two (2) year loss of use of the access badge for an aggravated violation. Aggravated violation shall include carrying any firearm or explosive device into the Courthouse and failing to cooperate with the security authorities or a second specific violation of any of the conditions of entry.

ARTICLE VIII

§ 85-12.(New) Accessibility for Disabled Persons.

Under the Americans With Disabilities Act, pathways will be provided for individuals who need an accessible route adjacent to the fixed security device. Further accommodations will be provided on a regular basis or when deemed necessary by calling the County's ADA coordinator.

ARTICLE IX

§ 85-13.(New) ADA Compliance for Security.

A. Accommodations to be provided.

In accordance with the Americans With Disabilities Act (ADA), accommodations must be made to allow access into facilities with fixed security stations for individuals with disabilities.

1. Each of the facilities that have security stations (a metal detector and a monitor/guard) must have a security station at the accessible entrances.

The stations at the accessible entrances must have the same machinery and items that are used in the nonaccessible entrances with the addition of a wand. The Courthouse's accessible entrance is Mason Avenue and the Government Center's accessible entrance is on Beaver Street. Other accessible entrances will be added as security is expanded.

2. These accessible entrances will have the proper signs (the proper signs must comply with the ADA guidelines) designating these entrances.
3. Accessible routes will be provided to allow individuals with disabilities, who could not enter through the security stations, access. These routes will be adjacent to the security stations.
4. Individuals using the accessible routes will be screened by the security monitor/guard using a wand. This will allow accessibility into the buildings and security screenings to occur on everyone entering the facility.
5. The accessible path of travel must allow an individual with a disability to be in view of his/her personal belongings to the same extent as a person without a disability.
6. If an individual with a disability enters a facility with a security station, the security monitor/guard at that post will document the department/office that the individual is going to visit. This will help the county locate individuals who might need assistance with evacuating the facility if an emergency occurs. The security monitor/guard will document this information when the designated visitor's badge is given to the individual.
7. When the individual seeks to leave the Courthouse, the security monitor/guard will record the individual's departure from the facility. In this way the facility can keep an accurate record of how many individuals who might need assistance in an emergency situation are in the building.
8. An individual with a disability who is employed with a department/office in the secured facilities

B. Purpose.

The implementation of these guidelines is to allow travel throughout the county facilities and to assure the safety and well-being of all individuals who use these designated facilities.

ARTICLE X

§ 85-14.(New) Access to Judges to Courthouse.

Access to be Provided; identification required.

Security shall be advised that all County Judges are to have evening and weekend access to the Courthouse as the Judges wish, upon positive identification by exhibition of appropriate ID badges.

Judges and their employees shall be required to sign in on an after-hours roster so that the security personnel will know that they are present in the Courthouse.

It is understood and agreed that the inherent power of the York County Court exists to control its own proceedings, the conduct of participants, the actions of officers of the Court, and the environment of the Court is a power absolutely necessary for the Court to function effectively. The Court is recognized as having inherent power over the matter and the Court may, from time to time, adopt such written policies as it deems appropriate which will be included in this Code under this section or an additional section that may be established for the publication of all court orders not otherwise published.

ARTICLE XI

§ 85-15.(New) Rear Entrance to Courthouse.

A. Mason Alley entrance limited.

The Mason Alley entrance at the rear of the Courthouse will be limited to allowing access to employees, employee family members, authorized attorneys, clients with attorneys, law enforcement officers, approved vendors, disabled persons, and other persons designated by the Sheriff. All other persons must use the Market Street entrance.

B. Entrances for employees.

There will be a security monitor on duty beginning at 7:00 a.m. who will allow employees to enter the building using the Mason Alley entrance. Employees may still use the Market Street entrances, if they desire.

ARTICLE XII

§ 85-16.(New) Use of Rear Entrance to Courthouse by Attorneys.

Stipulations.

