

CHAPTER II

ALARMS AND ALARM SYSTEMS

- Section 101. Definitions
- Section 102. False Alarms Prohibited
- Section 103. False Alarm Service Fees
- Section 104. Enforcement and Penalties
- Section 105. Severability

CHAPTER II

ALARMS AND ALARM SYSTEMS

Section 101. Definitions. For purposes of this Chapter, the following terms are defined as follows:

(a) False Alarm. An alarm activated in the absence of an emergency, whether willfully or by inadvertence, negligence or unintentional act, to which emergency units respond. The definition excludes alarms caused by malfunctions of the County Department of Emergency Services' receiving equipment; alarms for which the user has attempted to cancel response; testing or repairing of telephone or electrical lines or equipment outside the premises; acts of God, such as earthquake, flood, windstorm, thunder or lightning; an attempted illegal entry, a crime in progress, or, in the case of emergency medical alarm, an actual medical emergency requiring police, fire and/or medical personnel. If doubt exists as to the cause of the false alarm, the provider of the emergency service together with the Township Fire Marshal or designated coordinator shall make a decision regarding the circumstances of the activation and it shall be final.

(b) Person. An individual, corporation, partnership, incorporated association or other similar entity.

(c) Public Safety Agency. The Township Police or any fire department serving the Township.

(Ordinance 210, February 15, 2005, Section 1)

Section 102. False Alarms Prohibited. It shall be unlawful for the property owner, lessee or any person occupying or outerwear on any premises within Amity Township to make or cause to be made a false fire or security alarm, directly or indirectly to any fire department or emergency response agency responding to alarms within the Township, when the false alarm is caused by faulty detection or alarm equipment or by the negligence of said property owner, lessee or person. (Ordinance 210, February 15, 2005, Section 1)

Section 103. False Alarm Service Fees.

(a) When a false alarm occurs, the Township Police Chief, within fifteen (15) days from the date of each false alarm, shall notify the owner or lessee of the alarm device from which the false alarm emanated that a false alarm charge is due and the amount thereof, if any. Such notice shall be in writing and sent by certified mail, return receipt requested, postage prepaid, to the owner or lessee at his last known address. Failure of the Township Police Chief to mail notice of assessment of a false alarm charge within fifteen (15) days from the occurrence of a false alarm shall preclude Township from assessing a false alarm charge.

(b) A false alarm charge shall be due and payable at the office of the Township Police Department within thirty (30) days from the date of the mailing of the notice of assessment of the false alarm charge.

(c) Service fees for false alarms shall be assessed by the Township as follows:

- (1) Third (3rd) false alarm in any one (1) calendar year

shall be subject to a service fee not to exceed Fifty Dollars (\$50.00).

(2) Fourth (4th) false alarm in any one (1) calendar year shall be subject to a service fee not to exceed One Hundred Dollars (\$100.00).

(3) Fifth (5th) and subsequent false alarms in any one (1) calendar year shall be subject to a service fee not to exceed Two Hundred Dollars (\$200.00).

(Ordinance 210, February 15, 2005, Section 1)

Section 104. Enforcement and Penalties. Enforcement of this Chapter may be by civil action and/or by criminal prosecution, as provided in 18 PaC.S. 7511. Any person who violates this Chapter commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than Six Hundred Dollars (\$600.00), plus costs, for each offense. (Ordinance 210, February 15, 2005, Section 1)

Section 105. Severability. If any sentence, clause, section or part of this Chapter 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 Chapter. It is hereby declared as the intent of the Board of Supervisors of the Township of Amity that this Chapter would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein. (Ordinance 210, February 15, 2005, Section 1)