

**CROSS CREEK TOWNSHIP
WASHINGTON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2-99

**AN ORDINANCE MAKING UNLAWFUL THE STARTING OR SPREADING
OF ANY FALSE ALARM OR POLICE, FIRE OR EMERGENCY MEDICAL
SERVICES (EMS) ALARM, INCLUDING FALSE ALARMS CAUSED BY
IMPROPERLY MAINTAINED OR DEFECTIVE ALARM SYSTEMS WITHIN
CROSS CREEK TOWNSHIP, WASHINGTON COUNTY,
PENNSYLVANIA, PROVIDING PENALTIES FOR THE VIOLATION HEREOF,
AND PROVIDING FOR SEVERABILITY.**

WHEREAS, several police and fire departments servicing Cross Creek Township receive certain emergency police, fire and EMS alarms through the Washington County 911 Center, Washington, Pennsylvania; and,

WHEREAS, false police, fire and/or EMS alarms are periodically received as a result of improperly maintained or defective alarm systems, and also as a result of persons improperly placing such alarms, the result of which often is that police, fire or EMS personnel and equipment is unnecessarily called out to the detriment of the citizens and residents of Cross Creek Township.

NOW, THEREFORE, be it ordained and enacted by the Board of Supervisors of Cross Creek Township, Washington County, Pennsylvania, as follows:

Section I. - Definitions - as used in this Ordinance, 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 intentionally caused and which occurs when an actual intrusion, crime, fire or other emergency has not taken place.

“Alarm” - A communication to the police, fire, EMS department or 911 Center indicating that a crime, fire or other emergency situation warranting immediate action by the police, fire or EMS departments has occurred or is occurring;

“Alarm Device” - A device designed to automatically transmit an alarm directly to a public safety agency or to a person who is instructed to notify the public safety agency of the alarm.

“Automatic Dialing Device” - A device which is interconnected to a telephone line and preprogrammed to transmit the coded signal of an alarm to a dedicated telephone trunk line or to dial a predetermined telephone number to an alarm to a public safety agency.

“Central Station System” - A system, or group or systems, in which the operations of circuits and devices are signaled automatically to, recorded in, maintained, and supervised from an approved central station having competent and experienced observers and operators who shall, upon receipt of a signal, take such action as shall be required under the rules established for their guidance. Such systems shall be controlled and operated by a person, firm or corporation whose principal business is the furnishing and maintaining of supervised signal service, and who does not have interest in protected properties.

“Dedicated Telephone Trunk Line” - A telephone line or lines which serve a public safety agency which is dedicated to receiving transmissions from an automatic dialing service.

“False Alarm” - An alarm to which the police, fire or EMS department responds when a crime, fire or other emergency has not occurred.

“Indirect Alarm Device” - An alarm device designed to transmit an alarm to a person who is instructed to notify the police or fire department, or other emergency service of the alarm.

“Intermediary” - A central protective system or an answering service as herein defined.

“Key” - To use a telephone line and equipment for transmitting a message either directly or indirectly by an automatic protection device.

“Person” - An individual, corporation, partnership, incorporated association or other similar entity.

“Public Safety Agency” - The Pennsylvania State Police or any municipal police, fire or emergency medical service department or volunteer fire companies and emergency services.

“Proprietary Protective Signaling System” - An installation of protective signaling systems which serve contiguous or noncontiguous properties under one ownership from a central supervising station located at the protected property, where trained, competent personnel are in constant attendance. This includes the central supervising station, power supplies, signal initiating devices, initiating device circuits, signal notification appliances, equipment for the automatic, permanent visual recording of signals and equipment for the operation of emergency building control services.

“Remote Station Protective Signaling System” - An installation using supervised dedicated circuits, installed to transmit alarm, supervisory and trouble signals from one or more protected premises to a remote location at which appropriate action is taken.

“Silent Alarm” - A protective system that does not emit an audible signal or tone when activated at a protected site and is monitored by an intermediary or an emergency communication center.

“Township” - The Township of Cross Creek, Washington County, Pennsylvania.

In this Ordinance, the singular shall include the plural; the plural shall include the singular; the masculine shall include the feminine and the neuter.

Section II. - False Alarms

1. Accidental false alarms as follows: A person that owns, uses or possesses an alarm device or automatic dialing device may not, after causing or permitting three false alarms to occur in a consecutive twelve (12) month period, cause or permit a subsequent false alarm to occur in the same consecutive twelve (12) month period. A person that violates this paragraph commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than Three Hundred Dollars (\$300.00).

2. The charges imposed by this Ordinance shall not apply to false alarms due to weather conditions.

3. When an accidental false alarm occurs, the Township shall notify the person responsible for the alarm device from which the false alarm emanated as to a false alarm charge is due and the amount thereof.

4. The fine shall be paid to Cross Creek Township unless pursuant to applicable state law, the Pennsylvania State Police is the public safety agency which has responded to the false alarm and prosecution is initiated by the Pennsylvania State Police.

Section III. - Operational Standards

1. 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 equipped with a timing mechanism that will discharge the audible alarm after a maximum period of ten (10) minutes, other than fire alarms. Exceptions shall be made for certified systems requiring longer sounding alarms for insurance purposes, providing that certification and policy requirements are documented with the Township, and maintained, and further providing that these devices are equipped with timers to disengage the audible alarm after the minimum time required for certification. All existing audible alarms without such a timing mechanism, other than fire alarms, shall be disconnected by the owner of lessee within ninety (90) days of the effective date of this Ordinance.

2. The sensory mechanism used in conjunction 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 impulse due to transient pressure change in water lines, short flashes of light, wind noises such as rattling or vibrating of doors or windows, vehicular noises adjacent to the premises, or other forces unrelated to genuine alarm situations.

3. The alarm device must be maintained in good repair to assure reliability of operation.

4. No person shall conduct or test any alarm device without first notifying the Washington County 911 Communications Center. 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.

5. Automatic dialing devices - A person may not attach or use an automatic dialing device without doing all of the following:

- (a) Providing the disclosure required under Section III, subsection 6.
- (b) Obtaining prior written approval from a public safety agency to use the automatic dialing device to alert the public safety agency of an alarm condition. The public safety agency shall not be responsible for any costs for the installation and maintenance of any dedicated telephone line or equipment associated with the alarm termination.

6. Disclosure - A person seeking approval under Section III, subsection 5 shall disclose the telephone number of a person to be contacted if the automatic dialing device is activated and all relevant facts concerning the design and layout of the premises to be protected by the automatic dialing device. The person shall inform the public safety agency of any change in the information required by this subsection as soon as practicable.

Section IV. - Suspension or Revocation of Approval

The public safety agency may refuse, revoke or suspend the approval granted under Section III, subsection 5 if the public safety agency determines any of the following:

- (a) The request for approval contains a statement of material of fact which is false.
- (b) The person failed to comply with this section.
- (c) The person has failed to pay any fine assessed pursuant to Section II, subsection 1.

Section V. - Repealer

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section VI. - Severability

If any sentence, clause, section, or part of this Ordinance 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 or sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of Cross Creek Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section, provision or part thereof, had not been included therein.

ORDAINED AND ENACTED by the Board of Supervisors of Cross Creek Township, Washington County, Pennsylvania, this 20TH day of APRIL, 1999.

ATTEST:

CROSS CREEK TOWNSHIP

Toni Konecheck, Secretary

By
Gary A. Stokum, Chairman

By
Ralph T. Rankin, Supervisor

By
Dean F. Casciola, Supervisor