

Chapter 54, ALARM SYSTEMS

[HISTORY: Adopted by the Board of Supervisors of the Township of Doylestown 1-24-1989 by Ord. No. 179. Amendments noted where applicable.]

GENERAL REFERENCES

Fire prevention -- See Ch. 94.

§ 54-1. Title.

This chapter shall be known as the "Doylestown Township Alarm Ordinance."

§ 54-2. Definitions.

For the purpose of this chapter, the following words shall have the definitions as hereinafter set forth:

ALARM SUPPLIER - Any individual, partnership, corporation or other legal entity who sells, leases, maintains, services, repairs, alters, replaces, moves or installs any alarm system or causes any alarm system to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed in or on any building, structure or any other facility.

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.

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 Bucks County Department of Communication.

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, which said activation requires an emergency response from the Police or Fire Department.

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.

CENTRAL STATION - A protective system or group of such systems operated privately for customers by a person, firm or corporation which accepts 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 Bucks County Department of Communication.

CHIEF OF POLICE - The administrative head of the Doylestown Township Police Department.

COORDINATOR - The Chief of Police of Doylestown Township or his designee.

EMERGENCY -- A police, fire, hazard or medical emergency.

FALSE ALARM

A. An alarm activated in the absence of an emergency, whether willful or by inadvertence, negligence or unintentional act, to which the Police Department or Fire Company

- responds, which said definition excludes alarms caused by malfunctions of the County Department of Communications receiving equipment, alarms for which the user has attempted to cancel the response, testing or repairing of telephone electrical lines or equipment outside the premises, acts of God, i.e., earthquakes, flood, windstorm, thunder, lightning, attempted illegal entry or a crime in progress, or, in the case of an emergency medical alarm, an actual medical emergency which requires police, fire and/or medical personnel to respond.
- 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 and it shall be the decision of the Chief of Police or his designee as to the cause of the false alarm.
 - C. The definition of a false alarm also includes the intentional or negligent activation of a holdup alarm for other than a holdup in progress, the intentional activation of a burglary alarm for other than an emergency or the intentional activation of a fire alarm for other than an emergency.

FIRE DEPARTMENT - The area fire companies.

FIRE EMERGENCY - A fire or other emergency normally requiring the response of the Fire Department.

HAZARD EMERGENCY - An explosion, leak of toxic gas, liquid or solid, or a potential explosion or leak or any other hazard requiring the response of the Police Department or Fire Department.

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

KEY - The use of a telephone line and equipment for transmitting a message, either directly or indirectly, by an automatic dialing device.

LICENSE - A written permit granted to an alarm supplier by the Township upon compliance with this chapter, any rules and regulations adopted thereto and the payment of any required fee.

MEDICAL EMERGENCY - An emergency involving the health of a person.

PERMIT - Written permission granted by the Township to an alarm user after compliance with the terms and conditions of this chapter and any regulations adopted in furtherance thereof and upon payment of the required fee.

POLICE AND FIRE COMMUNICATIONS CENTER - The police and fire communications rooms and other rooms which house communications equipment and the police radio dispatcher.

POLICE DEPARTMENT - The Doylestown Township Police Department.

POLICE EMERGENCY - An incident requiring an immediate and prompt response by the Police Department.

TOWNSHIP - The Township of Doylestown.

TRUNK LINE -- A telephone line leading into the communications centers of the Police and Fire Departments that is for the purpose of handling calls on a person-to-person basis and which is identified by a specific listing among the white pages in the telephone directory issued by the telephone company.

§ 54-3. Timing mechanisms for audible alarms.

On or after the effective date of this chapter, owners or users of audible alarms must equip such audible alarms with timing mechanisms that will disengage the audible alarms after a maximum of 15 minutes of sound. Audible alarms without such timing device shall be unlawful in the Township and must be disconnected by the owner or user on or before April 1, 1989.

