

BOROUGH OF MIFFLINBURG
UNION COUNTY, PENNSYLVANIA

ORDINANCE NO: 2026 - 06

AN ORDINANCE OF THE BOROUGH OF MIFFLINBURG, COUNTY OF UNION, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE CIVIL SERVICE RULES AND REGULATIONS OF THE BOROUGH OF MIFFLINBURG ADOPTED BY ORDINANCE NO. 2017-01, AND RE-ENACTING PRIOR AMENDMENTS THERETO.

IT IS HEREBY ENACTED AND ORDAINED by the Borough Council of the Borough of Mifflinburg, Union County, Pennsylvania, as follows:

WHEREAS, the Borough of Mifflinburg has in place a Civil Service Commission for the purpose of assisting in the hiring of employees for the Mifflinburg Borough Police Department; and

WHEREAS, by Ordinance No. 2017-01, the Council of the Borough of Mifflinburg adopted the Civil Service Rules and Regulations governing the conduct of the Civil Service Commission in the employment application procedure; and

WHEREAS, Section 1-421 of the Civil Service Rules and Regulations provides that Borough Council may from time to time approve future amendments or revisions to the Rules and Regulations by Ordinance; and

WHEREAS, 8 Pa.C.S. § 1176(a) provides that the Civil Service Commission may prescribe, amend and enforce rules and regulations for carrying into effect the provisions of Subchapter C of Chapter 11 of Title 8, that such rules and regulations and amendments thereto shall first be approved by Council before taking effect, and that once approved they shall not be annulled, amended or added to without the approval of Council, but does not prescribe the form in which such approval by Council shall be given; and

WHEREAS, the Council of the Borough of Mifflinburg desires to conform Section 1-421 of the Civil Service Rules and Regulations to the requirements of 8 Pa.C.S. § 1176(a); and

WHEREAS, since the adoption of Ordinance No. 2017-01, amendments to the Civil Service Rules and Regulations have been approved by Resolution Nos. 2021-04, 2021-05, 2022-04, 2022-05, 2022-23, and 2026-08; and

WHEREAS, the said Resolutions were not advertised as ordinances, and the codified Civil Service Rules and Regulations do not presently reflect the amendments made thereby; and

WHEREAS, the Council of the Borough of Mifflinburg desires to re-enact the substance of those amendments by Ordinance, and to adopt certain further amendments, so that the Civil Service Rules and Regulations may be set forth in a single, consolidated, and duly enacted form; and

WHEREAS, from time to time it is necessary to amend these Civil Service Rules and Regulations.

NOW, THEREFORE, be it, and it is hereby **ORDAINED** by the Borough Council of the Borough of Mifflinburg, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

AMENDMENT OF ORDINANCE:

SECTION 1: Amendment to Section 1-421 relating to Adoption and Amendment of Rules and Regulations.

Section 1-421(1) of the Civil Service Rules and Regulations is hereby amended to read as follows:

1. These Civil Service Rules and Regulations are adopted pursuant to the authority of Article XI, §§ 1170 through 1194, of the Borough Code of the Commonwealth of Pennsylvania (Borough Code) and are to be interpreted therewith. The Commission may from time to time prescribe, amend, revise, or add to these Rules and Regulations. No such amendment, revision, or addition shall take effect unless and until it has first been approved by Council of the Borough of Mifflinburg (Borough Council). Borough Council may approve any such amendment, revision, or addition by resolution or by ordinance.

SECTION 2: Amendment to Section 1-424 relating to Qualifications for Police Officers.

A. Section 1-424, Subsection 1.C, relating to the age requirement for applicants, is hereby amended by striking the words “18 years of age” and inserting in lieu thereof the words “21 years of age,” so that Subsection 1.C shall read as follows:

Age Requirement. No person shall be eligible to apply for any Police Officer position in the Police Department unless such person is at least 21 years of age on the date of application. Each applicant shall be required to present satisfactory evidence of date of birth.

B. Section 1-424, Subsection 2.A(3), relating to certification and training, which presently reads “Possess Act 120 certification and a current Municipal Police Officer Education Training Commission (MPOETC) card or be eligible to obtain a waiver of training and a current MPOETC card within 120 days of appointment,” is hereby amended to read as follows:

(3) Possess Act 120 certification and a current Municipal Police Officers’ Education and Training Commission (MPOETC) number at the time of appointment, or be eligible to obtain a waiver of training and a current MPOETC number at the time of appointment; provided, however, that an applicant who does not satisfy the foregoing may be considered for appointment as a Police Cadet upon the terms set forth in Subsection 2.A(4) below.

