

PART 2

BURGLAR, EMERGENCY MEDICAL SERVICES AND FIRE ALARMS

§201. Short Title.

This Part shall be known as and may be cited as the “Burglar, Emergency Medical Services and Fire Alarm Ordinance.”

(Ord. 753, 6/16/1994, §1)

§202. Purpose.

Whereas the Council for the Borough of Elizabethtown has determined that the receipt of false burglary, false emergency medical services and false fire alarms indicating that emergencies exist is detrimental to the health, welfare and safety of the citizens of the Borough of Elizabethtown, the Police Department, emergency medical services and Volunteer Fire Department, it is hereby declared to be the purpose of the Borough of Elizabethtown to safeguard and protect the residents of the Borough and the personnel of the Police Department and Volunteer Fire Department from such hazards and risks.

(Ord. 753, 6/16/1994, §2)

§203. Definitions.

The following words, terms and phrases when used in this Part shall have the following meanings ascribed to them:

ALARM/ALARM DEVICE — any assembly of equipment, mechanical, electrical or battery operated, arranged to signal the occurrence of a police, fire, hazard or medical emergency requiring urgent attention and to which police, emergency medical services (EMS) or fire units could be or are expected to respond.

AUDIBLE ALARM — any device including, but not limited to, a bell, horn or siren which is attached to the interior or exterior of a building, structure or facility and emits a warning signal audible outside the building, structure, facility and is designed to attract attention when activated by a criminal act or other emergency requiring police emergency medical services (EMS) or fire department response.

EMERGENCY — a sudden unexpected happening, occurrence or condition requiring immediate action by police, fire, hazard or medical services personnel to protect the health, safety and welfare of those affected by the happening, occurrence or condition.

FALSE ALARM/FALSE ALARM SIGNAL –

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- (1) An alarm activated in the absence of an emergency whether willfully or by inadvertence, negligence or unintentional act, including the malfunction of the alarm system, to which the Elizabethtown Borough Police Department, any fire department and/or any ambulance or emergency medical service responds. The definition excludes alarms caused by malfunctions of the Lancaster County wide communications receiving equipment if such alarm is directly connected to the alarm board; testing or repairing of telephone or electrical lines or equipment outside the premises; acts of God, such as earthquake, flood, windstorm, thunder or lightening; an attempted illegal entry of which there is visible evidence; a crime in progress; or, in the case of an emergency medical alarm, an actual medical emergency requiring police, fire and/or medical personnel.
- (2) Multiple alarms received by the Police Department or any fire department before the system can be deactivated within a reasonable period of time shall be considered a single alarm, unless such multiple alarms are caused by the act of any person.
- (3) The definition of a false alarm also includes the intentional activation of a holdup alarm for other than a holdup in progress, the intentional activation of a burglar alarm for other than a burglary, the intentional activation of a medical alarm for other than a medical emergency or the intentional activation of a fire alarm for other than a fire or hazard.

FIRE DEPARTMENT — the Friendship Fire & Hose Co. No. 1 of Elizabethtown, Pennsylvania, or any other fire company or department operating within the Borough of Elizabethtown, Lancaster County, Pennsylvania.

FIRE EMERGENCY — a fire.

HAZARD EMERGENCY — an explosion, leak of toxic gas, liquid or solid or a potential explosion.

MEDICAL EMERGENCY — an emergency involving the health of a person requiring prompt response by emergency medical services personnel.

PERSON — any individual, partnership, association, firm, syndicate, company, trust, corporation, department, bureau, agency or other entity recognized by law as the subject of rights and duties.

POLICE DEPARTMENT — the Elizabethtown Borough Police Department.

POLICE EMERGENCY — an incident requiring prompt response by the Police Department.

(Ord. 753, 6/16/1994, §3)

§204. Enforcement.

The Elizabethtown Borough Police Department shall have the power and duty to enforce the provisions of this Part.

(Ord. 753, 6/16/1994, §4)

§205. Prohibitions.

After the effective date of this Part, it shall be unlawful for any person to:

- A. Cause, suffer, allow or permit the accidental or purposeful transmission of a false alarm signal from any public or private place in the Borough of Elizabethtown
- B. Cause, suffer, allow or permit to be made any report or request for police, medical or fire services or assistance by any means of communication wherein the situation, condition or incident which is the subject of the report or request for police, medical or fire services or assistance does not constitute an emergency.

(Ord. 753, 6/16/1994, §5)

§206. System Request to Limit Sounding of Signal.

No person shall install or maintain in any building, structure or establishment in Elizabethtown Borough an external audible alarm of any type which does not also contain an automatic cutoff system or feature automatically cutting off the source of power to the alarm after it has sounded for a period of no longer than 15 minutes.

(Ord. 753, 6/16/1994, §6)

§207. Service Charge for False Alarms.

1. The person in possession of the premises where an alarm device is in use shall be assessed and shall pay a service charge for each false alarm in an amount as established from time to time by resolution of Borough Council. [Ord. 829]
2. Manner of Payment.
 - A. Payment for false fire alarms shall be made to the Elizabethtown Volunteer Fire Department to the use of the Fire Department or ambulance division.

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- B. Payment for all other false alarms shall be made to the Elizabethtown Borough.

(Ord. 753, 6/16/1994, §7; as amended by Ord. 829, 11/15/2001)

§208. Fire Department's Authority to Enter.

When the Volunteer Fire Department responds to an alarm transmitted by an automatic protection device, which alarm indicates a fire in a building or premises where no one is available to provide access, the Fire Department is hereby authorized to enter said building or premises by any means reasonably necessary to conduct an investigation as to the cause of the alarm.

(Ord. 753, 6/16/1994, §8)

§209. Alarm Device Operation.

1. The sensory mechanism of an alarm device shall be equipped and adjusted so as to suppress false indications of fire and so that the device will not be activated by impulses due to normal pressure changes in water pipes, variations in voltage due to electrical storms and power failures or any other forces not related to actual fire conditions.
2. False alarms transmitted from alarm devices are unlawful.

(Ord. 753, 6/16/1994, §9)

§210. Testing Alarm Devices.

1. No person shall conduct any test or demonstration of an alarm device without first notifying the Fire Department or Police Department and obtaining the Department's permission.
2. If any test or demonstration of an alarm device results in a false alarm due to the failure of the person conducting such test or demonstration to notify and obtain proper permission from the appropriate department, a service charge in an amount as established from time to time by resolution of Borough Council, payable to the Volunteer Fire Department or Borough, will be assessed against the person responsible for the test or demonstration, regardless of whether such false alarm is the first or second false alarm originating from the building or premises.
[Ord. 829]

(Ord. 753, 6/16/1994, §10; as amended by Ord. 829, 11/15/2001)