

Chapter 66

ALARMS

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[HISTORY: Adopted by the Board of Supervisors of the Township of North Middleton 6-2-1994 by Ord. No. 94-3. Amendments noted where applicable.]

GENERAL REFERENCES

Fire company — See Ch. 15.
Police — See Ch. 35.

Building construction — See Ch. 80.

§ 66-1. Definitions.

The following words and terms when used in this chapter shall have, unless the context clearly indicates otherwise, the meaning given to them in this section:

ALARM — A communication to an emergency service indicating that a crime, fire or other emergency service has occurred or is occurring.

ALARM DEVICE — A mechanical or electrical device designed to automatically transmit an alarm by wire, telephone, radio, audio or other means:

- A. Directly to the county communications or Pennsylvania State Police or a designated alarm company.
- B. To a person who is instructed to notify the Police or Fire Department or other agencies of the alarm.

CENTRAL RECEIVING STATION — The alarm console or control panel installed in a designated alarm company, Police Department, Fire Department or County Communications for the purpose of giving visual and/or audio response to alarm devices.

COMMUNICATIONS — Act of or system of transmitting information.

DIRECT ALARM DEVICE — An alarm device, other than a telephone dialer alarm device, designed to transmit an alarm directly to the Police Department, Fire Department or County Communications.

EMERGENCY SERVICE(S) — The Fire and Police Departments of North Middleton Township and those service departments from outside the Township such as ambulance and medic unit personnel, providing such services as agents of the Township.

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

FIRE DEPARTMENT — The North Middleton Township Fire Department composed of the chartered fire company within the confines of North Middleton Township or similarly chartered companies outside the environs of the North Middleton Township which respond as agents of the North Middleton Township Fire Department.

INDIRECT ALARM DEVICE — An alarm device designed to transmit an alarm to a person who is instructed to notify the Police, Fire Department or County Control 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 an emergency service has occurred or is occurring.

NATURAL DISASTER — An unanticipated grave natural phenomenon of an exceptional, inevitable and irresistible character, the effects of which could not have been prevented or avoided by the exercise of due care and foresight. The term natural disaster shall include, but not be limited to, hurricane, tornado, flood, high water, wind-driven water, tidal wave, earthquake, landslide, snowstorm, drought, fire, explosion or other catastrophe.

NOTIFICATION — The required alarm device information which a subscriber must furnish to the Police Department to receive the Police Department's monitoring services for an alarm device should be written.

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

POLICE DEPARTMENT — The North Middleton Township Police Department.

SUBSCRIBER — A person whose alarm device terminates in the alarm central receiving station.

TELEPHONE DIALER ALARM DEVICE — An alarm device designed to automatically transmit a recorded message over regular telephone lines directly to the designated alarm company.

YEAR or CURRENT YEAR — The twelve-month period commencing January 1 and ending December 31.

§ 66-2. Notification by subscriber.

- A. It shall be unlawful for any person to put an alarm device into operation or to allow an alarm device to be put into operation without first providing notification to the Police Department. Said notification should be written and shall be provided by the person or his/her authorized agent whose premises are to be served by the alarm device.

- B. The person filing the notification shall be responsible to pay any and all charges required to be paid pursuant to this chapter or by subsequent resolution of the Board of Supervisors of North Middleton Township.
- C. In order to make notification, a person must:
 - (1) Complete the alarm notification form provided by the Police Department.
 - (2) Sign a disclaimer form.
- D. Address and telephone changes:
 - (1) Permanent address or telephone changes of individuals to be contacted in the event of an emergency must be directed in writing to the Chief of Police, North Middleton Township Municipal Building, 2051 Spring Road, Carlisle, PA 17013. [Amended 1-17-2002 by Ord. No. 2002-1]
 - (2) Temporary address or telephone changes of individuals to be contacted in the event of an emergency shall be furnished by the subscriber to the police officer in charge by contacting said officer at 243-7910. (A temporary change is one which does not exceed seven days in duration. All other changes shall be deemed to be permanent for purposes of this chapter.)

§ 66-3. False alarms.

- A. It shall be unlawful to cause an intentional false alarm.
- B. Where an alarm device is activated and no emergency or natural disaster exists to warrant such activation, a false alarm charge shall be made by North Middleton Township. Said false alarm charge(s) shall be set by resolution of the Board of Supervisors from time to time.
- C. When it is determined that a false alarm charge is due from the subscriber, said subscriber will be notified by the Police Department of said false alarm on which a false alarm charge is due and the amount thereof.
- D. Such notice of false alarm charges shall be in writing and mailed to the subscriber or his or her authorized agent by regular mail.
- E. A false alarm charge shall be due and payable 30 days from the date of the mailing of the notice of assessment of the false alarm charge.

§ 66-4. Central Receiving Station: response to alarm.

- A. An alarm, whether it is through an alarm device, telephone dialer alarm device or an indirect alarm device, which is transmitted from the Central Receiving Station to the Cumberland County Communications Center or the Pennsylvania State Police Substation, for transmittal to the North Middleton Township Police or Fire Department, shall result in the dispatch and responding of the necessary emergency equipment to determine the actuality of the alarm.

- B. Whether the alarm is actual or false in nature requires the subscriber or his designee to physically respond to the scene of the alarm.
- C. Any emergency service which responds to an alarm shall keep and record a log or report of all alarm responses. The log of the emergency service shall state the name of the subscriber, the source of the alarm, the date and time of the alarm and the type of alarm, whether real, false, intentional or otherwise.

§ 66-5. Obligation and duty of subscriber.

- A. Any subscriber or his designated agent shall respond to the source of the alarm whether or not the alarm is actual or false and shall remain at the source of the alarm until directed to leave by the responding departments or until contacting the Central Receiving Station.
- B. Failure of the subscriber or his designated agent to respond to the source of the alarm or to leave the source of the alarm without the approval of the responding department or without contacting the Central Receiving Station shall constitute a violation of this chapter.

§ 66-6. Liability of North Middleton Township.

- A. The assumption of any obligation, duty or requirement by the Fire Department or by the Police Department as mandated by this chapter shall not constitute acceptance by North Middleton Township of any liability in connection with monitoring or responding to alarms within North Middleton Township.
- B. North Middleton Township, its officers, representatives and employees, shall not be liable for and will be held harmless for any loss or injury to person or property occasioned by any failure to strictly comply with the requirements of this chapter.

§ 66-7. Violations and penalties; enforcement.

- A. Any individual, establishment, partnership, corporation, entity or concern who or which violates or permits a violation of this chapter shall, upon conviction in a summary proceeding brought before a District Justice under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not less than \$200 nor more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense.
- B. The Board of Supervisors of North Middleton Township shall, by resolution, set forth and create additional charges for responding to false alarms and for subscriber failure to respond to the alarm source.

- C. 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-month period, cause or permit a subsequent false alarm to occur in the same consecutive twelve-month period. A person that violates this Subsection C commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than \$300 pursuant to 18 Pa.C.S.A. § 7511. **[Added 1-2-2001 by Ord. No. 2001-1]**
- D. Enforcement of this chapter shall be the duty of the Police Department.