

Chapter 85

ALARM SYSTEMS

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[HISTORY: Adopted by the Borough Council of the Borough of North Wales 12-22-1992 as Ord. No. 653. Amendments noted where applicable.]

GENERAL REFERENCES

Fire Department — See Ch. 21.

Police Department — See Ch. 55.

Fire prevention — See Ch. 118.

§ 85-1. Short title.

This chapter shall be known as the "Alarm Systems Ordinance of North Wales."

§ 85-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ALARM EQUIPMENT SUPPLIER — Any person who sells, leases and/or installs automatic protection devices or audible alarm systems.

ALARM USER Any person in control of a premises having an audible alarm system or automatic protection device which notifies the Police Department or Fire Department, either directly or indirectly, and requires the response of the Police Department or Fire Department or a rescue company.

ANSWERING SERVICE — A service whereby trained employees who are in attendance at all times receive prerecorded messages or signals from automatic protection devices reporting an emergency at a stated location, which employees have the duty to reply immediately, by live voice, any such emergency to the Police Department or Fire Department or rescue company.

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

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

BOROUGH — The Borough of North Wales, Montgomery County, Pennsylvania.

CENTRAL STATION PROTECTION SYSTEM — A protective system or group of such systems which is operated privately for customers by a person and which maintains supervisors and accepts recorded messages or signals from automatic protection devices at a central station having trained operators and guards in attendance at all times that have the duty to take appropriate action upon the receipt of a message or signal, including the relaying of messages by a designated or direct trunk line to the communications center of 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 to the police or fire communications center to which police or firefighters or rescue companies respond, which signal or alarm is not the result of a burglary, fire, robbery or similar emergency.

FIRE DEPARTMENT — Any Fire Department which responds to alarms within the borough.

MANAGER — The Manager of the Borough.

POLICE DEPARTMENT — Any Police Department of the **Borough**.

§ 85-3. Registration of system required.

- A. No property owner, lessee of property or person otherwise occupying any premises within the borough shall put an automatic protection device or audible alarm system into operation on his or her premises or allow an automatic protection device or audible alarm system to be put into operation on his or her premises without first registering the alarm system with the borough.
- B. Within thirty (30) days after the effective date of this chapter, every alarm user shall register with the

borough each alarm system he or she operates within the borough. This subsection does not require an alarm equipment supplier to register under this section when such alarm equipment supplier leases or provides services to alarm system users. If an alarm equipment supplier does, however, use an alarm system to protect its own premises, it shall register such system as required in this section.

C. Alarm user registration procedure is as follows:

- (1) The alarm user making the registration required in Subsection A hereof shall complete the registration form provided by the borough, which form shall include the alarm user's name, the address of the residence or business in or upon which the alarm system has been or will be installed, the alarm user's telephone number, the type of alarm system, the alarm equipment supplier selling, installing, monitoring, inspecting, responding to and/or maintaining the alarm system, the central station protective system utilized, if any, and the name and telephone number of at least two (2) other persons who can be reached at any time, who are authorized to respond to an alarm system and who will respond and open the premises in which the system is installed.
- (2) If the alarm system 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 user permit, the name, address and telephone number of that person must be stated in the application.
- (3) Each person submitting an application(s) for an alarm user permit, intending to be legally bound thereby, shall agree with the Borough of North Wales that "Neither I/we, nor anyone claiming by, through or under me/us, shall make any claim against the borough, its officers or agents for any

damage caused to the premises at which the automatic protection device or audible alarm system is located when said system is activated and employees or agents of the borough make a forced entry at a time when said premises are or appear to be unattended or when, in the discretion of said employees, the circumstances appear to warrant a forced entry."

- D. Any alarm user who installs an automatic protection device or audible alarm system 30 days or more after the effective date of this section shall submit with the registration a certificate of an alarm equipment supplier stating that, in the opinion of such supplier, the automatic protection device or audible alarm system complies with this chapter.
- E. Any alarm user who has registered under this chapter shall promptly notify the borough of any change in information supplied on the alarm user permit application.

§ 85-4. Timing mechanisms.

Owners or lessees of premises equipped with audible alarms must equip such audible alarms with a timing mechanism that will disengage the audible alarm after a maximum period of 15 minutes and keep it disengaged until the alarm is serviced or reset. Audible alarms without such a timing mechanism are unlawful in the borough and must be deactivated by the owners or lessees of the premises from the effective date of this chapter.

§ 85-5. Remote-controlled fences and gates.

Owners or lessees of premises equipped with gates, fences or other devices which are designed to prevent entry and are electronically controlled from a location such as a residence or other principal building shall ensure that when an audible alarm or automatic protection device is activated, the gate,

fence or other device will open to allow entry of the Police Department, Fire Department or rescue company.

§ 85-6. False alarm fees. [Amended 11-25-1997 by Ord. No. 690]

In order to defray the cost to the borough of responding to false alarms, the fees set forth in § 85-9 shall be imposed against an alarm user after response to each false alarm. After an alarm user has accumulated three responded false alarms within any twelve-month period, the Police Department shall bill the alarm user. The alarm user shall promptly forward payment to the Manager of the borough within 10 days of the date of the bill.

§ 85-7. Effect of chapter on pending proceedings.

Nothing in this chapter shall be construed to affect any suit or proceeding pending in any court, any rights acquired or liability incurred, any permit issued or any cause of action existing under the ordinances of the borough prior to the enactment of this chapter.

§ 85-8. Compliance required.

- A. No person shall fail to comply with the requirements of a written notice of violation of any of the provisions of this chapter within 10 days of receipt of such notice, exclusive of Saturdays, Sundays and holidays. Such notice shall continue in force and effect until there is full compliance with the requirements stated therein.
- B. No person shall misuse or falsely activate an alarm system. Each misuse or false activation shall constitute a separate offense.

- C. No alarm user shall install or permit to be installed an alarm system in violation of any of the provisions of this chapter. A separate offense shall be deemed committed each day that a violation occurs or continues after due notice has been given.

§ 85-9. Violations and penalties.

- A. Failure of any person to comply with the requirements of written notice of a violation of any provision hereof within three days of receipt of such notice, exclusive of Saturdays, Sundays and holidays, shall constitute an offense punishable by a fine of not less than \$25 nor more than \$300, together with all costs of prosecution and attorney's fees. Such notice shall continue in force and effect until full compliance with the requirements stated therein, and each and every failure to comply with such notice within 24 hours after the three days allowed for compliance shall constitute a separate offense.
- B. The misuse, false activation, or continual accidental activation of an alarm system shall be punishable pursuant to the following schedule of fines per offense in any one calendar year; provided, however, that there shall be a thirty-day grace period beginning on the date of an alarm system's initial installation during which no fines shall be imposed and no false or accidental activation shall constitute an offense:
- (1) First offense: no fine.
 - (2) Second offense: no fine.
 - (3) Third offense: no fine.
 - (4) Fourth offense: \$35.
 - (5) Fifth offense: \$70.
 - (6) Sixth offense: \$105.
 - (7) Seventh offense: \$140.

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(8) Eight or more offenses: \$175 each.

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