

OHIO TOWNSHIP ORDINANCE  
ORDINANCE NO. 159

AN ORDINANCE OF THE TOWNSHIP OF OHIO PROVIDING FOR THE IMPOSITION OF REGULATIONS AND FEES FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF BURGLAR, FIRE, HOLD-UP AND MEDICAL ALARMS WITHIN THE TOWNSHIP OF OHIO.

WHEREAS, the Board of Supervisors of the Township of Ohio has the authority to impose regulations and fees under the laws of Pennsylvania; and,

WHEREAS, the Township of Ohio has not established an ordinance regulating burglar, fire, hold-up and medical alarm systems; and,

WHEREAS, the Board of Supervisors of the Township of Ohio, in the exercise of its discretion, desires to impose regulations and fees on the installation, operation and maintenance of burglar, fire, hold-up and medical alarms.

NOW, THEREFORE, be it ORDAINED and ENACTED by the Board of Supervisors of the Township of Ohio, and it is hereby ORDAINED and ENACTED by and with the Authority of the same as follows:

GENERAL PROVISIONS:

A. DEFINITIONS

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

1. ALARM SUPPLIER: The business by any individual, partnership, corporation, or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, or installing any alarm system or causing any alarm system to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed, in or on any building, structure facility.

2. ALARM SYSTEM: Any assembly of equipment, mechanical, electrical, or battery operated, arranged to signal the occurrence of a police, fire, hazard, or medical emergency requiring urgent attention and to which police or fire units are expected to respond.

3. ANSWERING SERVICE: A service whereby trained employees, in attendance at all times, receive prerecorded voice messages from automatic dialing devices reporting an emergency at a stated location, where such employees have the duty to relay immediately by live voice any such emergency message over a trunk line to the communications center of the Police or Fire Department.

4. AUDIBLE ALARM: Any device, bell horn, or siren which is attached to the interior or exterior of a building, structure, or facility and emits a warning signal audible outside the building, structure, or facility and is designed to attract attention when activated by a criminal act or other emergency requiring police or fire department response.

5. AUTOMATIC DIALING DEVICE: A device which is interconnected to a telephone line and is programmed to transmit a signal by a voice or coded message that indicates that an emergency condition exists and the need for an emergency response is required.

6. CENTRAL STATION: A protective system or group of such systems operated privately for customers by a person, firm or corporation which accepts recorded messages from automatic dialing devices at a central station having operators and guards in attendance at all times who have the duty to take appropriate action upon receipt of a signal or message, including the relaying of messages to the communications center of the Police or Fire Department.

7. EMERGENCY: A police, fire, hazard, or medical emergency.

8. FALSE ALARM:

a. An alarm activated in the absence of an emergency, whether willfully or by inadvertence, negligence, or unintentional act, to which the Police Department or Fire Department responds. The definition excludes alarms caused by malfunctions of the McCandless Police Communication Center or Fire Communication Center receiving equipment; alarms for which the user has attempted to cancel response; testing or repairing of telephone or electrical lines or equipment outside the premises; acts of God, such as earthquake, flood, windstorm, thunder, or lightning; an attempted illegal entry; a crime in progress, or, in the case of emergency medical alarm, an actual medical emergency requiring police, fire and/or medical personnel. If doubt exists as to the cause of the false alarm,

the Chief of Police or his designee shall make a decision regarding the circumstances of the activation. If call is cancelled with Communication Center before Police/Fire arrive at scene it will not be counted as a false alarm.

b. Multiple alarms received by the Police Department or Fire Department before the system can be deactivated or repaired within a reasonable period of time shall be considered a single alarm.

c. The definition of a false alarm also includes the intentional activation of a holdup alarm for other than a holdup in progress, the intentional activation of a burglary, alarm for other than a burglary, the intentional activation of a medical alarm for other than a medical emergency, or the intentional activation of a fire alarm for other than fire of hazard.

9. FIRE DEPARTMENT: The Ohio Township Volunteer fire company.

10. FIRE EMERGENCY: A fire.

11. HAZARD EMERGENCY: An explosion, leak of toxic gas, liquid, or solid, or a potential explosion or leak.

12. INTERMEDIARY: A central station protective system or an answering service as herein defined.

13. KEY: To use a telephone line and equipment for transmitting a message either directly or indirectly by an automatic dialing device.

