EAST BRADFORD TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 12 OF 2015

AN ORDINANCE OF THE TOWNSHIP OF EAST BRADFORD, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 42 – ALARM SYSTEMS, OF THE CODE OF THE TOWNSHIP OF EAST BRADFORD

The Board of Supervisors of East Bradford Township enacts and ordains as follows:

Section 1.

The East Bradford Township Code of Ordinances, Chapter 42, Alarm Systems, is deleted in its entirety and replaced with a new Chapter 42 to read as follows:

Chapter 42. Alarm Systems

§ 42-1. Title.

This chapter shall be known as the "Township of East Bradford Automatic Protection Device Ordinance."

§ 42-2. Definitions.

The following definitions shall apply to the interpretation and enforcement of this chapter:

ANSWERING SERVICE

A service whereby trained employees, in attendance at all times, receive prerecorded voice messages from Automatic Protection Devices reporting an emergency at a stated location, which employees have the duty to relay immediately by live voice only such emergency message.

AUDIBLE ALARM

Any device, bell, horn or siren which is attached to the interior or exterior of a building and emits a warning signal audible outside the building and designed to attract attention when activated by a criminal act or other emergency requiring the police and/or fire departments to respond.

AUTOMATIC PROTECTION DEVICE

An electrically or battery operated instrument composed of sensory apparatus and related hardware which automatically transmits any form of alarm or signal upon receipt of a stimulus from a sensory apparatus that has detected a physical force or condition inherently characteristic of intrusion.

AUTOMATIC PROTECTION DEVICE SUPPLIER

Any Person, firm or corporation who sells or leases and/or installs Automatic Protection Devices.

CENTRAL STATION PROTECTIVE SYSTEM

A protective system, or group of such systems, operated privately for customers by a Person, firm or corporation which maintains, supervises and accepts recorded messages 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 receipt of a signal or message.

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 emergency service dispatcher, police department, and/or fire department to which the police and/or fire departments are intended to respond, which is not the result of an actual and/or attempted burglary, robbery, fire or similar emergency.

INTERMEDIARY

A Central Station Protective System or an Answering Service, as herein defined.

KEY

To use a telephone or recording equipment to transmit a message, either directly or indirectly, by an Automatic Protection Device.

PERSON

Any natural person, corporation, partnership, joint venture, sole proprietorship, association and any other entity of whatever type.

TOWNSHIP

The Township of East Bradford, Chester County, Pennsylvania.

§ 42-3. Compliance required.

All who own, install, operate, repair, maintain, test or otherwise use Automatic Protection Devices in the Township must do so in compliance with this chapter.

§ 42-4. Audible alarms.

A. Automatic Protection Devices with Audible Alarms on locations may be installed in Township residences and business establishments so long as they comply with the provisions of this chapter.

B. Automatic Protection Devices must be equipped with a timing device which will disconnect the Audible Alarm after a maximum period of 15 minutes. Audible Alarms without such devices are prohibited in the Township and must be modified to include the

timing device or be disconnected by the owner or lessee within 60 days from the effective date of this chapter.

§ 42-5. Indirect keying of devices.

A. Any Person who has an Automatic Protection Device in the Township may arrange to have such device Keyed to an Intermediary authorized to relay emergency messages to the emergency service dispatcher, police department, and/or fire department serving the Township.

B. Automatic Protection Devices Keyed to an authorized Intermediary may also be Keyed to another telephone which the owner or lessee of the Automatic Protection Device has available to himself or his representative at some other location.

§ 42-6. Registration.

A. Each Automatic Protection Device installed in the Township should be registered with the police department.

B. The registration application should contain the information set forth below, together with such other information as the Township and police department deem necessary for the administration of this chapter:

1. The name, address and telephone number of the owner and lessee, if applicable.

2. The name and address where the device is installed and the telephone number of that address.

3. The name, address and telephone number of any Intermediary or any other Person or firm who is authorized to respond to an emergency and gain access to the address where the device is installed.

4. The name and telephone number of any Person, firm or corporation, if any, other than the Automatic Protection Device Supplier who is responsible for maintenance and repair of the Automatic Protection Device.

5. Registrations should be renewed annually to ensure the police department has current emergency contact information for the owner of the Automatic Protection Device.

§ 42-7. Operational requirements for devices.

A. Automatic Protection Devices installed in the Township shall meet the following requirements:

1. The type and content of recorded messages must be intelligible.

2. No more than one call shall be made over the police radio or fire radio network as a result of a single activation of the Automatic Protection Device.

3. The time for transmitting each recorded message shall not exceed 15 seconds.

4. Recorded messages may be repeated during the one (1) call, but the interval between each recorded message shall be no less than four (4) seconds.

5. The sensory mechanism used in connection with an Automatic Protection Device must be adjusted to suppress false indications of intrusion or fire, so that the device will not be actuated by impulses due to fleeting pressure changes in water pipes, short flashes of light, the rattling or vibrations of doors and windows, vibrations to the premises caused by the passing of vehicles or any other force not related to genuine alarms.

6. All components comprising such a device must be maintained by the owner or lessee in good repair to assure maximum reliability of operation.

7. Automatic Protection Device Suppliers must conform to the requirements contained in the National Electrical Code as they pertain to installations, inspections and testing of such devices as well as any applicable American National Standards Institute (ANSI) standards.

