

## Chapter 54. Alarm Systems

[HISTORY: Adopted by the Board of Supervisors of the Township of Cecil 3-16-1988 by Ord. No. 1-88. Amendments noted where applicable.]

### § 54-1. Definitions.

- A. As used in this chapter, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

#### **ACCIDENTAL FALSE ALARM**

Any false alarm which is not an intentional false alarm, as defined herein, or not when an intrusion, crime, fire or other emergency has actually occurred.

#### **ALARM**

A communication to the Police Department indicating that a crime, fire or other emergency situation warranting immediate action by the Police Department has occurred or is occurring.

#### **ALARM DEVICE**

A mechanical device designed to automatically transmit an alarm by wire, telephone, radio or other means:

- (1) Directly to the Police Department;
- (2) To a person who is instructed to notify the Police Department of the alarm; or
- (3) To activate a bell or sounding device to be heard outside a building which is intended to alert the police or others to the existence of a crime, fire or other emergency situation warranting police action.

#### **CENTRAL RECEIVING STATION**

The alarm or control panel installed in the Police Department for the purpose of giving visual or audio response to direct alarm devices.

#### **DIRECT ALARM DEVICE**

An alarm device, other than a telephone dialer alarm device, designed to transmit an alarm directly to the Police Department.

#### **FALSE ALARM**

An alarm to which the Police Department responds, resulting from the activation of an alarm device when a crime, fire or other emergency warranting immediate action by the Police Department has not in fact occurred.

#### **INDIRECT ALARM DEVICE**

An alarm device designed to transmit an alarm to a person who is instructed to notify the Police Department of the alarm.

#### **INTENTIONAL FALSE ALARM**

A false alarm resulting from the intentional activation of an alarm device by an individual under circumstances where that individual has no reasonable basis to believe that a crime, fire or other emergency warranting immediate action by the Police Department has occurred or is occurring.

**PERMIT HOLDER**

A person to whom the Police Department has issued an alarm device permit.

**PERSON**

An individual, corporation, partnership, incorporated association or other similar entity.

**TELEPHONE DIALER ALARM DEVICE**

An alarm device designed to automatically transmit a recorded message over regular telephone lines directly to the Police Department or to a person who is instructed to notify the Police Department of the alarm.

- B. In this chapter, the singular shall include the plural; the plural shall include the singular; the masculine shall include the feminine and the neuter.

**§ 54-2. Permits required.**

- A. It shall be unlawful for a property owner, lessee of property or a person otherwise occupying a premises within the Township to put an alarm device into operation on his premises or to allow an alarm device to be put into operation on his premises without first obtaining an alarm device permit from the Police Department. It shall also be unlawful for a property owner, lessee of property or a person otherwise occupying a premises outside of the Township to put into operation on his premises an alarm device which terminates at the Township's Police Department, or to allow such an alarm device to be put into operation on his premises, without first obtaining an alarm device permit from the Police Department.
- B. In order to apply for an alarm device permit, a person must submit an application to the Police Department, stating:
- (1) His name.
  - (2) His home and business addresses and the telephone number of each.
  - (3) The location at which the alarm device will be installed and operated.
  - (4) The names, addresses and telephone numbers of at least two individuals who have keys to the premises at which the alarm device is located and who are authorized to enter the premises at any time, but who do not reside at the premises at which the alarm device is located.
  - (5) A general written description of the device other than schematics.
    - (a) If the device is to be leased or rented from, or is to be serviced pursuant to a service agreement by, a person other than the person making application for an alarm device permit, the name, address and telephone number of that person must be stated in the application. In addition, each person submitting an application for an alarm device permit shall submit a signed statement in the following form:

"I (We), the undersigned applicant(s) for an alarm device permit, intending to be legally bound hereby, agree with the Township of Cecil that neither I (we) nor anyone claiming by, through or under me (us) shall make any claim against the Township of Cecil, its officials or agents for any damages caused to the premises at which the alarm device which is the subject of this application is or will be located, if such damage is caused by



a forced entry to said premises by employees when the circumstances appear to warrant a forced entry."

