

ORDINANCE NO. 377

**AN ORDINANCE OF THE TOWNSHIP OF DOYLESTOWN,
BUCKS COUNTY, PENNSYLVANIA, AMENDING THE
PROVISIONS OF CHAPTER 54, ALARM SYSTEMS, BY
ADOPTING A NEW ALARM ORDINANCE.**

WHEREAS, the Doylestown Township Board of Supervisors, adopted a Code of Ordinances in November 1991; and

WHEREAS, the Doylestown Township Board of Supervisors desires to amend the provisions of Chapter 54, Alarm Systems, so as to delete the entirety of Chapter 54, and in lieu thereof, establishing a new Chapter 54.

Section 1. The provisions of Chapter 54, Alarm Systems, of the Doylestown Township Code is hereby amended by deleting in its entirety the provisions of Chapter 54 and, in lieu thereof, providing as follows:

1. § 54-1. Title. This chapter shall be known as the “Doylestown Township Alarm Ordinance.
2. § 54-2. Definitions. For the purpose of this ordinance, the following words shall have the definitions as hereinafter set forth:

Alarm

A communication to a public safety agency indicating that a crime, fire, or other emergency has occurred or is occurring in Doylestown Township, warranting immediate action by a public safety agency.

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 within Doylestown Township.

Alarm System

Any assembly of equipment, mechanical, electrical, or battery-operated, arranged to signal the occurrence of a police, fire, hazard, or medical emergency in Doylestown Township requiring urgent attention and to which public safety agencies are expected to respond.

Alarm User

Any individual, partnership, unincorporated association, corporation, trust, or other legally recognized entity in control of any premises which utilizes any alarm system which directly or indirectly notifies any public safety agency that an immediate response is warranted.

Audible Alarm

Any device, bell, horn, or siren, which is attached to the interior or exterior of a building, structure, or facility that emits a warning signal audible outside a building, structure, or facility and is designed to attract attention when activated, which said activation requires emergency response from police, fire, hazard, or medical emergency responders.

Emergency

A situation requiring immediate response by police, fire, hazard, or medical professionals.

False Alarm

The activation of an alarm system to which a public safety agency responds when a crime, fire, or other emergency has not occurred.

License – Alarm Supplier

A written license granted to an alarm supplier by Doylestown Township upon compliance with this ordinance, any rules and regulations adopted thereto, and the payment of any required fee.

License – Alarm User

A written permit granted to an alarm user by Doylestown Township after compliance with the terms and conditions of this ordinance and any regulations adopted in furtherance thereof and upon payment of the required fee.

Public Safety Agency

The area police departments, fire departments, and emergency medical agencies.

Trunk Line

Telephone line leading into the communication centers of the police, fire, or other emergency service, which 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 a telephone company(ies), online, or on a website.

3. § 54-3. Timing mechanisms for audible alarms.

On or after the effective date of this ordinance, 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, 2017.

4. § 54-4. Direct keying of automatic dialing services.

On and after the effective date of this ordinance, all automatic dialing services 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).

5. § 54-5. Alarms exempt from license requirements.

A. A battery-powered (9 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 license requirements of this ordinance if all of the following conditions exist:

- (i) 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.
- (ii) The audible alarm does not sound outside the location (no external speakers).
- (iii) The internal signal emitted by the audible alarm does not exceed 90 decibels.
- (iv) 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 license, as above, shall nevertheless be subject to the penalty provisions prescribed in this ordinance.

6. § 54-6. Remote-controlled fences and gates.

A. Owners or lessees of premises equipped with gates, fences, or other similar apparatus designed to prevent entry which are electronically controlled from a location, such as a residence or other principal building, shall ensure access to police, fire department, ambulance, or rescue company vehicles (hereinafter "emergency vehicles") by means of the following:

- (i) All electronically activated gates, fences, or other similar apparatus designed to prevent entry to a residence or principal structure, or the property on which

such residence or principal structure is located, shall be designed and equipped in a manner such that when an audible alarm or automatic protection device is activated, the gate, fence, or other apparatus shall open to allow access to emergency vehicles.

(ii) All electronically activated gates, fences, or other similar apparatus designed to prevent entry to a residence or principal structure, or the property on which such residence or principal structure is located, shall be equipped with an Opticon or compatible preemption system to activate the apparatus and allow access to emergency vehicles in the event the audible alarm or automatic protection systems do not activate.

