

TOWNSHIP OF NORTH CORNWALL
LEBANON COUNTY, PENNSYLVANIA

ORDINANCE NO. 255

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF NORTH CORNWALL ESTABLISHING STANDARDS AND REGULATIONS FOR VARIOUS TYPES OF BURGLAR, FIRE AND OTHER EMERGENCY ALARM DEVICES WHICH REQUIRE RESPONSE BY THE TOWNSHIP POLICE AND/OR LOCAL FIRE COMPANIES IN NORTH CORNWALL TOWNSHIP, LEBANON COUNTY, PENNSYLVANIA INCLUDING ESTABLISHING A SHORT TITLE, PURPOSE, SCOPE, DEFINITIONS, REGISTRATION PROVISIONS, OPERATIONAL STANDARDS, INTENTIONAL FALSE ALARM REGULATIONS, FALSE ALARM ADMINISTRATIVE FEES, AND PENALTY FOR VIOLATION THEREOF

BE IT ENACTED AND ORDAINED by the Board of Supervisors of North Cornwall Township, Lebanon County, Pennsylvania (the "Township"), and is hereby ENACTED AND ORDAINED by the authority of the same as follows:

Section 1. Short Title. This Ordinance shall be commonly known and may be cited as "Township of North Cornwall Alarm Ordinance."

Section 2. Purpose. The purpose of this Ordinance is to provide standards and regulations for various types of burglar, fire and other emergency alarm devices which require response by the Township police and/or local fire companies.

Section 3. Scope. The provisions of this Ordinance shall apply to any person who operates, maintains, owns or rents any alarm device designed to summon the Township police and/or local fire companies to any location within the Township in response to any type of alarm signal.

Section 4. Definitions. For the purpose of this Ordinance the following terms are defined as follows:

Alarm - a communication indicating or warning that a crime, fire or other emergency situation warranting immediate action by the Township police or local fire companies has occurred or is occurring.

Alarm Device - a privately owned or rented and operated electronic, electrical, mechanical or similar device designed to transmit an alarm by wire, telephone, radio, audible signal (bell, horn, siren, etc.) or other means to the Township police, local fire companies or to any person or firm who or which is instructed to notify the Township police or local fire companies, or to any person

who is within the sound transmission distance limits of such audible signal. This term shall not include "smoke detectors," normally installed in private residences, when such audible signal does not transmit to the outside of such private residence.

False Alarm - any alarm actuated by inadvertence, negligence, or unintentional act of any person, and shall include alarms caused by malfunctioning of the alarm device or other relevant system. This term shall not include an alarm device set off due to electrical storms, or like circumstances, over which the person having an alarm device under this Ordinance has no control.

False Alarm Administrative Fee - the fee payable to the Township resulting from false alarms which require response by the Township police and/or local fire companies.

Intentional False Alarm - a false alarm resulting from the intentional activation of an alarm device by a person under circumstances where the person has no reasonable basis to believe that a crime, fire or other emergency warranting immediate action by the Township police or local fire companies has occurred or is occurring.

Person - any individual, partnership, corporation, association, institution, cooperative enterprise, agency or any legal entity, whatsoever, which is recognized by law as the subject of rights and duties. The singular shall include the plural, and the masculine, the feminine and the neuter.

Registrant - a person causing registration of an alarm device or a person having an alarm device registered under this Ordinance with the Township police.

Registration - any person having a presently existing alarm device, or installing an alarm device in any premises in the Township, shall submit the information, hereinafter specified, to the Township police, which will document such alarm device with the Township police.

Township - the Township of North Cornwall, Lebanon County, Pennsylvania.

Section 5. Registration.

(A) It shall be unlawful for any person owning, leasing, maintaining property, or a person otherwise occupying a premises in the Township, to put an alarm device into operation on his or its premises, or to allow an alarm device to

be put into operation on his or its premises, without first causing registration of such alarm device with the Township Police.

(B) In order to cause registration of such alarm device, a person shall submit the following information to the Township police:

(1) His, her or its name.

(2) His, her or its home address and/or principal business address and the telephone number of each.

(3) The location at which the alarm device is or will be installed or operated; and type of alarm.

(4) The names and addresses and telephone numbers of at least two (2) individuals, who have keys to the premises at which the alarm device is located, and who are authorized to enter the premises at any time, but who do not reside at the location of the alarm device; or in lieu thereof, the name and address and phone number of the company which provides alarm service at the premises and which has on file with it, the names and telephone numbers of such authorized key holders.