- (b) The Police Department shall furnish forms, which any person wishing to apply for an alarm device permit shall submit with his application.
- C. A person applying for an alarm device permit for a telephone dialer alarm device, local sounding device, or an indirect alarm device shall submit a fee in an amount as established from time to time by resolution of the Board of Supervisors.<sup>[1]</sup>
- [1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
- D. The Police Department shall, within 10 weekdays from receipt of an application for an alarm device permit, either grant an alarm device permit to the applicant or notify the applicant in writing that his application has been denied and the reason or reasons why it has been denied.
- E. An application for an alarm device permit may only be denied for the following reasons:
- (1) The application submitted by the applicant does not comply with Subsection **B** or **C** of this section.
  - (2) The applicant's alarm device does not conform to the operational standards set forth in § 54-3 of this chapter.
- F. Notwithstanding the language contained in Subsection **A** of this section, it shall not be unlawful for a person to continue to operate an alarm device on his premises without an alarm device permit for a period of 90 days after the effective date of this chapter, provided said alarm device was in operation on the effective date of this chapter.
- G. The Police Department shall have the power to revoke an alarm device permit. An alarm device permit shall be revoked by notifying the permit holder in writing that his alarm device permit has been revoked and the reason or reasons why it has been revoked. Said written notice shall be:
- (1) Delivered personally to the permit holder, in which case the revocation shall be effective immediately upon delivery.
  - (2) Mailed to the permit holder at his last known address by certified mail, postage prepaid, in which case the revocation shall be effective three days after mailing.
- H. An alarm device permit may only be revoked for the following reason:
- (1) Failure of an alarm device to conform to the operational standards set forth in § 54-3 of this chapter.
  - (2) Failure of a permit holder to pay a false alarm charge assessed to him by the Police Department under the provisions of § 54-4 of this chapter within 30 days of the mailing to him of a notice of the assessment of a false alarm charge.
  - (3) The occurrence of more than 12 false alarms from an alarm device during any calendar year.
  - (4) The occurrence of an intentional false alarm caused by the permit holder or by an individual over the age of 15 who resides on the premises where the alarm device is located.
  - (5) Failure of a permit holder with a direct alarm device to pay to the Police Department installation or maintenance fees assessed to him within 30 days of the due date thereof.<sup>[2]</sup>
- [2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
- I. A person who has had his alarm device permit revoked under Subsections **G** and **H** of this section may reapply for an alarm device permit 45 days after the effective date of such revocation, provided that, if a person's alarm device permit was revoked for nonpayment of a false alarm charge or for nonpayment of installation or maintenance fees, or both, the Police Department shall deny said application unless such charge or fee, or both, have been paid. Notwithstanding the



foregoing, a person who has had his alarm device permit twice revoked on the basis of an occurrence of an intentional false alarm may not reapply for an alarm device permit for one year from the effective date of the second revocation.

### § 54-3. Operational standards.

- A. If an alarm device is designed to transmit a recorded message directly to the Police Department, the duration of such recorded message shall not exceed 60 seconds. The contents of the recorded message shall be intelligible and in a format approved by the Police Department.
- B. An alarm device need not contain a delay service which causes a delay to occur between the time the alarm device receives a triggering stimulus and the time the alarm device transmits an alarm.
- C. A direct alarm device shall be designed to dial only specific telephone numbers designated by the Police Department and to allow the permit holder to abort the alarm signals.
- D. A direct alarm device shall be designed so that it interfaces with the Central Receiving Station maintained by the Police Department.
- E. If an alarm device is designed to cause a bell, siren or sound-making device to be activated on or near the premises on which the alarm device is installed at the time it gives an alarm, said alarm device shall be designed to deactivate the bell, siren or other sound-making device after 30 minutes of operation. Preexisting units must be modified for a thirty-minute device unless said unit cannot be modified without replacement.
- F. All alarm devices shall meet the applicable standards of the Underwriters Laboratories and/or the National Fire Protection Association, and/or other recognized industry standards, and shall be permitted under this chapter if in conformity thereto. An alarm device which does not meet any of the above standards or for which there is no recognized industry standard shall require the applicant for a permit to submit evidence of the reliability or suitability of the alarm device. Any permit issued for such an alarm device which does not conform to the recognized standard shall be conditionally issued subject to satisfactory performance of said alarm device after installation. The applicant for a permit may be required to submit subsequent evidence of the reliability and suitability of the alarm device.
- G. The sensory mechanism used in connection with an alarm device must be adjusted to suppress false indications of fire or intrusion, so that the alarm device will not be activated by impulses due to transient pressure change in water pipes, short flashes of light, wind noises such as the rattling or vibrating of doors or windows, vehicular noise adjacent to the premises, or other forces unrelated to genuine alarm situations.
- H. The alarm device must be maintained by the permit holder in good repair to assure reliability of operation.