14. MEDICAL EMERGENCY: An emergency involving the health of a person.

15. PERMIT: Written permission duly granted to an applicant by the Township upon payment of the required fee.

16. POLICE DEPARTMENT: The area police department.

17. POLICE EMERGENCY: An incident requiring prompt response by the Police Department.

18. POLICE AND FIRE COMMUNICATIONS CENTER: The police and fire communications center through which calls are dispatched.

19. CHIEF OF POLICE: The administrative head of Ohio Township Police Department.

20. TOWNSHIP: The Township of Ohio, County of Allegheny.

21. TRUNK LINE: A telephone line leading into that communications centers of the Police Departments that is for

the purpose of handling calls on a person to person basis and which is identified by and issued by the telephone company.

#### B. ALARMS WITHOUT TIMING MECHANISMS PROHIBITED

On and after the effective date of this chapter, owners or users of audible alarms must equip such audible alarms with a timing mechanism that will disengage the audible alarm after a maximum of ten (10) minutes. Audible alarms without such a timing mechanism shall be unlawful in the Township and must be disconnected by the owner or user within sixty (60) days from the effective date of this chapter.

#### C. DIRECT KEYING OF AUTOMATIC DIALING DEVICES

On and after the effective date of this chapter, all automatic dialing devices that transmit recorded messages directly to Police Department or Fire Department shall be keyed to the Police and Fire Communication Centers.

#### D. LISTING OF INSTALLATIONS

1. Within ninety (90) days from the effective date of this chapter, every Alarm Supplier/User who has installed an alarm system or has caused an alarm to be installed on their premises in the Township shall furnish to the Chief of Police the following information:

a. The name, residence, and telephone number of the owner or user.

b. The address where the device is installed and the telephone number at that address.

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

d. The name and telephone number of any person, firm, or corporation, if any, other than the alarm supplier, who is responsible for maintenance and repair of the system.

e. The type of system, i.e. holdup, burglary, fire or medical emergency.

2. Users of alarm systems devices whose devices were installed prior to the effective date of this chapter shall, within sixty (60) days after such enactment, supply the Chief of Police with the information specified in Subsection 1.

3. All information furnished pursuant to this section shall be kept confidential and shall be for the authorized use of the Police Department only.

## E. INSTALLATION PERMIT

1. The Township shall issue an Alarm Installation Permit to an Alarm Supplier meeting the requirements of this Section E upon the filing of the required application and payment of a fee of \$50.00. Each permit shall bear the signature of the Police Chief and be for a one calendar year period. A copy of the license shall be displayed physically upon each of the premises using the alarm system and shall be available for inspection solely by the Police Department. (See Section M-3-g).

2. Each Alarm Supplier that installs one or more alarm systems in the Township shall make service available on a twenty-four (24) hour day basis, seven (7) days a week, to repair such devices and to correct malfunctions as they occur. Any person using an alarm system shall make arrangements for service to be available for such device in a twenty-four (24) hour per day, seven (7) day per week basis.

3. The applicant shall furnish an insurance certificate annually confirming that the applicant has in force general liability insurance coverage in an amount of not less than \$300,000.00 each occurrence. An applicant who self insures such coverage shall furnish evidence of financial ability.

4. Permittee shall pay an annual license fee of \$100.00.

a. No Alarm Supplier's license shall be required:

1) Where no alarm permit is required, or  
2) When the installation of such alarm systems shall be made personally by the owner or occupant of the premises.

b. A license may be revoked or renewal denied if:

1) The license fails to meet the requirements necessary to obtain a license, or  
2) The license fee is not paid, or  
3) The Chief of Police has reason to believe the licensee's installations are the cause of false alarms, or  
4) License fails to provide emergency services as required by this chapter.

## F. PERMIT FEES

1. The user's fee for an alarm system permit shall be \$15.00 annually. Said permit shall be obtained by or on behalf

of the owner of the premises upon which the alarm system is installed from the Police Department prior to the installation of the alarm system.

2. The permit shall bear the signature of the Chief of Police and be valid for the period of one calendar year that the owner owns the premises upon which the alarm system is installed, or until revoked by the Chief of Police. The permit shall be physically present upon the premises using the alarm system and shall be available for inspection by the Chief of Police.

3. The permit shall contain the address of the property, the name of the business (if applicable), the name of the owner, tenant, or agent responsible for the property, the Alarm Supplier or other entity responsible for maintaining the system, the type of alarm (burglary, fire, holdup, or medical), how the alarm signal will be received by the communications center (tape, central station, etc.); at least two alternate emergency numbers of persons to be contacted to secure the property and any additional information as may be determined to be necessary. It shall be the owner's responsibility to amend the foregoing information whenever the information changes in writing to Police Department.

4. EXCEPTION. An alarm user who is over the age of 65 and is the primary occupant of a residence, may obtain a user's permit from the Township without paying the above stated fee.

