

TOWNSHIP OF UNION

ORDINANCE NO. 88

AN ORDINANCE PROVIDING FOR THE REGULATION OF VARIOUS TYPES OF FIRE AND EMERGENCY ALARM DEVICES, NOTIFICATIONS FOR FALSE ALARMS AND PROVIDING FEES AND FINES FOR VIOLATION OF THE ORDINANCE.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Union Township, Lebanon County, Pennsylvania, and it is hereby ordained and enacted as follows:

SECTION ONE: Purpose: The purpose of this Ordinance is to provide standards and regulations for various types of fire and emergency alarm devices which require response thereto by the Lickdale and Green Point Fire Companies.

SECTION TWO: Scope: The provisions of this Ordinance shall apply to any person who operates, maintains or owns any alarm device, dial alarm or local alarm designed to summon the Fire Department to any location in response to any type of alarm signal.

SECTION THREE: Definitions:

A. Alarm Console: shall be defined as the console or control panel of devices giving a visual or audio response or both and located within Lebanon County Emergency Agency or elsewhere.

B. Alarm Device: shall mean any type of alarm system actuating equipment in the alarm console providing warning of intrusion, fire, smoke, flood or other peril.

C. Alarm System: shall mean an alarm device, dial alarm or local alarm or any combination of the same.

D. Dial Alarm: shall be that type of a device using telephone lines transmitting an alarm directly to Lebanon County Emergency Management Agency.

E. Local Alarm: is any alarm or device which when actuated produces a signal not connecting to the alarm console such as a store or home burglar alarm actuating bell or horn devices.

F. Person: shall be deemed to include any natural person, partnership, corporation or association.

G. False alarm: shall mean any alarm actuated by inadvertence or negligence or unintentional act of someone other than an unauthorized intruder or vandal and shall include as well alarms caused by malfunctioning of the alarm system or other relevant equipment but shall not include alarms created by malfunction of the alarm console. False alarm shall not include alarms activated by wind or electrical storms, lightning fire, flood, or other acts of nature; shall not include alarms activated by damage to electrical or telephone poles, electrical or telephone transmission lines outside the owners' premises, and routine maintenance by power or telephone companies; shall not include alarms activated during installation of the alarm system; and, shall not include alarms activated by vehicles, birds or other animals outside the protected premises.

H. Fire Chief: shall mean the Fire Chiefs of the Lickdale Fire Company and the Green Point Fire Company, both individually and in combination.

I. Fire Department: shall mean the Lickdale Fire Company and the Green Point Fire Company, both individually and in combination.

SECTION FOUR: False Alarms: In the case of a false alarm, the Fire Chief or his designee, shall cause an investigation to be made and keep a record of said false alarms on file. For such false alarms, the Board of Township Supervisors prescribes the following provisions:

A. For the first two false alarms in any year, a warning shall be issued. For the first two false alarms in any year, the Fire Chief, or his designee, shall notify the person occupying the premises upon which the alarm system is located that a false alarm has been received and shall give such person a copy of this Ordinance.

B. For the third through fifth false alarms in the same year, an administrative fee of \$100.00 payable to Union Township shall be imposed for each false alarm.

C. For the sixth through eighth false alarms in the same year, an administrative fee of \$500.00 payable to Union Township shall be imposed for each false alarm.

D. For the ninth and subsequent false alarms in the same year, an administrative fee of \$1,000.00 payable to Union Township shall be imposed for each false alarm.

E. The administrative fee hereby imposed shall be payable in addition to any fine hereinafter imposed by this Ordinance.

SECTION FIVE. Computation of Time: For the purposes of this Ordinance, a year shall mean 365 consecutive days following a person's first false alarm. The year ends at the conclusion of that period. A new year will begin for that person when a false alarm occurs after the conclusion of the previous year.

SECTION SIX: Notice: Notice as required by this Ordinance shall be given by the Fire Chief, or his designee, to the person occupying the premises upon which the alarm system is located by mailing a copy of the Notice, certified mail, return receipt requested, to such person at the address where the alarm system is located. A Notice may also be given by personal service of the Notice by handing a copy of the same to the occupant of the premises upon which the alarm system is located or to an adult resident thereof or an employee located thereon. If service is made by personal service, the Fire Chief, or his designee, shall file a Proof of Service which shall be under oath and which shall designate the person and title upon whom service was made.

