ORDINANCE 493

FIRE PREVENTION- FALSE ALARMS

Presented to Council July 13, 2020

AN ORDINANCE TO PREVENT UNNECESSARY RESPONSE BY FIRE COMPANIES RESULTING FROM FALSE ALARMS RECEIVED FROM AUTOMATED FIRE ALARM SYSTEMS AND TO ESTABLISH GRADUATED PENALTIES FOR REPEATED FALSE ALARMS RECEIVED FROM THE SAME PROPERTY IN ANY CALENDAR YEAR.

WHEREAS, it is the desire of the Curwensville Borough Council to prevent unnecessary expenditure of public funds for response by fire companies to false alarms received from automated fire alarm systems, needless disruption of the lives and businesses of volunteer firemen, the unnecessary use and depreciation of fire and emergency equipment, together with the disruption in the use of the streets, highways, and alleys by the public.

NOW, THEREFORE, the Borough Council of Curwensville Borough, Clearfield County, Pennsylvania, hereby enacts and ordains as follows:

SECTION 1. DEFINITION:

"False fire alarm" shall mean any fire alarm received from an automatedfire alarm system, which has been caused by defect in the fire alarm system, accidental or careless use or misuse of the system, or other undetermined causes, and not caused by unfriendly fire.

For the purposes of this Ordinance, the yearly periods controlling the penalties charged hereunder shall be intended to mean the twelve (12) month period beginning January 1st and ending December 31st of each calendar year.

SECTION 2. PENALTIES:

1. The owners of all premises shall be permitted three (3) false fire alarms during any yearly period as defined above, without penalty.
2. After three (3) false alarms, the owners of the fire alarm system on the premises from which

the false alarms are received, shall be notified by Certified Mail, Return Receipt Requested, to repair such fire alarm system within thirty (30) days.

3. In the event a fourth (4th) false fire alarm from a premises shall be received within thirty (30) days of owner's receipt of notices specified above and a system owner can prove that the alarm system is being repaired; then such false fire alarm shall be excused and there shall be no charge for such false alarm.

4. Should any fire alarm system cause more than three (3) false alarms in one (1) calendar year, the owner of such system shall be charged a graduated penalty for each such false alarm as follows:

4th Unexcused False Fire Alarm		$100.00
5th Unexcused False Fire Alarm		$200.00
6th Unexcused False Fire Alarm		$300.00
7th Unexcused False Fire Alarm		$400.00
8th Unexcused False Fire Alarm		$500.00
All Subsequent Unexcused False Alarms		
Fire Alarms during the year		$500.00

SECTION 3. EMERGENCIES:

The Borough Council shall have the power to excuse false fire alarms received during periods of public emergencies when such false fire alarm is caused by the condition giving rise to the emergency.

SECTION 4. BILLING AND PAYMENT OF PENALTIES:

Any charged penalties hereunder shall receive a violation notice within thirty (30) days of a false alarm and payment for such penalty shall be made by the owner of the fire alarm system within ten (10) days of the date of such violation notice.

SECTION 5. NONPAYMENT:

A person in receipt of a violation notice shall have ten (10) days to pay the amount due pursuant to the violation. In the event that the amount due is not paid in full within ten (10) days, then such failure to pay shall result in the issuance of a criminal citation for the offense as enumerated. See Curwensville Borough Code Chapter 29-3.

SECTION 6. REPEALER:

All ordinances or resolutions or parts of ordinances or resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

SECTION 7 INVALIDITY:

In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any of the remaining provisions, sections, sentences, clauses or parts of this Ordinance; it being the intent of the Borough of Curwensville that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 8 EFFECTIVE DATE:

EFFECTIVE DATE: This Ordinance shall become effective as provided by the laws of the Commonwealth of Pennsylvania.

DULY ORDAINED AND ENACTED this _____ day of _____, 2020, by the Council of the Borough of Curwensville, Clearfield County, Commonwealth of Pennsylvania, in lawful session duly assembled.

<div align="center">BOROUGH OF CURWENSVILLE</div>

ATTEST:

BY:

_____   _____
Borough Secretary/Treasurer   *Borough Council President*

                                            _____
                                                        Borough Mayor