

ORDINANCE NO. 2023-2

AN ORDINANCE OF TOWAMENSING TOWNSHIP, CARBON COUNTY, PENNSYLVANIA DEFINING AND PROHIBITING FALSE ALARMS AND PRESCRIBING PENALTIES FOR VIOLATION.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Towamensing Township, Carbon County, Pennsylvania, as follows:

Section 1. Purpose and Intent. The Board of Supervisors of Towamensing Township finds and declares that:

(a) False alarms are nuisances resulting in enormous waste of manpower and could cause serious injury to those emergency personnel who may be responding to a false alarm and further, when the said personnel are responding to a false alarm, they are not available to be protecting the citizens of Towamensing Township.

(b) The danger to citizens through emergency responses created by false alarms are unnecessary and hazardous.

(c) The unnecessary waste of resources through responses to false alarms must be eliminated.

(d) False alarms have created conditions causing danger and annoyance to the general public.

(e) The purpose of this Ordinance is to ensure that installation, maintenance and function of alarm devices result in effectively providing the protection desired without resulting in excessive response by emergency service providers to non-emergency signals. It is intended to apply to all alarm systems which automatically transmit external information, requests for assistance, or audible external alarms, intended to summon emergency response by emergency service providers to permanently fixed locations.

Section 2. Definitions. As used in this ordinance the following words and phrases shall have the meanings given to them in this section:

(a) **Alarm:** A communication to a public safety agency indicating that a crime, fire or other emergency warranting immediate action by that public safety agency has occurred or is occurring.

(b) **Alarm Device:** A device designed to automatically transmit an alarm:

(1) directly to a public safety agency; or

- (2) to a person that is instructed to notify the public safety agency of the alarm.

(c) **Automatic Dialing Device:** A device which is interconnected to a telephone line and preprogrammed to transmit the coded signal of an alarm to a dedicated telephone trunk line or to dial a predetermined telephone number in response to an alarm to a public safety agency.

(d) **Dedicated Telephone Trunk Line:** A telephone line or lines which serve a public safety agency which is dedicated to receiving transmissions from an automatic dialing device.

(e) **False Alarm:** Any alarm to which a public safety agency is alerted that is later determined to be faulty in nature; or any alarm incorrectly called in by a resident, tenant or occupant of the premises in question; or any alarm caused by a mechanical malfunction; or, the activation of an alarm device to which a public safety agency responds when a crime, fire or other emergency has not occurred.

(f) **Person:** An individual, corporation, partnership, incorporated association or other similar entity.

(g) **Public Safety Agency:** The Pennsylvania State Police or any municipal police or fire department, including the Towamensing Township Volunteer Fire Company.

Section 3. False Alarms Prohibited.

(a) A person that owns, uses or possesses an alarm device or automatic dialing device may not, after causing or permitting two false alarms to occur in a consecutive 12-month period, cause or permit a subsequent false alarm to occur in the same consecutive 12-month period.

(b) Venue for prosecution of an offense under this subsection shall lie at any of the following places:

(i) where the alarm originated;

(ii) where the alarm was received by the:

a. public service agency; or

b. third person designated to notify the public service agency

Section 4. Enforcement. The Board of Supervisors of Towamensing Township shall have the power to enforce the provisions of this ordinance. Additionally, the Board of Supervisors of Towamensing Township may appoint by resolution such other persons who shall have the power to enforce the provisions of this ordinance.

Section 5. Penalties for Violation. Any person who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to paying a fine of not more than one thousand (\$1,000.00) dollars, and in default of payment, to imprisonment for a term not to exceed thirty (30) days.

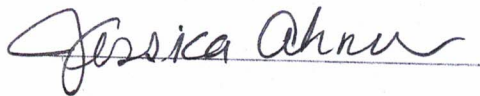
Section 6. Validity. Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not effect the validity of this ordinance as whole, or any other part thereof.

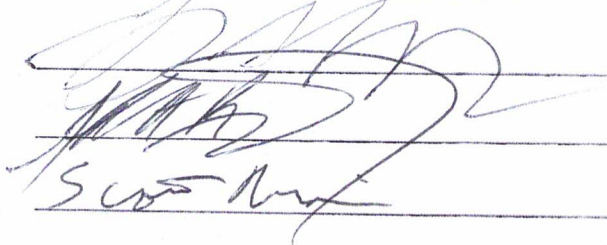
Section 7. Effective Date and Enactment. This ordinance shall become effective five (5) days after enactment as prescribed by law.

ENACTED AND ORDAINED this 5th day of October, 2023.

**BOARD OF SUPERVISORS
TOWAMENSING**

ATTEST:





I hereby certify and attest that the foregoing is a true and correct copy of an ordinance enacted by the Board of Supervisors of Towamensing Township on October 5, 2023.

Dated: 10/5/23

Jessica Ahnu
Secretary