

Ordinance

False Alarms

97-9-A

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL,
COUNTY OF BEAVER AND COMMONWEALTH OF
PENNSYLVANIA, IMPOSING THE COSTS OF EMERGENCY
RESPONSE TO FALSE ALARMS UPON OWNERS OF THE
PREMISES

WHEREAS, the Police and Fire Departments of the Township of Hopewell, receive certain emergency police, fire, and EMS alarms in their own right and through Beaver County Emergency Management Services, Beaver County, Pennsylvania; and

WHEREAS, false police, fire, and/or EMS alarms are received as the result of careless or accidental setting, improperly maintained or defective alarm systems and also as the result of persons improperly installing such alarms, the result of which often is that police, fire, or EMS personnel and equipment are unnecessarily called out to the detriment of the citizens and residents of the Township of Hopewell; and

WHEREAS, the Board of Commissioners of the Township of Hopewell are desirous of minimizing the incidents of false alarms, promoting efficiency and general safety and reducing associated costs; and

WHEREAS, to achieve this goal, the Board of Commissioners deems it necessary to impose the cost associated with false alarms upon the owners of the premises.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Commissioners of the Township of Hopewell, Beaver County, Pennsylvania, and it is hereby ordained and enacted by and with the authority of the same:

SECTION I: Definitions - as used in this ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

Alarm - A communication to the police, fire, or EMS departments indicating that a crime, fire or other emergency situation warranting immediate action by the police, fire, or EMS departments has occurred or is occurring.

Alarm Device - A device designed to automatically transmit an alarm by wire, telephone, radio signal or other means 1) to the Beaver County Emergency Management Services or Hopewell Police desk, 2) to a person who is instructed to notify the Beaver County Emergency Management Services or Hopewell Police desk of the alarm, or (3) to activate a bell or sounding device to be heard outside a building which is intended to alert the police or others to the existence of a crime, fire or other emergency situation warranting action by emergency services.

EMS - The Emergency Medical Services of the Township.

False Alarm - An alarm to which the police, fire, or EMS department respond resulting from the activation of an alarm device when a crime, fire or other emergency warranting immediate action by the police department, fire department, or EMS has not in fact occurred.

Indirect Alarm Device - An alarm device designed to transmit an alarm to a person who is instructed to notify the police or fire department, or other emergency service of the alarm.

Intentional False Alarm - A False Alarm knowingly and purposefully set by an individual.

Person - An individual, corporation, partnership, incorporated association or other similar entity.

Township - The Township of Hopewell, Beaver County, Pennsylvania.

In this ordinance, the singular shall include the plural; the plural shall include the singular; the masculine shall include the feminine and the neuter.

SECTION II - Intentional False Alarms

It shall be unlawful to cause an Intentional False Alarm. If a false alarm is deemed to be intentional a fine of one thousand dollars (\$1,000.00) shall be imposed.

SECTION III - False Alarms

1) Accidental false alarms. Any person owning the premises from which an accidental false alarm, from an alarm device or indirect alarm device, is emitted for any reason shall pay to the Township of Hopewell a charge for each and every accidental false alarm to which the police, fire and/or EMS or other emergency service responds, in each calendar year, as follows:

First alarm each year as determined from time to time by Resolution.

Second to fifth alarm each year as determined from time to time by Resolution

Sixth to tenth alarm each year as determined from time to time by Resolution

Eleven or more alarms each year as determined from time to time by Resolution

2) The charges imposed by this ordinance shall not apply to false alarms due to weather conditions or the first three false alarms which shall occur during the first six (6) months from initial installation of the system due to system malfunction and one false alarm per year thereafter.

3) When an accidental false alarm occurs, the Township shall notify by regular mail the person owning the premises from whom the false alarm charge is due and the amount thereof.

4) An accidental false alarm charge shall be due and payable to the Township of Hopewell thirty (30) days from the date of the notice of the charge.

5) Failure of a person to pay a false alarm charge on or before the date due shall constitute a violation of the ordinance,

and shall subject said person to the penalties set forth in Section V hereof.

6) From the effective date of this ordinance, all owners of premises wherein an alarm system is in place shall be responsible for the proper installation and maintenance of the alarm device so as not to cause false alarms.

SECTION IV - Administration and Enforcement - The Township Manager shall develop and implement the necessary procedures for the effective administration and enforcement of this ordinance.

SECTION V - Penalties - Any person, firm, partnership, or corporation who shall fail to pay a charge for a false alarm, shall upon conviction before the District Magistrate thereof, be sentenced to pay a fine not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00) in addition to the charge.

SECTION VI - Repealer - All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION VII - Severability - If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionally, illegality or invalidity shall not effect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Board of Commissioners that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

ORDAINED AND ENACTED into law by the Board of Commissioners of Hopewell Township this 14 day of ~~January, 1997~~, to be effective immediately. October, 1997

ATTEST:

By: *Peter L. Yanny Bates*
Township Secretary

TOWNSHIP OF HOPEWELL

By: *Patsy A. DeLuca, Jr*
Chairman, Board of Commissioners