

ORDINANCE 85-07

AN ORDINANCE OF THE TOWNSHIP OF  
WEST BRADFORD, CHESTER COUNTY,  
PENNSYLVANIA, DECLARING FALSE ALARMS  
FROM ALARM DEVICES TO BE A PUBLIC  
NUISANCE.

SECTION I. DEFINITIONS

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

A. Alarm System - Any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of any emergency requiring the response of emergency personnel and to which they are expected to respond.

B. Alarm User - Any person, firm, partnership, association, corporation, company or organization of any kind, as well as the partners, officers, managers, trustees and directors of any of the foregoing, in control of any building, structure or facility within which an alarm system is maintained.

C. Emergency Personnel - Any township employee, State Police officer, police officer of any other local municipality, special police, fire police, personnel of a volunteer fire company, whether or not compensated, ambulance drivers and medical personnel and any other persons, be they township, municipal or governmental employees or volunteers or paid personnel associated with volunteer groups which respond to emergencies.

D. False Alarm - An alarm signal from an alarm system soliciting a response by emergency personnel when a situation requiring such response does not, in fact, exist.

E. Township - The township of West Bradford, Chester County, Pennsylvania.

SECTION II. DECLARATION OF PUBLIC NUISANCE

The Board of Supervisors of West Bradford Township has declared and does hereby declare that a false alarm, as hereinbefore described, from the misuse or malfunction of automatic protection devices, is a public nuisance.

SECTION III. DETERMINATION OF FALSE ALARMS

If, at the time of arrival of emergency personnel or while they are upon the premises in response to a call requested by an alarm system, it shall become apparent upon investigation that there does not then exist a condition upon the premises for which such response by emergency personnel would be required and there are no signs upon the premises such as signs of forcible entry or attempt thereof or signs of fire or other such cause, which are the types of emergencies or conditions for which the alarm system is designed to call for such assistance, then and in such event there shall be a presumption that the alarm was a false alarm, and the burden shall be upon the alarm user to prove that the alarm was not a false alarm, as herein defined.

SECTION IV. VIOLATION

It shall be a violation of this section for any alarm user to cause or permit a false alarm to occur upon any premises owned or controlled by such alarm user.

It shall be the responsibility of all persons, entities, firms and corporations installing such systems within the township to prevent the transmission of false alarms through a program of training and periodic inspection and maintenance of the system. The maximum permissible number of false alarms from any one (1) location or facility shall be as follows:

1. Two (2) false alarms in any thirty (30) day period; or

2. Three (3) false alarms in any one (1) year period; commencing from the date of the first false alarm. False alarms in excess of these standards shall be considered in violation of this section.

SECTION V. PENALTIES

A. Violation of any provision of this ordinance shall constitute an offense punishable by a fine of not less than \$50.00 nor more than \$300.00, plus cost of prosecution, or by imprisonment in the county jail for a term not to exceed thirty (30) days, or both. Such fine and costs shall be collectible before any District Justice as like fines and penalties are now by law collectible. Each twenty-four (24) hour period during which failure to comply continues shall constitute a separate offense.

B. In addition to the penalties provided in Section A. hereof, such user shall be liable in a civil proceeding for the cost to the township or other local municipality or volunteer agency of answering the false alarm.

SECTION VI. SEVERABILITY

Should any section or provision of this ordinance be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of this ordinance as a whole, or of any other part.

This ordinance shall take effect immediately upon enactment.

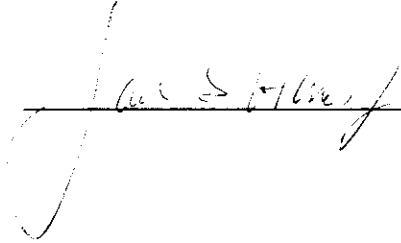
ENACTED AND ORDAINED this 10<sup>th</sup> day of December, 1985.


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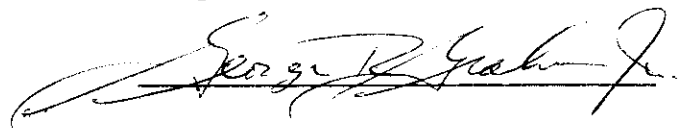
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BOARD OF SUPERVISORS,  
WEST BRADFORD TOWNSHIP:

ATTEST:

  
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(10/85)