

PROPOSED ORDINANCE NO. 239

AN ORDINANCE OF THE BOROUGH OF PATTERSON HEIGHTS, BEAVER COUNTY, REGULATING FALSE ALARMS WITHIN THE BOROUGH AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE

BE IT ORDAINED AND ENACTED by The Council of the Borough of Patterson Heights and it is hereby ordained and enacted by virtue of the authority of the same as follows:

SECTION 1. PURPOSE

This Ordinance is enacted in the interest of health, safety and welfare of the residents of the Borough of Patterson Heights for the prevention of false alarms and to eliminate the unnecessary costs of responding to such false alarms.

SECTION 2. DEFINITIONS

As used in this chapter, the following terms shall have the meanings indicated:

FALSE ALARM - Any local alarm system activated intentionally or by inadvertence, negligence or unintentional act of someone other than an intruder and shall include, as well, alarms caused by malfunctioning of the alarm device of other relevant equipment and which results in an unnecessarily summoned response by the Patterson Township Police Department or the Patterson Heights Fire Department, or their designated assignee.

LOCAL ALARM SYSTEM - Any type of alarm system activating equipment which provides warning of intrusion, fire, smoke, flood or other perils by a signal that is sounded on the premises.

PERSON - Any natural person, partnership, corporation or association or any other legal entity.

SUMMONED RESPONSE - The appearance of the Patterson Township Police Department or the Patterson Heights Volunteer Fire Department or their designated assignee at the premises from which the local alarm system is activated, said appearance occurring as a result of a call or other communication to the Department(s) by the owner or occupier of the premises or his or her designated assignee.

SECTION 3. FALSE ALARMS; VIOLATIONS AND PENALTIES


- A. The Patterson Township Police Department and/or the Patterson Heights Volunteer Fire Department shall keep a record of all of their summoned responses to false alarms caused by local alarm systems within the Borough of Patterson Heights.
- B. In the case of a false alarm, the Police Chief may cause an investigation to be made as to the cause of said false alarm.
- C. Penalties in accordance with the following schedule shall be imposed for the summoned response of the Patterson Township Police Department or Patterson Heights Volunteer Fire Department or its designee to a false alarm: for the third false alarm in any one-year period (the one-year period begins with first false alarm), a warning shall be issued by the Police Chief; for the fourth false alarm and each and every false alarm thereafter in the one-year period, a fine of \$100 shall be paid by the owner of the alarm system to the Borough of Patterson Heights. The Police Chief shall cause written notice of any warning or fine imposed by this section to be mailed to the owner of the alarm system, by certified mail, return receipt requested. All fines imposed by this section shall be paid no later than 30 days from the date of issuance. The Borough may seek to recover said fines in District Court 36-1-02.
- D. Nothing contained in this section shall be applicable to schools or municipal buildings.

SECTION 4. SEVERABILITY

The provisions of this Ordinance are severable. If any portion 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 portions of this Ordinance. It is hereby declared to be the intent of the Borough Council of the Borough of Patterson Heights that this Ordinance would have been adopted had such unconstitutional, illegal or invalid portion not been included herein.

ENACTED, AND ORDAINED this 5th day of Feb, 2007.

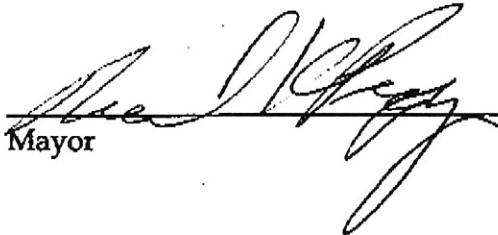
ATTEST:


Secretary

BOROUGH OF PATTERSON HEIGHTS


Council President

EXAMINED AND APPROVED this 5th day of July, 2007.


Mayor