SECTION SEVEN: Severability: In the event any provision, section, sentence, clause or part of this Ordinance shall be held invalid, such invalidity shall not affect or impair any remaining provisions, sections, sentences, clauses or part of this Ordinance. It being the intent of the Township of Union that such remainder shall be and shall remain in full force and effect.

SECTION EIGHT: Enforcement: Any person found to have violated any of the terms of this Ordinance or any person who shall fail to pay the administrative

fee hereunder in the same calendar shall, upon conviction in a summary proceeding, be subject to a fine of not more than \$300.00

SECTION NINE: Other legal action: This Ordinance shall not prevent the Township from taking other legal action to prevent the abuse of alarm systems by the owner.

SECTION TEN: All other ordinances and parts of ordinances inconsistent herewith shall be and the same are hereby repealed.

SECTION ELEVEN: This Ordinance shall be effective ten (10) days after enactment.

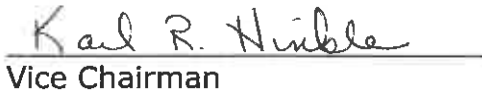
Enacted and ordained this 13 day of February, 2002.

ATTEST:


Secretary

BOARD OF SUPERVISORS OF UNION TOWNSHIP


Chairman


Vice Chairman

ORDINANCE NO. 132

AN ORDINANCE BY THE UNION TOWNSHIP BOARD OF SUPERVISORS **AMENDING ORDINANCE NO. 88** CODIFIED AT UNION TOWNSHIP CODIFIED ORDINANCE CHAPTER 7, PART 1, IN WHICH THE TOWNSHIP PROVIDED FOR THE REGULATION OF VARIOUS TYPES OF FIRE AND EMERGENCY ALARM DEVICES, NOTIFICATIONS FOR FALSE ALARMS AND PROVIDING FEES AND FINES FOR VIOLATION OF THE ORDINANCE.

WHEREAS, the purpose of this Ordinance amending Ordinance No. 88 shall be to amend and increase the fees provided for under Ordinance No. 88;

WHEREAS, Ordinance No. 88 established fees to be imposed against individuals and corporations who have successive false fire alarms during any period of 365 days;

WHEREAS, responding to false alarms is excessively burdensome upon the resources of the volunteer fire companies located in Union Township and results in excessive costs to the volunteer fire companies;

WHEREAS, false alarms threaten the health and welfare of Township residents by unnecessarily distracting and occupying fire apparatus;

WHEREAS, the fees provided for in Ordinance No. 88 are no longer sufficient to cover the costs of the volunteer fire companies in responding to successive false alarms.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Union Township, Lebanon County, Pennsylvania, and it is hereby **ORDAINED AND ENACTED** into law as follows:

1. The purpose of this Ordinance is to amend the Township of Union, Lebanon County, Ordinance No. 88 Codified at Chapter 7, Part 1, only as explicitly amended by this Ordinance.

2. Chapter 7, Part 1, Section 7-104(B) is hereby amended to provide that an administrative fee of Two Hundred Fifty Dollars (\$250.00) payable to Union Township shall be imposed for the third through fifth false alarms occurring in the same year.

3. Chapter 7, Part 1, Section 7-104(C) is hereby amended to provide that for the sixth through eighth false alarms in the same year, an administrative fee of Seven Hundred Fifty Dollars (\$750.00) payable to Union Township shall be imposed for each such false alarm.

4. Chapter 7, Part 1, Section 7-104(D) shall be amended to provide for an amended administrative fee for the ninth and subsequent false alarms in the same year in an amount of One Thousand Five Hundred Dollars (\$1,500.00) payable to Union Township which shall be imposed for each such false alarm.

5. The increased administrative fee shall become effective immediately as permitted by law.

6. Said Ordinance No. 88 as codified shall remain in full force and effect except as explicitly and specifically amended by this Ordinance.

7. In the event any provision, section, sentence, clause or part of this Ordinance shall be held invalid, such invalidity shall not effect or impair any remaining provisions, sections, sentences, clauses or parts of this Ordinance. It

being the intent of the Township of Union that such remainder shall be and shall remain in full force and effect.

8. All other Ordinances and parts of Ordinances inconsistent herewith shall be and the same are hereby repealed.

9. This Ordinance shall be effective ten (10) days after enactment.

ENACTED AND ORDAINED this 9 day of July, 2008.

ATTEST:

UNION TOWNSHIP BOARD OF SUPERVISORS

By Larry R. Wolf
Secretary

By [Signature]
Chairman

By Arthur M. Bragg
Vice Chairman