

**ORDINANCE NO. 1-2010**

**AN ORDINANCE OF SPRINGFIELD TOWNSHIP, MERCER COUNTY, PENNSYLVANIA, PROVIDING FOR THE REGISTRATION OF ALARM SYSTEMS INSTALLED WITHIN THE TOWNSHIP; ESTABLISHING CERTAIN STANDARDS FOR SUCH ALARMS; IMPOSING PENALTIES FOR CERTAIN FALSE ALARMS AND OTHER VIOLATIONS OF THIS ORDINANCE**

**BE IT ENACTED AND ORDAINED**, and it is hereby enacted and ordained by the Board of Supervisors of Springfield Township, Mercer County, Pennsylvania as follows:

**SECTION 1. Definitions.** The following words and phrases shall have the meanings specified in this Section:

(a) "Alarm System"-- a device or system of devices that emits, transmits or relays a signal intended to summon or that can reasonably be expected to summon to the site of the alarm system emergency services of the Township. Alarm systems shall include a local alarm as herein defined, but does not include (i) an alarm installed in a vehicle unless the vehicle is permanently located at a fixed site; or (ii) an alarm designed to alert only persons occupying the site of the alarm system.

(b) "Emergency Services" -- The police, fire and/or ambulance services for the Township.

(c) "False Alarm"--Any activation of an alarm system by inadvertence, negligence or the intentional or unintentional act of a person to which emergency services for the Township respond and there existed at the inception of the alarm no fire, crime in progress, medical emergency or other activity necessitating a response. Any alarm activated by acts of vandalism or criminal mischief including acts of employees shall not be considered false alarms.

(d) "Local Alarm"--An alarm system that emits a signal at the alarm system site that is audible or visible off of the site.

(e) "Person"--Any individual, partnership, corporation, association, political subdivision or other entity of any kind.

(f) "Township"-- Springfield Township, Mercer County, Pennsylvania

**SECTION 2. Registration Required.** All persons owning or operating an alarm system upon real property within the Township shall register such

system with Springfield Township. Persons owning or operating an alarm system on the effective date of this Ordinance shall register such system within sixty (60) days of such date. Persons installing, upgrading or replacing an alarm system after the effective date of this Ordinance shall register such system prior to its installation, upgrade or replacement. A fee for the registration of an alarm system to be paid by the registrant shall be in such amount as the Board of Supervisors of the Township shall by Resolution from time to time establish.

**SECTION 3. Registration Information.** All persons registering an alarm system with the Township shall furnish to the Township such information as shall reasonably be requested including, but not limited to, the following:

(a) The name of the owner or occupant of the real property upon which the alarm system has been or is being installed. If the owner or occupant shall be other than an individual, the owner or occupant shall also provide the name of an individual responsible to the owner or occupant for the operation of the alarm system.

(b) The address of the real property upon which the alarm system has been or is being installed by street name and number and the telephone number of the owner or occupant.

(c) Two (2) back-up or emergency telephone numbers where the owner or occupant can be reached or through which contact can be made when the real property is unoccupied, including the names of the persons to which such numbers are assigned.

(d) The name, address and telephone number of the vendor or installer of the alarm system.

(e) The name and address of the manufacturer of the alarm system.

(f) A description of the alarm system installed, including the number and type of devices used for the purpose of activating the system, the location of such devices, the mechanism for automatically deactivating the local alarm and the methodology used for transmitting or relaying the signal to the emergency services of the Township.

(g) The name, address and telephone number of any monitoring or central station service to which the alarm system transmits a signal for relay to Township emergency services.

**SECTION 4.** The Township shall transmit copies of all registration applications to the Mercer County 911 Center, the Springfield Township Volunteer Fire Department and any other emergency service provider that services who requests such information.

**SECTION 5. Annual Renewal of Registration.** All persons owning or operating a registered alarm system upon real property within the Township shall renew such registration on an annual basis. The Township on or about January 30<sup>th</sup> of each year shall send to the owner or operator of each registered alarm system a renewal application updating the registration information required pursuant to Section 3 hereof. A renewal registration fee is imposed which shall be in such amount as the Board of Supervisors of the Township shall by Resolution from time to time establish. The registrant shall file the renewal application with and pay the renewal registration fee to the township on or before February 28<sup>th</sup> of each year.

**SECTION 6. Operation and Control of Alarm Systems..** All persons owning or operating an alarm system within the Township shall have the following duties and responsibilities with respect to such system:

- (a) To keep and maintain the system in good operating condition, order and repair.
- (b) To keep and maintain at the site of the alarm system, a complete set of written operating instructions for such system.
- (c) To provide training and instruction to individuals customarily occupying the site of the alarm system in its proper operation.
- (d) To cooperate with the Township and/or the designee in preventing or minimizing the number of false alarms originating from the site of the alarm system.
- (e) To promptly notify the Township within forty-eight (48) hours when any change occurs with respect to any of the information required pursuant to Section 3 hereof.

**SECTION 7: False Alarms Prohibited.** It shall be unlawful for the property owner, lessee or any person occupying or otherwise on any premises within Springfield 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.

**SECTION 8: False Alarm Service Fees.**

(a) The responding police department, fire company, or other affected emergency response agency shall determine whether the activation of an

alarm constitutes as false alarm as defined by this ordinance and the decision shall be final.

(b) Upon notification of a false alarm, a written report shall be made within fourteen (14) days by the owner or lessee to the Township and shall contain what steps have been taken to eliminate future false alarms.

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

1. Third false alarm in any one calendar year shall be subject to a service fee of \$150.00;

2. Fourth false alarm in any one calendar year shall be subject to a service fee of \$250.00;

3. Fifth and subsequent false alarms in any one calendar year, shall be subject to a service fee of \$500.00.

**SECTION 9: Penalties and Remedies For Violations.**

(a) In the event a violation of this Ordinance 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.

(b) Any person, whether as principal or agent, who violates Section 2, 5, or 8 (third on subsequent offenses in a calendar year) of this Ordinance or assists or abets its violation, is guilty of a summary offense, and shall upon conviction thereof, before any Magistrate, be sentenced to pay a fine of not less than One Hundred (\$100.00) Dollars, nor more than Five Hundred (\$500.00) Dollars, together with the costs of prosecution, and in default of the payment of said fine and costs, shall be committed to the Mercer County Prison for a period not exceeding thirty (30) days. Each violation shall constitute a separate offense, for which a summary conviction may be sought.

**SECTION 10: Severability.** The provisions of this Ordinance shall be severable, and if any provision hereof shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent of the Township that this Ordinance would have been amended as if such unconstitutional, illegal or invalid provision or provisions had not been included herein.

**SECTION 11: Repealer.** All Ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance hereby adopted are hereby repealed.

**SECTION 12: Effective Date.** This ordinance shall become effective five (5) days after enactment by the Board of Supervisors

**ORDAINED AND ENACTED INTO LAW BY THE SPRINGFIELD TOWNSHIP BOARD OF SUPERVISORS, MERCER COUNTY, PENNSYLVANIA, THIS 2nd DAY OF FEBRUARY 2010 AT A REGULAR MEETING THEREOF.**