

TOWNSHIP OF HILLTOWN, BUCKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 83-4

AN ORDINANCE OF THE TOWNSHIP OF HILLTOWN, BUCKS COUNTY, PENNSYLVANIA, REQUIRING A PERMIT FOR THE INSTALLATION OF EMERGENCY ALARMS, PROMULGATING REGULATIONS IN CONNECTION THEREWITH, AND PROVIDING FOR THE COLLECTION OF COSTS RELATIVE TO FALSE ALARMS AND FINES FOR VIOLATIONS.

WHEREAS, the Board of Supervisors of Hilltown Township is empowered under the Second Class Township Code pursuant to 53 P.S. 65762, to enact ordinances for the management, care and control of the Township; and

WHEREAS, the Board of Supervisors of Hilltown Township have found an increasing high percentage of false alarms relating to the installation and use of emergency alarm equipment; and

WHEREAS, the Board of Supervisors are of the opinion that such alarms endanger the community by taking both manpower and vehicles out of service; and

WHEREAS, the peace and quiet of the neighborhood is disrupted and the health and welfare of the residents is placed in jeopardy by uncontrolled audible alarms; and

WHEREAS, the Board of Supervisors are of the opinion the proper means should be taken for regulating and controlling all matters concerning emergency alarm devices.

NOW, THEREFORE, be it Enacted and Ordained by the Board of Supervisors of Hilltown Township as follows:

ARTICLE I. Short Title

SECTION 1. This ordinance shall be known as the "Emergency Alarm Ordinance".

ARTICLE 2. Purpose and Applicability

SECTION 1. The purpose of this ordinance is to promote the health, safety and general welfare of the inhabitants of the Township.

ARTICLE 3. Definitions

SECTION 1. Certain words and phrases used in this ordinance shall have the meaning ascribed as follows:

Alarm Equipment Supplier. Any person, firm or corporation who sells, leases, and/or installs automatic protection devices or audible alarms.

Automatic Protection Device. An electrically operated instrument composed of sensory apparatus and related hardware which automatically transmits a pre-recorded voice alarm over regular telephone line by direct or indirect communication to the Police Department of Hilltown Township upon receipt of a stimulus from a sensory apparatus that has detected a physical force or condition inherently characteristic of intrusion.

Continual Accidental Activation. Three or more false alarms during a period of one calendar year.

False Alarm. Any signal activated by an automatic protection device, any audible alarm or other kind of direct or indirect signal given to the Hilltown Township Police Department which is not the result of burglary, robbery or similar emergency.

ARTICLE 4. Permit Required.

SECTION 1. It shall be unlawful for any person to install automatic protection devices or audible alarms within Hilltown Township without first securing a permit for same from Hilltown Township.

SECTION 2. All applicants for a permit shall provide Hilltown Township, the following information, on a form approved by the Township:

- (a) The telephone number of the owner or lessee.

- (b) The address where the device is to be installed and the telephone number of that address.
- (c) The name, address and telephone number of any person other than the owner or lessee who is authorized to respond to an emergency and gain access to the address where the device is installed.
- (d) The name and telephone number of any person, firm or corporation who is responsible for maintenance and repair of the automatic protection device or audible alarm.

SECTION 3. All information furnished pursuant to this requirement shall be kept confidential and shall be for the use of the Township Secretary and designated personnel of the Police Department only.

SECTION 4. All applicants for a permit shall pay a fee to the Township in accordance with the appropriate Resolution as adopted by the Board of Supervisors from time to time.

ARTICLE 5. Operational Requirements.

SECTION 1. The sensory mechanism used in connection with an automatic protection device or audible alarm must be adjusted to suppress false indications of intrusion so that the device will not be activated by impulses due to the rattling or vibrating of doors, or windows, vibrations to the premises caused by the passing of vehicles or any other force not related to genuine alarms.

SECTION 2. All components comprising such a device must be maintained by the owner or lessee in good repair to insure maximum reliability of operation.

ARTICLE 6. Construction and Repair.

SECTION 1. Each alarm equipment supplier shall furnish operating instructions for each type of automatic protection device or audible alarm and at the time of installation, shall furnish to any buyer or lessee using a repair service, written information as to how service may be obtained at any time, including the telephone number of the alarm equipment supplier or agent responsible for service.

ARTICLE 7. Copies of this Ordinance to be Supplied.

SECTION 1. Alarm equipment suppliers shall furnish at or prior to the time of contracting and at their expense, a copy of this Ordinance to owners, lessees or users of the equipment to be supplied.

ARTICLE 8. False Alarms - Responsibility for Costs.

SECTION 1. For the purpose of defraying the costs to the Township of responding to a false alarm, the owner, lessee and user of an automatic protection device or audible alarm shall pay a fee to the Township for all false alarms originating from the owner or lessee's premises in accordance with the appropriate resolution as adopted by the Board of Supervisors from time to time.

SECTION 2. This sum shall be a civil claim by the Township and does not effect the penalty provisions hereafter prescribed.

ARTICLE 9. Penalties for Violation

SECTION 1. Any person, firm or corporation who violates any provision of this Ordinance and who fails to comply with requirements of a written notice advising of such violation within five (5) working days of receipt of such notice, shall upon conviction in a summary proceeding before any District Justice, be liable for a fine or penalty not to exceed \$300.00 for each and every offense; or, if failure to pay is not caused by indigence or lack of sufficient assets, shall be subject to imprisonment in the Bucks County Prison for a period not to exceed thirty (30) days. Each day that such violation is continued after notice, shall constitute a new and separate offense, punishable by like fine, penalty or imprisonment; and further notices to the offender shall not be necessary in order to constitute such continuance as additional offense or offenses.

SECTION 2. Any person, firm or corporation who misuses, falsely activates or permits continual accidental activation of any alarm system as described herein, shall upon conviction in a summary proceeding before any District Justice, be liable for a fine or penalty not to exceed Three Hundred (\$300.00) Dollars for each and every offense; or, if failure to pay is not caused by indigence or lack of sufficient assets, shall be subject to imprisonment in the Bucks County Prison for a period not to exceed thirty (30) days. Each day that such violation is continued after notice shall constitute a new and separate offense, punishable by like fine, penalty or imprisonment; and further notices to the offender shall not be necessary in order to constitute such continuance as an additional offense or offenses.

ARTICLE 10. Severability

The provisions of this Ordinance are severable and if any of it's sections, clauses or sentences shall be held illegal, invalid or unconstitutional, such illegality, invalidity or unconstitutionality shall not affect or impair any of the remaining sections, clauses or sentences of this Ordinance.

It is thereby declared to be the intent of the Supervisors of Hilltown Township that this Ordinance would have been adopted if such illegal, invalid or unconstitutional sections, clauses or sentences had not been included therein.

ARTICLE 11. Repealer Clause

All ordinances or parts hereof inconsistent herewith are hereby repealed.

ARTICLE 12. Effective Date

This Ordinance shall become effective five (5) days after adoption.

ENACTED and ORDAINED this 24 day of October, 1983.

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS

Vincent Fischl
Vincent Fischl

Mary Lockard
Mary Lockard

Robert Grunmeier
Robert Grunmeier