

TOWNSHIP OF SOUTH ABINGTON

ORDINANCE NO. 80

AN ORDINANCE OF THE TOWNSHIP OF SOUTH ABINGTON, LACKAWANNA COUNTY, PENNSYLVANIA, REGULATING THE USE AND INSTALLATION OF EMERGENCY ALARM SYSTEMS BY INDIVIDUALS, FIRMS OR CORPORATIONS IN THE TOWNSHIP OF SOUTH ABINGTON; FIXING INSTALLATION AND PERMIT FEES FOR SAME AND PROVIDING FOR SERVICE COSTS, PENALTIES AND FINES FOR FALSE ALARMS AND VIOLATIONS OF SAID ORDINANCE.

Section 100. Short Title: This ordinance shall be known and cited as: "The Township of South Abington Emergency Police and Fire Alarm Ordinance".

Section 200. Definitions: The following definitions shall apply in the interpretation and enforcement of this Ordinance

200.1 Alarm: Shall include all Automatic Protection Systems/Devices, which are designed that upon receipt of a stimulus from a sensory apparatus that has detected a physical force or condition inherently characteristic of a fire or intrusion, and results in the activation of any audible warning device, or pre-recorded telephone message, the purpose of which is to alert and summon police, fire or other emergency personnel to respond to the location of the emergency. This definition also includes manually operated controls for hold-up alert or medical emergency.

200.2 Alarm Equipment Supplier: Any person, firm or corporation who sells, leases, and/or installs automatic emergency alarm protection systems or devices.

200.3 Emergency Alarm Protection System/Device: re: Section 200.1.

200.4 Township: Where used, shall be the "Township of South Abington, Lackawanna County, Pennsylvania".

200.5 Chief of Police: Shall refer to the "Chief of Police" of South Abington Township or a designated representative.

200.6 Fire Chief: Shall refer to the duly elected Fire Chief of the Chinchilla Hose Company of South Abington Township or a designated representative.

200.7 Communication Center: Shall refer to the Lackawanna County Emergency Communications Center, 200 Adams Avenue, Scranton, PA 18503.

200.8 False Alarm: Any signal activated by an automatic protection device, any audible alarm or any other kind of direct or indirect signal given the police or fire departments of South Abington Township to which police or firemen respond, which is not a result of a burglary, fire, robbery or other similiar emergency.

200.9 Police: Shall refer to all sworn members of the South Abington Township Police Department and all other law enforcement agencies who may assist the Township police in responding to the alarm.

200.10 Firemen: Shall refer to all properly recorded members of the Chinchilla Hose Company of South Abington Township, or all properly recorded members of the Clarks Summit Fire Company as contracted for dual coverage, and all other fire departments who may assist the Township firemen in responding to the alarm.

200.11 Dual Coverage Area: Shall refer to those areas of South Abington Township where, for the concern for the immediate safety of the residents of South Abington Township, the Township has an agreement with the Clarks Summit Fire Company to respond to all fire alarms for that area.

200.12 Permit: Shall refer to the written application/permit to be required to be obtained from the Township prior to the installation of any alarm, and shall be on a form prescribed by the Township.

200.13 Fee: Shall refer to the rate to be charged by the Township for the issuance of Alarm Installation Permits and Inspections.

200.14 Citation: Shall refer to the non-traffic citations used to initiate summary prosecutions as prescribed by the Rules of Criminal Procedure, Commonwealth of Pennsylvania.

200.15 Service Fee: Shall refer to the cost of personnel and equipment which respond to False Alarms.

200.16 Audible Alarm: Shall include all sirens, horns, whistles, bells which are designed to attract the attention of neighbors and passersby, and summon police or fire personnel and equipment to the scene of the alarm.

200.17 Warning Notice: Shall refer to a written notice to person(s), property owners, companies or corporations in control or possession of that property where an alarm has been installed, and where false alarms originate, directing corrective repairs to be taken to eliminate the false alarms.

Section 300. General Regulations

300.1 Permit Required. No person, property owner, or member of any firm or corporation shall install, connect, or tie into any alarm, without first and before installation is started, submit the required fees and secure a Permit from the Township.

300.2 Fee Required. No Permit shall be issued without the payment of a Ten Dollar (\$10.00) Permit fee.

300.3 Inspection Required. When the alarm installation is complete, it shall not be activated into service until it has been inspected and approved by the Chief of Police, Fire Chief of both, depending upon the appropriate agency. The property owner or person in control of the property and the alarm installer must be available at the time of inspection.

(a). Recorded Messages. Must be intelligible and in a format approved by the Chief of the appropriate agency, police and/or fire departments.

300.4 County Regulations or Permits, when required. In addition to the Permits and Inspections required by the Township, all person(s), companies or corporations must comply with all regulations, permits or fees required by Lackawanna County for the installation of any alarm which by telephone or other means, transmits a signal to the Communication Center requesting Township police, fire or other emergency services to be dispatched to the scene of an emergency.

300.5 Testing. No person shall conduct any test or demonstration of an alarm without first obtaining permission from the Chief of the appropriate agency, police and/or fire departments. Where the equipment is relayed through an intermediary, no such permission is necessary unless the alarm or signal is to be relayed to the police or fire department.