C. Section 1-424, Subsection 2.A, is hereby amended by the addition of a new paragraph (4), to read as follows:

(4) Police Cadet. An applicant appointed as a Police Cadet shall be employed in a training status for the purpose of attending and completing a basic police training academy and obtaining Act 120 certification and a current MPOETC number. The eligibility, compensation, training obligations, probationary status, benefit treatment, and repayment obligations of a Police Cadet shall be governed by the Side Letter of Agreement between the Borough and the Mifflinburg Borough Police Association, a copy of which is attached hereto and incorporated herein as Exhibit A. Appointment as a Police Cadet shall be conditioned upon the applicant’s execution of the Side Letter of Agreement.

D. Section 1-424, Subsection 2.A, is hereby amended by the addition of a new paragraph (5), to read as follows:

(5) In the evaluation of applicants, preference shall be given to applicants who possess Act 120 certification and a current MPOETC number at the time of application over applicants who do not.

E. Section 1-424, Subsection 3.A, relating to special qualifications required for advanced ranks other than Chief of Police, which presently reads “A minimum of three years’ continuous service as a Police Officer on the date of application,” is hereby amended to read as follows:

A. A minimum of five years’ continuous service as a Police Officer on the date of application;

The preamble to Section 1-424, Subsection 3, and Subsections 3.B, 3.C, and 3.D remain unchanged.

SECTION 3: Amendment to Section 1-425 relating to Examinations.

A. Section 1-425, Subsection 2, relating to General Examination Requirements, is hereby amended by the addition of a new Subsection 2.C, relating to Physical Fitness Testing, to read as follows:

C. Physical Fitness Testing. The physical fitness examination required by Subsection 2.A shall be conducted using the “Cooper National Test Battery” as amended, and relied upon by the Pennsylvania Chiefs of Police Association, to include the following tests:

- a) 300 meter (330 yards) timed run.
- b) Push-ups.
- c) Sit-ups.
- d) 1.5 mile run.

The applicant standards for each of the foregoing tests shall be those set forth in the Physical Readiness Test Battery maintained by the Police Department and amended from time to time by resolution of the Borough Council.

B. Section 1-425, Subsection 3.A, relating to Written Examinations, which presently designates the Pennsylvania Chiefs of Police Association, or such other agency designated by the Commission, as charged with overseeing the administration of written examinations, is hereby amended to read as follows:

A. Written Examinations. The Commission shall administer or may appoint an agency or a qualified individual to administer a written examination, including but not limited to providing notice of

examination; preparing, collecting, and tracking applications and examination fees, if applicable; creating or ordering and grading examinations; compiling and distributing the eligibility list; and such other duties as agreed upon by the Commission. Examinations shall be open to all applicants who have the minimum qualifications required by these Rules and Regulations for the position in question.

C. Section 1-425, Subsections 4.A and 4.B, relating to Passing Scores, are hereby amended by striking the figure “80%” wherever it appears therein and inserting in lieu thereof the figure “70%,” so that Subsections 4.A and 4.B shall read as follows:

A. Written Examination. The written examinations shall be graded on a scale of 100 points. The passing grade for the position of Police Officer shall be 70%; the passing grade for positions above the rank of Police Officer shall be 70%. Applicants scoring less than the passing score shall be rejected. All applicants shall be given written notice of their test results.

B. Oral Examination. The oral examinations shall be graded on a scale of 100 points. The passing grade for the position of Police Officer shall be 70%; the passing grade for positions above the rank of Police Officer shall be 70%. An applicant for the position of Police Officer who does not obtain a score of 70%, after combining the weighted scores on the written examination and oral examination, shall be rejected. Applicants for positions higher than the rank of Police Officer must obtain a total weighted score of 70%.

SECTION 4: Prior Resolutions.

The amendments to the Civil Service Rules and Regulations previously approved by Resolution Nos. 2021-04, 2021-05, 2022-04, 2022-05, 2022-23, and 2026-08 are hereby superseded by this Ordinance. To the extent that any provision of the foregoing Resolutions is inconsistent with this Ordinance, this Ordinance shall control.

SECTION 5: Severability.

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance.

SECTION 6: Repealer.

All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed.

SECTION 7: Effective Date.

This Ordinance shall take effect immediately upon enactment.

ORDAINED and **ENACTED** this 20th day of October 2026, at a duly assembled public meeting by the Borough Council of the Borough of Mifflinburg, Union County, Pennsylvania.

ATTEST:

BOROUGH OF MIFFLINBURG

Margaret A. Metzger, Secretary

By: _____
Beverly L. Hackenberg, President

Approved this _____ day of _____, 20____.

David M. Cooney, Mayor