§ 54-4. 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 the Police or Fire Department shall be keyed to the County Department of Communication radio room (telephone line separate and distinct from the trunk lines for the communications center).

§ 54-5. Listing of installations.

- A. On or before May 1, 1989, every alarm supplier who has installed an alarm system in the Township shall furnish to the Chief of Police the following information:
- (1) The name, residence and telephone number of the owner or user.
 - (2) The address where the device is installed and the telephone number at that address.
 - (3) 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.
 - (4) 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.
 - (5) The type of system, i.e., holdup, burglary, fire or medical emergency.
 - (6) The names of personnel authorized to be in the facility.
- B. Users of alarm system devices whose devices were installed prior to the effective date of this chapter shall, within 60 days after such enactment, supply the Chief of Police with the information specified in Subsection A of this section.
- C. All information furnished pursuant to this section shall be kept confidential and shall be for the authorized use of the Police Department only.

§ 54-6. Alarm suppliers license.

- A. Effective February 1, 1989, no one except an alarm supplier holding a valid license from the Township shall sell, install or service any alarm system within the Township.
- B. The coordinator shall issue an alarm suppliers license to an alarm supplier who shall meet the requirements of this chapter upon filing of the requisite application and paying the appropriate fee, which said fee shall be fixed by the Board of Supervisors of Doylestown Township by resolution from time to time. EN The application fee shall include the first year's license, and the alarm supplier shall pay an annual licensing fee in accordance with the schedule established by the Board of Supervisors of Doylestown Township by resolution from time to time. Each license shall bear the signature of the coordinator and shall be valid for a one-calendar-year period. A copy of the license shall be physically upon each of the premises using the alarm system and shall be available for inspection solely by the Chief of Police or by his designee [see § 54-14A(3)(g)].

- C. Each alarm supplier that installs one or more alarm systems in the Township shall make service available on a twenty-four-hour-day basis, seven 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 on a twenty-four-hour-per-day seven-day-per-week basis.
- D. No corporation, sole proprietor, partner, joint venturer, trustee, executor, administrator, employee, fiduciary or stockholder with a 5% or greater interest in a corporation (except a corporation whose stock is publicly traded and registered with the Securities and Exchange Commission or with a state securities commission) applying for a license shall have been convicted of a felony or pleaded nolo contendere to a felony charge on indictment.
- E. 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 for each occurrence. An applicant who self-insures such coverage shall furnish evidence of financial ability.
- F. Exemptions; revocation.
 - (1) No alarm suppliers license shall be required:
 - (a) Where no alarm permit is required; or
 - (b) When the installation of such alarm systems shall be made personally by the owner or occupant of the premises.
 - (2) A license may be revoked or renewal denied if:
 - (a) The licensee fails to meet the requirements necessary to obtain a license;
 - (b) The license fee is not paid;
 - (c) The Chief of Police has reason to believe the licensee's installations are the cause of false alarms; or
 - (d) The licensee fails to provide emergency service as required by this chapter.
- G. Alarm suppliers shall demonstrate a working knowledge of alarm systems and provide letters of recommendation from no less than three references.

§ 54-7. Alarm system permit.

- A. The user's fees for an alarm system permit shall be fixed by the Board of Supervisors of Doylestown Township by resolution from time to time and shall be obtained by or on behalf of the owner of the premises upon which alarm system is installed from the Police Department prior to the installation of the alarm system.
- B. The permit shall bear the signature of the Chief of Police or the coordinator and be valid for the period that the owner owns the premises in which the alarm system is installed or until revoked by the Chief of Police or the coordinator. The permit shall be physically present upon the premises using the alarm system and shall be available for inspection by the Chief of Police or the coordinator.
- C. 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, holdup, 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.
- D. Exonerations. The Board of Supervisors, by resolution, may exonerate any alarm user who is over the age of 65 years of age, handicapped or any nonprofit organization from the payment of any user permit fees within the Township.