300.6 Audible Alarm Timing. All audible alarms must be equipped with a timing mechanism that will disengage the audible alarm after a maximum period of fifteen minutes. Audible alarms without such a timing mechanism shall be unlawful in the Township and must be either modified to conform to the regulation set forth or must be disconnected within 90 days from the effective date of this Ordinance.

300.7 Prior Alarm Installations. All persons, companies or corporations within the Township who have alarm systems which were installed prior to the enactment of this Ordinance, shall, within 90 days of the effective date, provide the appropriate agency, police and/or fire departments, with information as to the type of alarm, the name of the person(s), company or corporation who did the installation and the name of person(s), company or corporation providing maintenance service.

300.8 Emergency Listing Required. All person(s), companies or corporations having control over properties in the Township where alarms are installed and in-service shall provide to the appropriate agency, police and/or fire departments, a list of person(s) who will be available to respond to the alarm location for the purpose of shutting-off or re-setting the alarm.

300.9 Direct Alarms Connected to Police Department Prohibited. No person(s), property owner, company or corporation shall install any alarm directly to any telephone trunk lines which have been installed to service the South Abington Township Municipal Building and/or Police Department.

300.10 Direct Alarms Connected to the Fire Department.

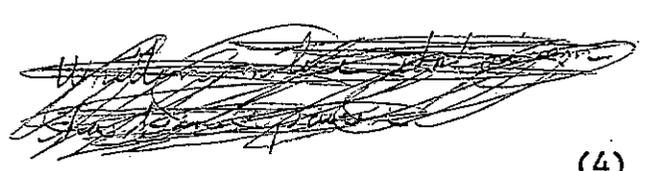
No person(s), property owner, company or corporation shall install any alarm directly to the Chinchilla Hose Company building through the telephone or other means without first, and in addition to the Permit required, obtaining a written agreement from the Fire Department to do so.

In addition to all penalties or fees described in Section 400 of this Ordinance, all person(s), property owners, companies or corporations who enter into a written agreement with the Fire Department for direct alarm installation shall hereby be responsible for all installation, maintenance and removal costs of all equipment required, and in addition to, shall submit to the Fire Department an annual fee of One Hundred Fifty Dollars (\$150.00) to be paid within the first 30 days of each calendar year.

Section 400. Enforcement -

400.1 False Alarms. Misuse, false activation or accidental activation of an alarm to which the police and/or fire departments respond shall be enforced as hereby directed.

a). The first recorded False Alarm shall result in a written Warning Notice being issued to the person(s) in charge of the property where the False Alarm originates directing that proper repairs to the Alarm System be completed within five (5) days of the date of issuance of the Warning Notice, so as to eliminate additional False Alarms within a 90 day period immediately following the issuance of the written Warning Notice.



b). All False Alarms received from a location where a written Warning Notice had been issued, and after the five (5) day period allowed for repairs expires and up to 90 days from the original date of issue of said written Warning Notice has expired, shall result in a citation being issued by the Police Department to the person(s) in charge of the property where the False Alarm originates, and upon conviction, shall be sentenced to pay a fine of not less than Twenty Five Dollars (\$25.00), nor more than Three Hundred Dollars (\$300.00), plus costs, or to be sentenced to a term of imprisonment not to exceed 30 days.

c). Where repairs have been made in compliance to the written Warning Notice, and no False Alarms are received for the 90 day period following the date of issuance of said written Warning Notice, and that after the 90 day period has expired a False Alarm is received, enforcement shall again be initiated under paragraph a) of this Section.

400.2 Service Fees. If after the issuance of written Warning Notice as described in Section 400.1, paragraphs (a) and (b), False Alarms continue to originate from that location recorded in said written Warning Notice, the Township may submit a bill to the person(s), property owner, companies or corporations in charge of the property for service fees incurred by the Township for police and/or fire department personnel and equipment responding to the False Alarm. Service Fees shall include the reasonable costs of personnel and equipment responding as incurred by the Township for providing such emergency service, and shall include fire departments contracted for dual coverage areas.

400.3 General Regulation. Violations of the provisions set forth in Section 300, General Regulation, may result in a citation being issued to the person(s), property owner, companies or corporation in charge of the property, or Alarm Equipment Suppliers or their employees, and upon conviction, shall be sentenced to pay a fine of Twenty Five Dollars (\$25.00) and costs.

400.4 Responsibility for Enforcement. In order to maintain uniformity of enforcement and centralized recordkeeping, the South Abington Township Police Department shall be the primary enforcement agency for the regulations set forth in this Ordinance. The Chinchilla Hose Company of South Abington Township; dual-coverage department, Clarks Summit Fire Company; and all other emergency services responding to False Alarms as defined in this Ordinance within the Township, shall make all complaints known to the South Abington Township Police Department, who will initiate enforcement provisions as outlined under sub-section 400.1, paragraphs (a), (b) and (c).

Section 500. Validity. Should any Section or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or of any other part thereof

Section 600. Effective Date. This Ordinance shall become effective upon publication and recording as required by law.

Dated: December 27, 1983

ATTEST

By

[Signature]
[Signature]
[Signature]

BOARD of Supervisors of
SOUTH ABINGTON Township

William C. Cole
Chairman

Alfred Lockett

Charles W. Stanton