

ORDINANCE NO. 2 -96

TOWNSHIP OF MIDDLESEX
Cumberland County, Pennsylvania

AN ORDINANCE OF THE TOWNSHIP OF MIDDLESEX, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING SECTION 2 OF ORDINANCE NO. 7-88 ENACTED NOVEMBER 2, 1988, TO REDUCE THE NUMBER OF EXEMPT FALSE FIRE ALARMS FROM FIVE TO THREE IN A PERIOD OF TWELVE MONTHS IN SUBSECTION A, AND TO REDUCE THE NUMBER OF ACCUMULATED FALSE ALARMS FOR NOTICE PURPOSES FROM TWO TO ONE IN SUBSECTION A.1 AND FROM THREE TO TWO IN SUBSECTION A.2, AND CONFIRMING AND RATIFYING THE ENTIRE ORDINANCE AS AMENDED HEREBY.

BE AND IT IS HEREBY ENACTED AND ORDAINED by the Board of Township Supervisors in and for the Township of Middlesex, Cumberland County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1: Section 1 of Ordinance No. 7-88 enacted on November 2, 1988, is hereby amended, modified and changed by adding thereto the following new definition:

FIRE CHIEF: The person appointed by the Board of Township Supervisors to serve as Township Fire Chief.

SECTION 2: Section 2 of Ordinance No. 7-88 enacted on November 2, 1988, is hereby amended, modified and changed in the following four (4) respects:

A. The number of "five (5) False Alarms" stated in the introductory paragraph in subsection A is hereby deleted, and the number of "three (3) False Alarms" is hereby substituted therefor.

B. The first two sentences of subparagraph 1 of subsection A are hereby deleted, and the following new sentences are hereby substituted therefor:

When a person has experienced one (1) False Alarm, the Police Chief or Fire Chief (on alarms related to emergency fire control responses) shall inform the person orally stating such. The oral notice shall also inform the person that the Police Chief can schedule a physical examination of the Alarm System by the Police Chief (or his designee) or by the Township Fire Chief (or his designee), if the person desires and requests such service.

C. The number of "three (3) False Alarms" stated in the first sentence of subparagraph 2 of subsection A is hereby deleted, and the number of "two (2) False Alarms" is hereby substituted therefor.

D. The following new subparagraph 3 is hereby added to subsection A:

3. When a person has accumulated three (3) False Alarms in a twelve (12)-month period, the Police Chief (or his designee) shall prosecute such person pursuant to Section 8.B hereinbelow. Each subsequent False Alarm after three (3) during the same twelve (12)-month period shall be a separate violation which may be separately prosecuted under Section 8.B.

SECTION 3. Subsection A of Section 2 of said Ordinance No. 7-88 is hereby restated in its entirety as amended by Section 2 of the within Ordinance as follows:

SECTION 4. PROHIBITED ACTIVITIES:

A. FALSE ALARMS LIMITED: Except as otherwise provided in this Ordinance, it shall be prohibited for any person to accumulate more than three (3) False Alarms in a period of twelve (12) months. A twelve (12) month period shall run from January 1

to December 31 inclusive, on any given year. The number of False Alarms during any twelve (12) month period shall be ascertained from the records of the Police Department or Fire Department or both.

1. When a person has experienced one (1) False Alarm, the Police Chief or Fire Chief (on alarms relating to emergency fire control responses) shall inform the person orally stating such. The oral notice shall also inform the person that the Police Chief can schedule a physical examination of the Alarm System by the Police Chief (or his designee) or by the Fire Chief (or his designee) if the person desires and requests such service. Also, the person will be permitted to furnish proof, to the satisfaction of the Police Chief, that said person is taking steps to correct the False Alarm problem. If such person requests the Alarm System examination or shows proof of corrective action, the Police Chief may exempt such person from the requirements of this Ordinance for a period not to exceed twenty (20) days to allow for the repair and/or improvement of the Alarm System. Only one (1) such exemption shall be granted during a twelve (12) month period.
2. When a person has accumulated two (2) False Alarms, the Police Chief shall send a letter to said person stating such. The Board of Township Supervisors or its designated representative may require said person to appear at an administrative hearing, the date, time and location of the hearing to be set by the Board. The purpose of the hearing will be to determine if said person is making attempts to correct the False Alarm problem. If the Board is satisfied that measures are being taken by said person to correct the problem, the Board may exempt such person from the requirements of this Ordinance for a period not to exceed forty (40) days to allow for the repair and/or improvement of the Alarm System. Only one (1) such exemption shall be granted during a twelve (12) month period.
3. When a person has accumulated three (3) false alarms in a twelve (12)-month period, the Police Chief (or his designee) shall

prosecute such person pursuant to Section 8.B hereinbelow. Each subsequent False Alarm after three (3) during the same twelve (12)-month period shall be a separate violation which may be separately prosecuted under Section 8.B.

SECTION 5. Ordinance No. 7-88 as amended, modified and changed by the within Ordinance is hereby confirmed, ratified and affirmed as amended hereby.

SECTION 6. This Ordinance shall take effect in accordance with law.

ENACTED AND ORDAINED this 1st day of May, 1996, by the Board of Township Supervisors in public session lawfully assembled.

TOWNSHIP OF MIDDLESEX

By Robert M. Engler
Chairman, Board of
Township Supervisors

ATTEST:

Glen J. [Signature]
Township Secretary

(Township Seal)