B. Electronic control of the gate, fence, or similar apparatus shall not resume until the alarm or automatic protection device is reset and the emergency vehicles have cleared the premises.

C. The requirements, as set forth in this subsection, shall be completed on or before April 1, 2017.

7. § 54-7. Listing of installations.

A. Any alarm supplier 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 within Doylestown Township on or after the effective date of this ordinance shall furnish to the Chief of Police the following information on a form to be established by the Doylestown Township Police Department:

(i) The name, address, and telephone number of the property owner where the alarm system is installed;

(ii) The name, address, and telephone number of the persons occupying or in control of the physical location where the alarm system was installed;

(iii) The name, address, and telephone number of any person who is authorized to respond to an emergency at the location where the alarm system was installed;

(iv) The name, address, and telephone number of any person, firm, or corporation, other than the alarm supplier who is responsible for maintenance and repair of the alarm system;

(v) The type of alarm system that was installed, i.e., holdup, burglary, fire, or medical alarm; and

(vi) The names of personnel authorized to be in the facility.

- B. Any alarm users whose alarm system devices were installed prior to the effective date of this ordinance shall, within sixty (60) days after the enactment of this ordinance, 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.

8. § 54-8. License – Alarm Supplier.

A. Effective January 1, 2017, no one except the alarm supplier holding a valid license from the Township shall sell, install, or service any alarm system within the Township.

B. Application and fees.

- (i) Application for an alarm supplier license shall be made on a form supplied by the Doylestown Township Police Department.
- (ii) The initial 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 a resolution from time to time.

C. Conditions of issuance.

- (i) 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.
- (ii) No corporation, sole proprietor, partner, joint venture, trustee, executor, administrator, employee, fiduciary, or stockholder with a five (5%) percent 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.
- (iii) 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 Three Hundred Thousand (\$300,000.00) Dollars for each occurrence. An applicant who self-insures such coverage shall furnish evidence of financial liability.
- (iv) An alarm supplier shall demonstrate a working knowledge of alarm systems and provide letters of recommendation from no less than three (3) references.

- (v) 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 a manual to the buyer or lessee.
- (vi) Alarm suppliers and installers shall furnish at their own expense, at or prior to the time of contracting, a copy of this ordinance to owners, lessees, or users of the equipment or services to be supplied.

D. Exemptions. No alarm supplier's license shall be required where no alarm license is required; or when the installation of such alarm systems shall be made personally by the owner or occupant of the premises.

E. Issuance.

- (i) The Chief of Police or his designee shall issue an alarm suppliers license to an alarm supplier who shall meet the requirements of this ordinance upon filing of the requisite application and paying the appropriate fee.
- (ii) Each license shall bear the signature of the Chief of Police and shall be valid for a one (1) calendar-year period.

F. Revocation. An alarm supplier license may be revoked or renewal denied if:

- (i) The license fails to meet the requirements necessary to obtain a license;
- (ii) The license fee is not paid;
- (iii) The Chief of Police has reason to believe the licensee's installations are the cause of false alarms; or
- (iv) The licensee fails to provide service or required documentation as required by this ordinance.

9. § 54-9. License – Alarm User.

A. No person, other than a licensed alarm user or a person experienced pursuant to § 54-8 (D), shall install, cause to be installed, or use a new installed or preexisting system without first making application for and obtaining an alarm user's license through the Doylestown Township Police Department.

B. Application and fees.

- (i) Application for and alarm user license shall be made to the Doylestown Township Police Department on a form supplied by the Police Department.

- (ii) A one (1)-time fee, which shall be fixed by the Board of Supervisors of Doylestown Township by resolution from time to time, must be submitted with the alarm user application.
- (iii) An alarm user application, fee, and license are required for each parcel of land within Doylestown Township that uses an alarm system requiring a license.
- (iv) Alarm user's licenses are nontransferable, and a new application and fee shall be required if the alarm user changes alarm suppliers.
- (v) The alarm user license application shall be on a form prescribed by the Doylestown Township Police Department and shall include, at a minimum, the following:
 - (a) The name, address, and telephone number of the property owner where the alarm system is installed;
 - (b) The name, address, and telephone number of the persons occupying or in control of the physical location where the alarm system was installed;
 - (c) The name, address, and telephone number of any person who is authorized to respond to an emergency at the location where the alarm system was installed;
 - (d) The name, address, and telephone number of any person, firm, or corporation, other than the alarm supplier, who is responsible for maintenance and repair of the alarm system;
 - (e) The type of alarm system that was installed, i.e, holdup, burglary, fire, or medical alarm; and
 - (f) The names of personnel authorized to be in the facility.