- E. Users who fail to obtain a permit within 30 days after the alarm system is activated or within 60 days after the effective date of this chapter, if later, shall be liable to pay a late charge penalty of \$20 for each calendar year that the permit is not obtained.
- F. All locations in the Township equipped with alarm systems, except as stated in this chapter, must secure and possess a valid permit for the same.

§ 54-8. Alarms exempt from permit requirements.

- A. A battery-powered [nine volts, 11.2 volts 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:
 - (1) 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.
 - (2) The audible alarm does not sound outside the location (no external speakers).
 - (3) The internal signal emitted by the audible alarm does not exceed 90 decibels.
 - (4) The internal alarm does not cause undue annoyance or alarm to occupants of adjoining premises.
- B. 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.
- C. After the effective date of this chapter, no one except an alarm supplier holding a valid license from the Township shall install any alarm system within the confines of the Township.

§ 54-9. Technical information required.

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

§ 54-10. Inspections.

- A. 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 property functioning alarm systems. In order to enforce this and to reduce the incidence of false alarms and malfunctioning alarm systems, it is necessary that appropriate Township officials have the right to inspect the installation and operation of any alarm system installed in the Township.
- B. 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 Chief of Police or his designee.
- C. 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.

§ 54-11. Compliance with installation and other standards required.

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

- A. 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.

Wiring for the alarm system must conform with all applicable Township codes. In the case of fire alarms, the stricter of the National Fire Protection Association standards or Township regulations shall apply.

- B. 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.
- C. Be required to install equipment in such a way as to neutralize electrical surges on the alarm system.
- D. Be required to deactivate any alarm system within a reasonable period of time when multiple false alarms are received.

§ 54-12. Notice prior to 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 network, as applicable.

§ 54-13. Suppliers to provide copies of chapter.

Alarm suppliers and installers 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.

§ 54-14. False alarms.

A. Response to 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 days have notification of such false alarm sent via United States mail to the person in whose name the alarm is registered.
- (2) By submitting an application for a 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 that the owner of such premises is a person other than the permit applicant, as in the instance of a lessee or other user 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 or more false alarms within a calendar year shall be subject to permit revocation.
 - (a) The Chief of Police shall ratify 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 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 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 10 days a written request for a 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 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 a hearing officer designated by the Chief of Police, and the alarm user shall have the right to counsel and to present written or oral evidence, subject to the right of cross-examination. If the hearing officer determines that four or more false alarms have occurred and that the user has not taken action which substantially reduces the likelihood of false alarms, he shall issue written findings to that effect and an order revoking the user's permit.
- (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. The Chief of Police 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 restrictions and conditions upon the user before issuing a probationary user's permit which restrictions and conditions shall be written on the permit. A probationary user's permit shall be issued for a one-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 § 54-7.

B. Casts and remedies.

- (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 under 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 three false alarms, per calendar year: warning.
 - (c) Fourth and subsequent false alarms per calendar year up to \$600 each alarm. [Amended 11-4-1991 by Ord. No. 208]

- 2) Failure to comply. Any such owner, lessee or user who fails to execute the consent described in Subsection B(1)(a) within ninety (90) days from the effective date of this chapter shall, within the ninety-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 B(1)(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 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.

§ 54-15. Violations and penalties. [Amended 11-4-1991 by Ord. No. 208]

- A. Violation of any provision of this chapter shall constitute a summary offense punishable by a fine, following the conviction for the same, not to exceed \$600, plus costs of prosecution, and, in default of payment of such fine and costs, imprisonment for a term not exceeding 30 days. Such fine and costs shall be collectible before any District Justice of the Peace as like fines and penalties are now by law collected. Each twenty-four-hour period during which a failure to comply has occurred shall constitute a separate offense.
- B. Any person found guilty of willful misuse or willful false activation of an alarm system shall be liable for a fine as provided in Subsection A above 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.