### § 54-4. False alarms.

- A. Intentional false alarms. No permit holder or person shall create an intentional false alarm.
- B. Accidental false alarms. Any person or permit holder causing accidental false alarms for any reason shall pay to the Township a charge for each and every false alarm to which the Police and/or Fire Department responds in each calendar year, as follows:

#### **Alarms Sounded After the First Month of Installation**

First to fifth alarm each year	No charge
Sixth to 10th alarm each year	\$15 per alarm
Eleventh to 15th alarm each year	\$25 per alarm



### Alarms Sounded After the First Month of Installation

Sixteenth to 20th alarm each year \$35 per alarm

All other alarms each year \$50 per alarm

- C. When a false alarm occurs, the Police Department, within 10 days from the date of the false alarm, shall notify the permit holder of the alarm device from which the false alarm emanated or other person causing said false alarm that a false alarm charge is due and the amount thereof. Such notice shall be in writing and mailed to the permit holder or person causing said false alarm at his last known address by regular mail, postage prepaid. Failure of the Police Department to mail notice of assessment of a false alarm charge within 10 days from the occurrence of a false alarm shall preclude the Township from assessing a false alarm charge for said false alarm.
- D. A false alarm charge shall be due and payable at the office of the Police Department 30 days from the date of the mailing of the notice of assessment of the charge.
- E. Failure of a permit holder to pay a false alarm charge on or before the date due shall subject such permit holder to revocation of his alarm device permit under § 54-2H of this chapter.
- F. Failure of a person causing a false alarm, other than a permit holder, to pay a false alarm charge on or before the date due shall constitute a violation of this chapter and shall subject said person to the penalties set forth in § 54-10 hereof.

### § 54-5. Change in location of Police Department.

If the location of the headquarters of the Police Department should change at any time, the Township shall not be responsible for any cost incurred by permit holders or other persons because of said change in location.

### § 54-6. Testing.

No person shall conduct or test any alarm device without first obtaining permission from the Police Department. Where the equipment is keyed through an intermediary, no such permission is necessary unless the alarm or signal is to be relayed to the central receiving station.

### § 54-7. Liability of municipality.

The issuance of any permit shall not constitute acceptance by the Township of any liability to maintain any equipment, to answer alarms, nor otherwise render the Township liable to any person for any loss or damage relating to the alarm system or procedure.

### § 54-8. Administration and enforcement.

Administration and enforcement of this chapter shall be functions of the Township and shall include the following:

- A. Authority to accept or reject a permit application or revoke a permit because of a misrepresentation or false statement contained in any application for a permit, failure to correct any deficiencies in equipment or operation of an alarm device after receipt of due notice from the Borough, or not meeting other conditions and specifications of this chapter.
- B. Authority to order the disconnection of an alarm device until such device is made to comply with operational standards set forth herein, but only when evidence of failure to comply with said standards imposes a burden upon the Township as a result of false alarms.

- C. Authority, at reasonable times and upon written notice, to enter upon any premises within the Township to inspect the installation and operation of an alarm device.

## § 54-9. Right to appeal.

Whenever under the provisions of this chapter the Police Department is empowered to make a decision with respect to the installation, operation or maintenance of any alarm device, or with respect to the denial or revocation of any permit relating thereto, any applicant for a permit or permit holder aggrieved by such decision may, within 10 days following the decision, file a written appeal therefrom with the Board of Supervisors of the Township, whereupon the Board of Supervisors shall promptly conduct a hearing and affirm, modify or reverse the decision appealed from. The decision of the Board of Supervisors shall be final.

## § 54-10. Violations and penalties.

Any person, firm or corporation who shall violate any provision of this chapter shall, upon conviction thereof in an action brought before a Magisterial District Judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedures, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this chapter continues or each section of this chapter which shall be found to have been violated shall constitute a separate offense.

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