

ORDINANCE NO. 145

AN ORDINANCE OF THE TOWNSHIP OF SOUTH HEIDELBERG, BERKS COUNTY, PENNSYLVANIA AMENDING ORDINANCE NO. 119 ENACTED MAY 10, 1990, AND REPEALING ORDINANCE NO. 136 ENACTED FEBRUARY 10, 1994 TO INSURE THE GENERAL WELFARE OF THE PUBLIC AND THE TOWNSHIP OF SOUTH HEIDELBERG BY REGULATING AUDIBLE/INAUDIBLE FIRE AND POLICE ALARM SYSTEMS BY AMENDING THE PROVISIONS REGARDING PENALTIES FOR VIOLATION.

The Board of Supervisors hereby ordains as follows:

Section 1. Revision to Penalties for Violation. Section 5.C. of Ordinance No. 119 of the Township of South Heidelberg is hereby amended as follows:

"C. Where a fire and/or police response is involved, a service charge, the amount of which shall be fixed by resolution of the Township of South Heidelberg Board of Supervisors from time to time, may be imposed beginning with the fourth (4) accidental or improper discharge of an audible/inaudible alarm system involving the same address and the same owner and/or occupant; provided, however, that if the same alarm system involving the same address and the same owner and/or occupant is free from accidental or improper discharge for a continuous period of one year, any accidental or improper discharges prior to said one year period will be disregarded in calculating the discharge upon which a service charge may begin to be imposed."

Section 2. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed, including but not limited to Ordinance No. 136 enacted February 10, 1994.

Section 3. Severability. If any sentence, clause, section or part 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 provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part hereof not been included herein.

Section 4. Effective Date. This Ordinance shall become effective five (5) days from the date of enactment.

ENACTED AND ORDAINED this 8<sup>th</sup> day of June, 1995.

BOARD OF SUPERVISORS OF THE  
TOWNSHIP OF SOUTH HEIDELBERG

Attest:

[Signature]  
Secretary

(SEAL)

[Signature]  
[Signature]  
[Signature]

ORDINANCE NO. 119

AN ORDINANCE TO INSURE THE GENERAL WELFARE OF THE PUBLIC  
IN THE TOWNSHIP OF SOUTH HEIDELBERG BY REGULATING  
AUDIBLE/INAUDIBLE FIRE AND POLICE ALARM SYSTEMS.

BE IT ENACTED AND ORDAINED BY THE BOARD OF SUPERVISORS, TOWNSHIP OF SOUTH HEIDELBERG, AS FOLLOWS:

Section 1. Name. This Ordinance shall be known and may be cited as the Township of South Heidelberg Ordinance Regulating Audible/Inaudible Fire and Police Alarm Systems.

Section 2. Purpose. Because of the increase in false, accidental and improper discharges of audible/inaudible alarm systems, it has become necessary to provide a means for regulation and control of this problem. It is the purpose of this Ordinance to control false, accidental and improper discharges of such systems.

Section 3. Definitions. As used in this Ordinance, the below listed terms shall have the following meanings:

A. Person shall mean any natural person, partnership, association, firm or corporation including owners of property, landlords, tenants, lessors, lessees, or any other person having responsibility, control or authority over an audible/inaudible alarm system.

B. Audible Alarm System shall mean any device, bell, horn or siren that is installed or attached to the interior or exterior of a structure, or is otherwise erected on a property, including buildings and homes, and emits a warning signal audible outside the structure to attract attention when activated by an intrusion or other occurrence requiring fire and/or police response. An audible alarm system may have the feature of an inaudible alarm system in that its warning signal when activated is also monitored or received at some other place outside the structure.

C. Inaudible Alarm System shall mean any alarm system that is installed or attached to the interior or exterior of a structure, or is otherwise erected on a property, including buildings and homes, and emits a warning signal that is monitored or received at some other place outside the structure when activated by an intrusion or other occurrence to solicit a fire and/or police response.

Section 4. System Standards. Audible/inaudible alarm systems in existence on the effective date of this Ordinance or hereafter installed shall be subject to the following:

A. Proper Repair and Condition. All persons shall keep their audible/inaudible alarm systems in good working order and repair.

B. Automatic Timing Mechanism for Audible Alarms. Any person installing an audible alarm system after the effective date of this Ordinance shall have such system equipped with a timing mechanism that must automatically disengage the audible alarm after fifteen (15) minutes.

C. Contact Person. Any person who has an audible or inaudible alarm system installed on their property shall display, in a prominent location at the property, and fully visible from the exterior of that property, a listing of a primary person and a secondary person, together with such person's current address and telephone number, who can be contacted in the event of an alarm discharge or other emergency, such person shall have no greater than twenty (20) minute emergency response capabilities.

D. Testing Prohibited Without Permission. Any test or demonstration of an audible/inaudible alarm system may only be conducted with advance permission of the South Heidelberg Township Police Department.

E. False, Accidental or Improper Discharge of Alarms. Any person owning or maintaining an audible/inaudible alarm system shall be responsible for insuring that where a false, accidental or improper discharge occurs, it is deactivated within fifteen (15) minutes after discharge.

F. Provision of Alarm System Information to Township. In the event the following information is requested by the Chief of Police of South Heidelberg Township, it shall be the responsibility of that person from whom the information is requested to provide said information:

1. Location of alarmed premises.
2. Owner of alarmed premises.
3. Type of alarm system (i.e., fire, burglary, intruder, etc.)
4. Audible or inaudible alarm system.
5. Presence of guard animals on premises.
6. Persons to contact in event of emergency.
7. Type of alarm contacts used in system.
8. Date of installation of alarm system.

Section 5. Penalties for Violation. Persons violating this Ordinance shall be subject to the following:

A. A warning; or

B. Required installation of an automatic timing mechanism that must automatically disengage the audible alarm after fifteen (15) minutes; or

C. Where a fire and/or police response is involved, a service charge, the amount of which shall be fixed by resolution of the South Heidelberg Township Board of Supervisors from time to time, may be imposed beginning the sixth accidental or improper discharge of an audible/inaudible alarm system involving the same address during any one (1) calendar year; or

D. Any person or persons violating any of the provisions of this Ordinance shall, upon summary conviction before a District Justice, be sentenced to pay a fine not exceeding Fifty Dollars (\$50.00) for each offense, with costs, and each daily occurrence of the same offense shall be considered a new offense and finable as such. In default of payment of each fine and costs, said person or persons shall suffer imprisonment in the Berks County Prison for a period not exceeding ten (10) days.

Section 6. Notice to Rectify Violation. The person or persons responsible for any violation of this Ordinance shall immediately, upon receipt of notice from the Township of South Heidelberg, take the necessary measure to rectify such condition to conform to the requirements of this Ordinance. Notice may be by:

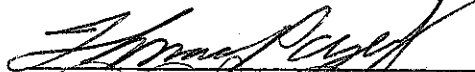


- A. Certified mail;
- B. Personal service; or
- C. Posting such notice on the property.

Section 7. Repealer. Any Ordinance or part of any ordinance conflicting with the provisions of this Ordinance is hereby repealed insofar as the same effects the provisions of this Ordinance.

Section 8. Effective Date. This Ordinance shall be effective five (5) days from the date set forth below.

ENACTED AND ORDAINED this 10<sup>th</sup> day of May, 1990.

BOARD OF SUPERVISORS OF THE  
TOWNSHIP OF SOUTH HEIDELBERG

ATTEST:

  
Secretary

(SEAL)