

ORDINANCE NO. 223

AN ORDINANCE OF THE BOROUGH OF MILESBERG, CENTRE COUNTY, PENNSYLVANIA, ESTABLISHING OPERATIONAL STANDARDS FOR FIRE ALARM DEVICES, REQUIRING ALL ALARM DEVICES TO MEET INDUSTRY STANDARDS, PROHIBITING THE CREATION OF INTENTIONAL FALSE ALARMS, PROHIBITING ACCIDENTAL FALSE ALARMS, ASSESSING PENALTIES FOR THE CREATION OR PERMITTING OF INTENTIONAL OR ACCIDENTAL FALSE ALARMS, REQUIRING PERIODIC TESTING OF ALARM DEVICES AND DISCLAIMING MUNICIPAL LIABILITY FOR ANY LOSS OR DAMAGE RELATING TO PRIVATE ALARM SYSTEMS.

P R E A M B L E

The intentional or accidental creation of false alarms poses a substantial risk of harm to the citizens of the Borough of Milesburg and bears the potential to impair the fire-fighting capability of the Borough's volunteer fire company. The Borough, in response thereto, has deemed it appropriate to control the installation of private alarm systems and to prohibit the intentional or accidental creation of false alarms and to assess penalties for such activities.

SECTION 1. 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 an intentional false alarm, as defined herein, or an alarm which occurs when there has not been an intrusion, crime, fire or other emergency.

Alarm. A communication to a public safety agency indicating that a crime, fire or other emergency situation warranting immediate action by the public safety agency has occurred or is occurring.

Alarm Device. Any device designed to automatically transmit an alarm by wire, telephone, radio or other means (a) directly to a public safety agency; (b) to a person who is instructed

to notify the public safety agency of the alarm; or (c) to activate a bell or sounding device to be heard outside a building which is intended to alert the public safety agency or others to the existence of a crime, fire or other emergency situation warranting public safety action.

Automatic Dialing Device. A device which is interconnected to a telephone line and is programmed to transmit a coded signal to a Designated Trunk Line (selected telephone number other than a primary trunk line) indicating a need for emergency response, except that tape-recorded voice dialers are prohibited.

Central Receiving Station. The alarm or control panel installed at a public safety agency for the purpose of giving visual or audio response to direct alarm devices.

Designated Trunk Line. A telephone line or lines serving the Central Receiving Station that is designated to receive calls from automatic dialing devices.

Direct Alarm Device. An alarm device, other than a telephone digital dialer alarm device, designed to transmit an alarm directly to the public safety agency.

False Alarm. An alarm to which the public safety agency responds resulting from the activation of an alarm device when a crime, fire or other emergency warranting immediate action by a public safety agency has not, in fact, occurred. The definition excludes alarms caused by acts of God, such as earthquake, flood, windstorm, thunder or lightning.

Indirect Alarm Device. An alarm 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 Public Safety Agency has occurred or is occurring.

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

Primary Trunk Line. A telephone line leading into the public safety agency that is for the purpose of handling emergency calls on a person-to-person basis and which line is identified by a specific listing among the white pages in the telephone

directory issued by the Bell Telephone Company.

Public Safety Agency. Any police or fire service serving the municipality covered by this Ordinance.

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

SECTION 2. Operational Standards.

a. 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.

b. A Direct Alarm Device shall be designed to dial only specific telephone numbers designed by the Public Safety Agency and to allow the Person to abort the Alarm signals.

c. A Direct Alarm Device shall be designed so that it interfaces with the Central Receiving Station maintained by the Public Safety Agency.

d. 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 15 minutes of operation. Alarm Devices in operation on the effective date of this Ordinance, which gives an audible Alarm for more than 15 minutes must be modified to a 15-minute device. The maximum upper limit on the sound level omitted by such a bell, siren or sound-making device shall be 85 decibels.

e. 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. An Alarm Device which does not meet any of the above standards or for which there is no recognized industry standard will not be allowed to be connected to the Central Receiving Station.

f. 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.

g. The Alarm Device must be maintained by the Person in good repair to assure reliability of operation.

h. Persons having their Alarms terminate at the Central Receiving Station shall insure that at least two persons residing within 15 minutes of alarmed structure shall be available to respond, when notified, that an Alarm has been received and their presence is required. The names, addresses and telephone numbers of these two individuals, which can be contacted for response as aforementioned, must be kept on file at the Central Receiving Station for Public Safety Agency use.

i. No automatic protection device, installed after the effective date of this Ordinance, shall be keyed to a Primary Trunk Line.

SECTION 3. False Alarms.

a. No Person shall create an Intentional False Alarm.

b. Any Person causing or permitting an Accidental False Alarm, for any reason [except for a grace period of 30 days for new installations], shall pay to the Municipality a charge for each and every False Alarm to which the Public Safety Agency responds in each 12-month period, as follows:

Alarms Sounded After Installation

First Alarm, each period	No Charge
Second Alarm, each period	\$ 25.00
Third Alarm, each period	\$ 50.00
Each additional Alarm, each period	\$ 100.00

c. When a False Alarm occurs, the Public Safety Agency, within 10 days from the date of the False Alarm, shall notify the Person of the Alarm Device from which the False Alarm emanated 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 Person causing said False Alarm at his last known address, by regular mail, postage prepaid. Failure of the Public Safety Agency to mail notice of assessment of a False Alarm charge within 10 days from the occurrence of a False Alarm shall preclude the Municipality 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 Borough of Milesburg 15 days from the date of mailing of the notice of assessment of the charge.

e. Failure of a Person causing a False Alarm to pay a

False Alarm charge on or before the date due shall constitute a violation of this Ordinance and said Person shall be subject to the penalties set forth in Section 8 hereof.

SECTION 4. Change in Location of Central Receiving Station. If the location of the Central Receiving Station should change at any time, the Borough of Milesburg shall not be responsible for any cost incurred by a person to relocate their Alarm because of said change in location.

SECTION 5. Testing. No person shall conduct or test any Alarm Device without first notifying the Public Safety Agency. Where the equipment is keyed through an intermediary, no notification is necessary, unless the Alarm or signal is to be relayed to the Central Receiving Station.

SECTION 6. Liability of Municipality. The Borough of Milesburg will not accept any liability to maintain any equipment, to answer Alarms, nor otherwise render the Municipality liable to any Person for any loss or damage relating to the Alarm system or procedure.

SECTION 7. Administration and Enforcement. Borough of Milesburg shall have authority to order the disconnection of an Alarm Device until such time as Device is made to comply with operational standards set forth herein (but only where evidence of failure to comply with said standards) imposes a burden upon the Milesburg Borough Fire Company as a result of False Alarms.

SECTION 8. Penalties. Any Person, firm or corporation, who shall violate any provision of this Ordinance, shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300.00 and/or imprisonment for a term not to exceed 30 days.

ENACTED AND ORDAINED this 8 day of April, 1991.

MILESBURG BOROUGH

ATTEST:

Paul J. Sale  
Secretary

BY: Robert B. Park  
President

William J. Gordon  
Mayor