

Chapter 72

ALARM SYSTEMS

§ 72-1. Definitions.

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[HISTORY: Adopted by the Borough Council of the Borough of Dallastown 8-12-2002 by Ord. No. 486. Amendments noted where applicable.]

§ 72-1. Definitions.

The following terms, phrases and words shall have the meaning given in this section, unless it is apparent from the context that a different meaning is intended:

ALARM SYSTEM — Any mechanical, electrical or electronics device that is designed or used for the detection of burglars, robbery or fire or the need for medical assistance within a building, structure or facility or for alerting others to the commission of an unlawful act or a hazard within a building, structure or facility, or both, and which emits a sound or transmits a signal or message when activated. Alarm systems shall include but are not limited to direct-dial telephone or other electronic devices or audible alarms. Devices that are not designed or used to sound alarms that are intended to be audible, visible or perceptible outside of the protected building, structure or facility are not included within this definition or chapter, nor are auxiliary devices installed by the telephone company to protect telephone systems that might be damaged or disrupted by the use of an alarm system. An alarm system includes all of the necessary equipment designed and installed for the detection of and alerting others to burglary, robbery or other commission of an unlawful act or fire or the need for medical assistance or other hazard in a single building, structure or facility.

BOROUGH — Borough of Dallastown, York County, Pennsylvania.

FALSE ALARM — The activation of an alarm system through mechanical failure, malfunction, improper installation or the negligence of the owner or lessee of an alarm system or its employees or agents, or the use of an alarm to summon the Police or Fire Department for reasons other than emergency at the premises requiring assistance from the Police or Fire Department, or conducting a test of the system without prior notification thereof to the Police or Fire Department. False alarms shall not include alarms caused by conducting a test of the system with prior notification of the Police or Fire Department. False alarms shall not include alarms caused by electrical interruptions due to storms or other reason not the fault of the owner of the alarm system, floods or other natural disasters.

FIRE CHIEF — The Chief of the Friendship Hose Company, No. 1, Dallastown, Pennsylvania, or the Chief's designee or successor.

OWNER — The record owner of any premises upon which an alarm system is installed.

PERSON — Any person, firm, partnership, association or corporation.

POLICE CHIEF — The Chief of the York Area Police Department or any other department then providing police service to or for the Borough of Dallastown, or such Chief's designee or successor.

USER — The person in physical control of a premises upon which an alarm system is installed, including but not limited to a tenant, owner, contract purchaser or trustee.

§ 72-2. Obligation.

The obligation for maintenance, repair and upkeep of an alarm system shall be the full responsibility of the person who shall from time to time have control of the building, structure or facility where the alarm system is located.

§ 72-3. False alarms; fee.

- A. If an alarm system shall create three false alarms in any calendar year, the Police Chief or Fire Chief, as the case may be, shall notify the Borough Secretary, who in turn shall notify the owner and user of the system of that fact and that any further false alarms shall result in the imposition of a fee for answering any further false alarms as provided in Subsection B of this section. Such notice shall be given by mailing a certified letter, return receipt requested, or by personal service to the owner and user of such alarm system.
- B. There is hereby imposed a fee for response to false alarms in excess of three in any calendar year. For the fourth such false alarm in such calendar year, the fee imposed shall be \$30; for the fifth such false alarm in the same calendar year, the fee shall be \$50; and for the sixth and each succeeding false alarm thereafter in the same calendar year, the fee shall be \$100. This fee is imposed whether the false alarm is received automatically through the alarm system or is emitted or transmitted by any other means.

§ 72-4. Unauthorized activation of alarm systems.

- A. It shall be unlawful for any person to willfully activate an alarm system where there is no unlawful act being committed or about to be committed on or regarding the property for which the alarm system was installed or where there is no fire or other hazard or the need for medical assistance or other assistance on, for or regarding said property or any occupant thereof.
- B. It shall be unlawful for any person, whether or not an alarm system owner or user, to cause a false alarm resulting in the dispatch of the Fire Company or Police Department as a result of a test or to work on an automatic alarm system without prior notification to the Fire Chief or Police Chief that such a test or work will be conducted or undertaken.

§ 72-5. Violations and penalties.

- A. Any person who violates any provision of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600, plus the costs of such prosecution for each such violation, and shall be subject to imprisonment of not more than 30 days in the event that such fines are unpaid.
- B. In addition to the penalty provided for in § 72-5A of this chapter, Dallastown Borough shall have the right to file a municipal lien for any unpaid fees imposed pursuant to this chapter upon the real estate on which such alarm system is located.
- C. Dallastown Borough shall also have the right to institute a civil action against the owner and user to collect any fees imposed by this chapter that remain unpaid after 30 days of receipt of notice of such imposition, plus costs of suit and interest at the legal rate of interest on the unpaid balance.