C. Issuance.

- (i) The Chief of Police or his designee shall issue an alarm users license to an alarm user who meets the requirements of this ordinance upon filing the requisite application and paying the appropriate fee.
- (ii) Each alarm user license shall bear the signature of the Chief of Police and shall not expire unless a provision elsewhere in this ordinance supersedes this subsection.

D. Revocation. A license will be revoked for any of the following reasons:

- (i) The licensee fails to meet the requirements necessary to obtain a license;
- (ii) The license fee is not paid;
- (iii) The Chief of Police has reason to believe the licensee's installations are the cause of false alarms;
- (iv) The licensee fails to provide service or required documentation as required by this ordinance; or
- (v) The licensee fails to service or have serviced a faulty alarm system resulting in multiple false alarms requiring an emergency response.

10. § 54-10. Compliance with installation and other required standards. Every alarm supplier selling, leasing, or furnishing to any alarm user; or an alarm user who privately installs an alarm system that 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 electronically 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 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.

11. § 54-11. 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 properly functioning alarm systems. In order to enforce this and to reduce the incidents 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 ordinance 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.

12. § 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.

13. § 53-13. Confidentiality; written notice of false alarms; written notice of penalties or prosecution; fees.

- A. All information furnished pursuant to this section shall be kept confidential and shall be for the exclusive use of the police and fire departments.

- B. Any police officer investigating an alarm activation will leave a written notice of alarm investigation, including the time and date of the violation.

- C. Upon receipt of the second false alarm, the Doylestown Township Police Department will send notice of the false alarm to the alarm user. The notice shall also be sent by first-class mail to the owner of the property, stating the time, date, and number of violations received to date.

- D. Upon receipt of the third false alarm activated within a calendar year, the Doylestown Township Police Department shall send, by first-class mail, notice to the alarm user and to the owner of the property, indicating the time, date, and number of violations received to date, along with a warning that subsequent false alarms within the calendar year may result in penalties or prosecution under applicable state law.

- E. Upon receipt of the fourth or more false alarms within a calendar year, the Doylestown Township Police Department shall send notice to the alarm user by certified mail, including a penalty which shall be fixed by the Board of Supervisors of Doylestown Township by resolution from time to time, a copy of which will also be sent to the Property Owner. Any penalties to be imposed shall be imposed upon the alarm user.

14. § 54-14. Violations and penalties.

- A. A violation of any provision of this ordinance shall constitute a summary offense punishable by a fine, following the conviction for the same, not to exceed One Thousand (\$1,000.00) Dollars, plus costs of prosecution, and, in default of payment of such fine and costs, imprisonment for a term not exceeding thirty (30) days. Such fine and costs shall be collectible before any district justice as like

finances and penalties are now by law collected. Each twenty-four (24)-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.

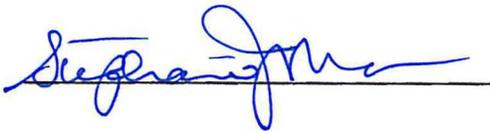
Section 2. In all other respects, the Doylestown Township Code of Ordinances are reaffirmed and ratified, subject only to modifications as set forth herein.

Section 3. In the event a court of competent jurisdiction shall declare any portion of this Ordinance invalid, such invalidity shall not affect the ordinance in the entirety, as it was the intent of the Board of Supervisors that the ordinance would have been adopted even if the offending provision had not been included.

Section 4. This ordinance shall become effective immediately after enactment, unless otherwise stated.

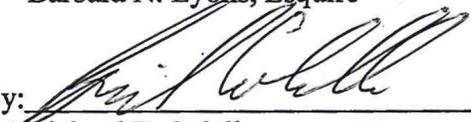
DULY ENACTED on this 18th day of October, 2016.

Attest:



DOYLESTOWN TOWNSHIP BOARD OF SUPERVISORS

By: _____
Barbara N. Lyons, Esquire

By: 
Richard F. Colello

By: 
Ryan Manion

By: 
Shawn Touhill

By: 
Ken Snyder