5. Users who fail to obtain a permit within sixty (60) days after the alarm system is activated, or within (60) days after the effective date of this ordinance, if later, shall be liable to pay a \$25.00 late charge penalty for each calendar year that the permit is not obtained.

6. All locations in the Township equipped with alarm systems, except as stated in this chapter, must secure and possess a valid permit for same.

#### G. CERTAIN AUDIBLE ALARM SYSTEMS--NO PERMIT REQUIRED

1. A battery powered (9 volt, 11.2 volt, or similar voltage) audible alarm system or an electrically energized audible alarm system whose sole purpose is to notify the occupants of that location of an emergency situation shall be exempt from the permit requirements of this chapter if all of the following conditions exist:

a. The alarm is not connected to any mechanical or electrical device that automatically notifies a person or agency outside that location that the alarm system is activated.

b. The audible alarm does not sound outside the location (no external speakers).

c. The internal signal permitted by the audible alarm does not exceed ninety (90) decibels.

d. The internal alarm does not cause undue annoyance or alarm to occupants of adjoining premises.

2. Alarm users who are not required to pay a fee or who are exempt from obtaining an alarm user's permit as above shall nevertheless, be subject to the penalty provisions prescribed in this chapter.

3. After the effective date of this chapter, no one except an Alarm Supplier holding a valid permit from the Township shall install any alarm system within the confines of the Township, unless user installs system.

#### H. TECHNICAL INFORMATION

Each Alarm Supplier who, after the effective date of this ordinance, sells or leases in the Township an alarm system shall furnish operating instructions and manual to the buyer or lessee.

#### I. INSPECTION OF DEVICES

1. The public safety requires that the incidence of false alarms and malfunctioning automatic dialing devices be kept to a minimum so as to reduce unnecessary calls to the Police and Fire Departments and to increase the effectiveness of properly functioning alarm systems. In order to enforce this and to reduce the incidence of false alarms and malfunctioning alarm systems it is necessary that the Police Department and the Police Departments designated inspector have the right to inspect the installation and operation of any alarm system installed in the Township at the user's expense.

2. Application for a permit for the installation of an alarm system and subsequent installation of such a system pursuant to a permit issued or the continuance of the use of any alarm system 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 by the Police Department.

3. All such entries upon the premises where an alarm system is installed and all such inspection of the installation and operation of alarm systems shall be at reasonable times and upon reasonable notice, except in emergency situations.

J. CONFORMANCE WITH INSTALLATION, INSPECTION AND TESTING STANDARDS

Every Alarm Supplier selling, leasing or furnishing to any user or user who privately installs an alarm system which is located on premises within the Township shall:

1. Be permitted to install only equipment that is listed by Underwriter's Laboratories, Inc. as being electrically safe and meeting the Township requirements for the alarm system. Writing for the alarm system must conform with all applicable Township codes. In the case of fire alarms, the stricter of NFPA Standards or Township Regulations shall apply.

2. Be required to cause each alarm system installed to be provided with standby battery power which shall automatically and immediately take over in the event of a power failure.

3. Be required to install equipment in such a way as to neutralize electrical surges on the alarm system.

4. Be required to deactivate any alarm system within a reasonable period of time when multiple false alarms are received.

K. NOTIFICATION PRECEDING DEVICE TESTING

No person shall conduct any test or demonstration of any alarm system without first notifying the shift supervisor of the Township Police or Fire radio communications center.

L. ALARM SUPPLIER TO FURNISH COPY OF LAW

Alarm Supplier shall furnish at their own expense, at or prior to the time of contracting, a copy of this chapter to owners, lessees, or users of the equipment or services to be supplied.

M. FALSE ALARMS

1. Any police officer or fireman responding to an alarm which is determined to be false shall promptly notify the Chief of Police of such alarm in writing and he shall, within five (5) days, have notification of such false alarm sent via U.S. mail to the person in whose name the alarm is registered.

2. By submitting an application for permit for the installation of an alarm system and the subsequent installation of such a system or by the continuation of the use of an alarm system already installed at the effective date of this chapter, the owner, lessee or user thereof shall agree that such permit application constitutes a waiver by such person of the right to bring or file any action, claim or complaint whatsoever against

any police officer or fireman who makes a forced entry in response to such an alarm into the premises on which such an alarm is installed as a result of entry into the subject premises.

In the event the owner of such premises is a person other than the permit applicant, as in the instance of a lessee or other use not the owner of the premises on which the alarm is installed, such permit application shall constitute an indemnification agreement by the applicant to hold harmless any such police officer or fireman, the Township, the Police Department and the Fire Department, as appropriate, from any and all damages whatsoever claimed by the lessor or owner of the premises on which the alarm is installed.

