

Chapter 85

ALARMS

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[HISTORY: Adopted by the Board of Supervisors of the Township of Fairview 3-2-1992 by Ord. No. 4-1992. Amendments noted where applicable.]

§ 85-1. Short title.

This chapter shall be known as "The Fairview Township Burglar Alarm Ordinance."

§ 85-2. Definition.

The following definitions shall apply in the interpretation and enforcement of the chapter:

ALARM EQUIPMENT SUPPLIER — Any person, firm or corporation selling, leasing and/or installing audible burglar alarms and/or burglar alarm systems within the Township.

ANSWERING SERVICE — A service whereby employees in attendance at all times receive prerecorded voice messages from automatic protection devices reporting an emergency at a stated station and who have the duty to relay immediately by live voice any such emergency message to the Police Department.

AUDIBLE ALARM — Any device, bell, horn or siren which is attached to the interior or exterior of a building and emits a warning signal audible outside the building and designed to attract attention when activated by a criminal act or other emergency requiring police to respond.

AUTOMATIC PROTECTION DEVICE — An electrically operated instrument composed of sensory apparatus and related hardware which automatically transmits a prerecorded voice alarm or other signal over regular telephone line, by direct or indirect connection, to the Police Department upon receipt of a stimulus from a sensory apparatus that has detected a physical force or condition inherently characteristic of an intrusion.

BURGLAR ALARM SYSTEM CONNECTED WITH THE POLICE DEPARTMENT — Any type of burglar alarm system which, when activated, would cause a communication to be directed to the Police Department, whether by direct communication, activation of a visual or audible indicator, or telephone communication through an answering service, an automatic protection device, a central station protective system, or other means intended to alert the Police Department to the need for a response resulting from an emergency condition.

CENTRAL STATION PROTECTIVE SYSTEM — A protective system, or group of systems, operated privately for customers by a person, firm or corporation which maintains supervisors and accepts recorded messages from automatic protection devices at a central

station having operators in attendance at all times who have the duty to take appropriate action upon receipt of a signal or message, including the relaying of messages to the Police Department.

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 Department to which police respond, which is not the result of a burglary, robbery or similar emergency.

PERMIT — Written permission, duly granted to an applicant by the Township upon payment of the required fee.

POLICE DEPARTMENT — The Police Department of the Township of Fairview, located at the Municipal Building, 140 North Main Street, Fairview Township, Luzerne County, Pennsylvania.

TOWNSHIP — The Township of Fairview.

§ 85-3. Audible alarms.

Current list of installations, timers, and installation permits required.

- A. Within 90 days from the effective date of this chapter, every owner or lessee of an audible alarm shall furnish to the Police Department a current list of such installations which shall include the following information:
 - (1) The name, residence and telephone number of the owner or lessee.
 - (2) The address where the device is installed and the telephone number of that address.
 - (3) The names, addresses, and telephone numbers of at least two persons who are authorized to respond to an emergency and gain access to the address where the device is installed.
- B. After the enactment of this chapter, owners or lessees must equip audible alarms, other than fire alarms, with a timing mechanism that will disengage the audible alarm after a maximum period of 15 minutes. Audible alarms without such a timing mechanism, other than fire alarms, shall be unlawful in the Township and must be disconnected by the owner or lessee within 60 days from the effective date of this chapter.
- C. After the enactment of this chapter, no audible alarms shall be installed within the Township unless a permit for such installation has first been obtained from the Police Department.

§ 85-4. Service charge for false alarms.

- A. Henceforth, no burglar alarm system shall be placed into operation within the Township without prior written notification to the Police Department on a form prescribed by the Township specifying the date upon which the system is being made operational. Commencing with the operational date so specified, a fifteen-day period will be provided for the testing of the system and for the attainment of proper operational requirements.

During such fifteen-day period of initial operation, a maximum of three false alarms will be allowed without imposition of a service charge.

- B. Except as provided in Subsection A hereof, a service charge as established by resolution by the Supervisors of Fairview Township shall be levied against the owner or lessee of the burglar alarm system for each false alarm. Said service charge shall be payable to the Township within 15 days of being billed for said service charge.

§ 85-5. Violations and penalties.

- A. Any person who violates a provision of this chapter shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not less than \$200 nor more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense.¹
- B. In the event a violation of this chapter occurs, in addition to such other remedies as may be available under existing law, the Township may institute an action in equity to prevent, restrain, correct, abate or enjoin such violation.

§ 85-6. Permits.

- A. Prior to installation of any type of burglar alarm system, a permit must be obtained from the Police Department.
- B. The Supervisors of Fairview Township shall, by resolution, establish fees from time to time for permits to install any type of burglar alarm system.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).