B. The buyer or lessee of the Automatic Protection Device shall make arrangements for service to be available to such device on a twenty-four-hour-per-day, seven-day-per-week basis. Such service shall be made available to any Person using an Automatic Protection Device at such user's expense.

C. The buyer or lessee of the Automatic Protection Device shall obtain repair service written information as to how service may be obtained at any time, including the telephone number of the Automatic Protection Device Supplier or agent responsible for service. The buyer or lessee of the Automatic Protection Device or agent supplying a service shall be responsible for having the device disconnected or repaired as quickly as possible after notice that the Automatic Protection Device is not functioning properly.

D. The buyer or lessee of the Automatic Protection Device shall obtain a copy of this Chapter.

§ 42-8. Inspection of devices.

A. The public safety requires that the incidents of False Alarms and malfunctioning Automatic Protection Devices be kept to a minimum so as to reduce unnecessary calls to the emergency service dispatcher, police department, and/or or fire department serving the Township and to increase the effectiveness of properly functioning Automatic Protection Devices.

B. Installation of an Automatic Protection Device or the continuance of the installation of any Automatic Protection Device already installed at the effective date of this chapter shall constitute consent by the owner or lessee thereof and authorization for the inspection of any such installation and/or operation of any such Automatic Protection

Device by the Township Manager, Township Zoning Officer, Township Building Inspector or any other designated agent of the Township.

C. All such entries upon the premises upon which an Automatic Protection Device is installed and all such inspections of installation and operation of Automatic Protection Devices shall be at reasonable times and upon reasonable notice, except in an emergency situation.

§ 42-9. Disconnection of defective devices.

When messages evidencing failure to comply with the operational requirements, as set forth in this chapter, are received by the Township and the Township concludes that the Automatic Protection Device sending such messages should be disconnected in order to relieve the emergency service dispatcher, police department, and/or or fire department serving the Township of the burden of responding to False Alarms, the Township may require that the owner or lessee of the device or his representative disconnect the device until it is made to comply with said operational requirements. If disconnection of the defective device is not accomplished promptly and the Township determines that the malfunctioning device is repeatedly sending False Alarms without any intermittent, valid alarms, the Township may then take any action necessary to terminate the receiving of alarms.

§ 42-10. False alarms.

A. Consent to pay costs.

1. For the purpose of defraying the costs to the police and/or fire departments of responding to a False Alarm, the owner or lessee of an Automatic Protection Device, Persons using the services of intermediaries, users of Audible Alarms and users of any other kind of direct or indirect connection with the police and/or fire communications centers, except Persons using the two-way live voice communication by telephone, shall, as a condition to installation and continued operation of such equipment or service, such owner, lessee or user shall pay the Township for all False Alarms following the first one, according to the fee schedule adopted by the Board of Supervisors for each False Alarm originating from the owner's premises that has not been activated by some force of nature or means beyond the owner's, lessee's or user's control.

2. The Township Manager, Code Enforcement Officer, Township Building Inspector, police and/or fire departments or any other designated agent may enforce the costs specified in the fee schedule in accordance with this section. Any Person who fails to pay the costs imposed in the fee schedule shall, upon conviction thereof in a summary proceeding brought before a District Justice, be guilty of a summary offense and shall be subject to the payment of a fine in the amount of the cost imposed, plus the costs of prosecution. Upon default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a period of not more than 30 days.

B. Any owner, lessee or user of an Automatic Protection Device may revoke or refuse to consent as set forth herein only by disconnecting the Automatic Protection Device. With respect to such devices installed at the effective date of this chapter, the owner, lessee or

user can refuse or revoke the aforesaid consent by disconnecting such Automatic Protection Device within 90 days from the effective date of this chapter.

§ 42-11. Violations and penalties.

A. Any Person who violates any provision of this chapter, except §42-11 "False alarms," shall, upon conviction thereof in a summary proceeding brought before the District Justice, be guilty of a summary criminal offense and shall be subject to the payment of a fine in an amount not more than $1,000, plus the costs of prosecution. Upon default of payment thereof, the defendant may be sentenced to imprisonment for a period of not more than 30 days. Each section or provision of this chapter that is violated shall constitute a separate offense and each day or portion thereof in which a violation of this chapter is found to exist shall constitute a separate offense, each of which violations shall be punishable by a separate fine imposed by the District Justice of not more than $1,000 plus the costs of prosecution, and upon default of payment thereof, the defendant may be sentenced to imprisonment for a term of not more than 30 days.

B. Any Person found guilty of misuse, false activation or continual accidental activation of an Automatic Protection Device shall be liable for a fine of not more than $1,000, plus the costs of prosecution, for each and every such activation. Such fine and costs shall be collectible before any District Justice as like fines and penalties are now by law collectible.

Section 2.

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, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

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

This Ordinance shall become effective five (5) days after enactment as by law provided.

ENACTED AND ORDAINED this 10th day of November, 2015.

BOARD OF SUPERVISORS
EAST BRADFORD TOWNSHIP

ATTEST:

_____
SECRETARY

By: _____
Vincent M. Pompo, Chairman

By: _____
Dr. Thomas A. Egan, Vice-Chairman

By: _____
John D. Snook, Member