3. Any alarm system which has four (4) or more false alarms within a calendar year shall be subject to permit revocation.

a. The Chief of Police shall notify the alarm user and the alarm business providing the service or inspection to the user by first class postage prepaid, certified mail, of such fact and direct that the user submit a report to the Chief of Police within fifteen (15) days of receipt of the notice describing actions taken or to be taken to discover and eliminate the cause of the false alarms.

b. If the alarm user submits a report as directed, the Superintendent Chief of Police shall determine if the action taken or to be taken will substantially reduce the likelihood of false alarms. If he determines that the action will substantially reduce the likelihood of false alarms, he shall notify the alarm user in writing that his permit will not be revoked at this time.

c. If no report is submitted, or if the Chief of Police determines that the action taken or to be taken will not substantially reduce the likelihood of false alarms, the Chief of Police shall give notice by first class postage prepaid, certified mail, to the user that the permit will be revoked without further notice, if the user does not file within ten (10) days of a written request for hearing.

d. If a hearing is requested, written notice of the time and place of the hearing shall be served on the user by the Chief of Police by first class postage prepaid, certified mail, at least ten (10) days prior to the date set for the hearing, which date shall not be more than 21 nor less than 10 days after the filing of the request for hearing.

e. The hearing shall be before the Board of Supervisors and shall be held pursuant to Local Agency Law.

f. An alarm user shall immediately discontinue use of this alarm system upon being notified by first class postage prepaid, certified mail, of the revocation of his permit.

g. An alarm user whose permit has been revoked may apply for a probationary user's permit. Police Chief shall not be required to issue a probationary user's permit, unless he is satisfied that the user's system has been properly serviced and its deficiencies corrected. The Chief of Police may impose reasonable restriction and conditions upon the user, before issuing a probationary user's permit, which restriction and conditions shall be written on the permit. A probationary user's permit shall be issued for a one (1) year period. If the alarm user does not have four or more false alarms during that period, he may apply for a permanent permit under the provisions of Section F.

#### N. FALSE ALARMS WITHOUT PERMISSION

If disconnected by Police and reconnected by user, a \$300.00 fine will be imposed.

##### 1. Consent to pay cost; schedule of costs:

a. For the purposes of defraying the costs to the Police and Fire Departments of responding to false alarms, the owner, lessee or user of any alarm system, persons using the services of an Intermediary, users of audible alarms and users of any other kind of alarm systems or any other kind of direct or indirect connection with the Police or Fire communications center, 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, execute a consent in such form as may be prescribed by the Township that such owner, lessee, or user shall pay the Township for all false alarms upon the following schedule for each false alarm originating from the owner's, lessee's or user's premises:

b. First one false alarm, per calendar year:  
warning.

c. All subsequent false alarms per calendar year:  
\$50.00.

2. Failure to comply. Any such owner, lessee, or user who fails to execute the consent described in Subsection a, within ninety (90) days from the effective date of this chapter shall, with the ninety (90) day period, disconnect the alarm system.

3. Any owner, lessee or user of an alarm system may revoke or refuse to consent as set forth in Subsection a. above only by disconnecting the alarm system. With respect to such

systems installed at the effective date of this chapter, the owner, lessee, or user can refuse or revoke the aforesaid consent by disconnecting such alarm system within ninety (90) days from the effective date of this chapter.

4. Penalties provided for false alarms that are relayed or transmitted by an Intermediary shall be the responsibility of the owner or user of the alarm system.

O. VIOLATIONS AND PENALTIES

1. Violation of any provision of this ordinance shall constitute a summary offense punishable by a fine as prescribed in Section M, plus cost of prosecution. Such fine and costs shall be collectible before any District Justice (Court) as like fines and penalties are now by law collectible. Each twenty-four (24) hour period during which failure to comply continues shall constitute a separate offense.

2. Any person found guilty of willful misuse or willful false activation of an alarm system shall be liable for a fine of \$300.00 plus the cost of prosecution, or to imprisonment in the county jail for a term not to exceed thirty (30) days, or both, 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. The same shall constitute a summary offense.

P. VALIDITY

Should any section or provision of this chapter be declared by a Court of competent jurisdiction to be invalid, such decision shall not effect the validity of this, chapter as a whole, or of any other part.

Q. EFFECTIVE DATE

This chapter shall become effective five (5) days after adoption as prescribed by law.

BE IT ORDAINED and ENACTED by the board of Supervisors of the Township of Ohio, this 20 day of December, 1989.

ATTEST:

John F. Sullivan Jr.

OHIO TOWNSHIP

J. Daniel Holman  
Chairman