- A. Attorneys may enter through the rear employee's entrance off of Mason Avenue with the following stipulations:
 - (1) With the purchased swipe card they may enter without passing through the metal detectors, subject to periodic spot checks.
 - (2) With other identification verifying the subject as an attorney, they may enter, but must pass through the metal detectors.
- B. All others must enter through the Market Street door as a visitor.

ARTICLE XIII

§ 85-17.(New) Nighttime and Weekend Phone Numbers.

Means to contact security.

- A. Effective immediately, all persons needing to contact security at the Courthouse and Government Center after 5:00 p.m. weekdays and all day on weekends should:
 - (1) Contact security guard station
 - (2) If no answer from the security guard, use the cellular telephone numbers provided.
- B. The guards will carry a cellular telephone with them at all times. If you call and do not get an answer, please wait a few minutes and try your call again. If the guard is in the basement of the building, the telephone signal may not be received as well as on other floors; therefore, he/she may not be able to hear the signal as clearly.

ARTICLE XIV

§ 85-18.(New) Firearms in Government Center.

Effective immediately, police "on duty" doing official interviews and/or conducting official business in the Government Center may enter the Government Center with their weapons, upon being identified and noted as armed, for the record.

ARTICLE XV

§ 85-19.(New) Nighttime, Weekend and Holiday Use of the Courthouse by the Public.

Civic use of the Courthouse on holidays, weekends and in the evenings is permitted if approved by the Sheriff subject to the following:

- A. An application in the form prescribed by the Sheriff shall be submitted at least ten (10) days before the after-hours use of the Courthouse.
- B. A copy of the application shall be submitted to the County Chief Clerk who shall advise the Commissioners of the proposed use.
- C. Before granting permission for after hours use of the Courthouse, the Sheriff shall obtain approval of the Court Administrator so that permission to use the Courthouse will not conflict with Court-related activities.
- D. The Sheriff may promulgate such regulations as deemed necessary for after hours use security which shall be approved by the Commissioners before being put into effect.

ARTICLE XVI

§ 85-20.(New) Security in Government Center.

A. Visitors to be escorted after hours.

Any staff personnel conducting meetings after 5:00 p.m. that require visitors within the facility must escort the visitors to the Beaver Street security desk upon leaving or make arrangements to have another county staff person escort the visitor to the Beaver Street desk upon leaving.

B. Display of employee identification.

In order that the security personnel are able to maintain and enforce the security within the Government Center facility, all personnel must display their employee ID on an outside article of their clothing.

C. Firearms Lockers

Firearms lockers are located at the entrances of the Government Center for police personnel, employees and members of the public.

ARTICLE XVII

§ 85-21.(New) Penalties.

Any violation of this Ordinance for which no penalty is provided shall be controlled by this section. Any person who shall violate any section of this Ordinance and be found guilty of the violation in a summary proceeding before the district justice of the peace having jurisdiction of the matter may, upon conviction thereof, be fined not less than Fifty Dollars (\$50.00) or more than Five Hundred Dollars (\$500.00) and imprisoned up to ninety (90) days, or both.

ARTICLE XVIII

§ 85-22.(New) Severability.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the York County Board of Commissioners that this Ordinance would have been adopted and would be enforceable had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

ARTICLE XIX

§ 85-23.(New) Effective Date.

This Ordinance shall become effective immediately.

DULY ENACTED AND ORDAINED this 21st day of August, 1996, by the Board of Commissioners of York County, Pennsylvania, in lawful session duly assembled.

COUNTY OF YORK:

[Signature]

[Signature]

[Signature]

Board of Commissioners

ATTEST:

[Signature]
Chief Clerk

The above Ordinance was ordained, enacted and adopted this 21st day of August, 1996, at a regular meeting of the Board of Commissioners of the County of York, Pennsylvania, upon motion of Christopher B. Reilly, seconded by Shirley L. Glass, and passed with a vote of 3 Yes and 0 No.