(C) Any person having caused registration of an alarm device with the Township police shall ensure all information required with the original registration is current and accurate. In case of any change in the original registration, notice of such change shall be made to the Township police within five (5) days from such change. Notification shall be made in person or by mail.

(D) Notwithstanding the language contained in Section 5(A) of this Ordinance, it shall not be unlawful for a person to continue to operate an alarm device on his premises without registering such alarm device with the Township police, after the effective date of this Ordinance, provided that said alarm device was in operation before the effective date of this Ordinance, until such time as the Township police or local fire companies respond to an alarm resulting from the activation of such alarm device, whereafter such person shall have five (5) days within which to cause registration of such alarm device, as required by this Ordinance. Failure of such person to cause registration within the required five (5) days, shall subject such person to the penalties as hereinafter provided for.

Section 6. Operational Standards.

(A) Any alarm device installed in any premises within the Township, or operating in any premises within Township must be maintained in good working order to assure reliability of such alarm device.

(B) If an alarm device is designed to cause an exterior bell, horn, siren or other sounding device to be activated on or near the premises on which the alarm device is installed at the time it gives an alarm, said alarm device shall be designed to deactivate the bell, horn, siren or other sounding device after twenty (20) minutes of operation. All alarm devices shall meet the applicable standards of the Underwriters Laboratories and/or National Fire Protection Association, and/or other recognized industry standards.

(C) The Township police may require that repairs be made whenever it has been determined that such repairs are necessary to assure proper operation on an alarm device. Any person failing to make such required repairs within a period of seven (7) days, following notification to make such repairs, shall be liable to the penalties hereinafter provided for.

Section 7. Intentional False Alarm. It shall be unlawful for any person to cause an intentional false alarm. Any person violating this Section shall be subject to the penalties hereinafter provided for.

Section 8. False Alarm Administrative Fees.

(A) For the first (1st) through third (3rd) false alarm, emanating from an alarm device in any calendar year, no action will be taken against the registrant. Upon the third (3rd) false alarm received in any calendar year, the Chief of Police of Township, or his/her designee shall notify the registrant by regular mail or personal notice, within five (5) days after the third (3rd) false alarm was received, that any further false alarm emanating from his alarm device within that calendar year shall subject the registrant to the administrative fee, or upon failure to pay the administrative fee, a penalty as herein provided for.

(B) For the fourth (4th) through sixth (6th) false alarm emanating from an alarm device within the same calendar year, an administrative fee of Fifty Dollars (\$50.00) shall be imposed on the registrant for each offense.

(C) For the seventh (7th) and subsequent false alarms emanating from an alarm device, an administrative fee of One Hundred Dollars (\$100.00) shall be imposed for each offense.

(D) When a fourth (4th) or subsequent false alarm has occurred, the Chief of Police of Township or his/her designee, shall notify the registrant of the alarm device from which the false alarm emanated, within ten (10) days, after such false alarm has occurred, that an administrative fee is due and the amount thereof. Such notice shall also include that such administrative fee is payable to the Township, and shall be paid at the business office of the Township within fifteen (15) days, after receipt of the notice, and that failure to pay the administrative fee shall subject such person to the penalties as hereinafter

provided for. Such notice shall be made by first class or certified mail, or by personal service on the registrant, or an adult member of the registrant's family or an adult employee located at the address of the registrant.

Section 9. Liability of Township. The registration of an alarm device within the Township shall not constitute acceptance by the Township of any liability to maintain such alarm device, or to answer alarms or for any other responsibility in connection therewith.

Section 10. Penalty. Any person who violates any provision of this Ordinance, or refuses to pay an imposed false alarm administrative fee, shall upon conviction thereof before the proper District Justice of the Peace, or in the event of an appeal before the Court of Common Pleas of Berks County, Pennsylvania, be sentenced to pay a fine of not more than six hundred (\$600.00) dollars and court costs as provided by law, or suffer imprisonment for a period not exceeding thirty (30) days, or both.

Section 11. Severance Clause. In the event any provision, section, sentence, clause of any part of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, and shall remain in full force and effect.

Section 12. Relationship to Other Ordinances. All other Ordinances, parts of Ordinances or parts of Resolutions inconsistent herewith shall be and the same expressly are repealed.

Section 13. Effective Date. This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of North Cornwall as provided by law.

ENACTED and ORDAINED this 5th day of May, 2009.

NORTH CORNWALL TOWNSHIP
BOARD OF SUPERVISORS

Ralph O. Dietz

William J. Belgot

Attest:

Robin L. Getz
Robin L. Getz, Secretary