

BOROUGH OF JERMYN
LACKAWANNA COUNTY, PENNSYLVANIA

ORDINANCE NO. 102

**AN ORDINANCE REGULATING THE INSTALLATION AND MAINTENANCE OF
ALARM SYSTEMS WITHIN THE BOROUGH OF JERMYN**

BE IT ORDAINED BY BOROUGH COUNCIL OF THE BOROUGH OF JERMYN and
it is hereby ordained by and with the authority of same as follows:

SECTION 1. DEFINITION

“Alarm System” shall mean any indirect burglary or fire alarm device, or any type of alarm system, which when activated would cause the telephone in the Lackawanna County Communications Center to be rung.

SECTION 2. REGISTRATION REQUIRED

On or after the effective date of this ordinance, all alarm systems heretofore and hereafter installed within the Borough shall be registered with the Borough as hereafter provided.

SECTION 3. REGISTRATION FORM

The Borough manager shall establish a uniform registration form listing the name of the owner or occupant of the property in which an alarm system is installed, the location of the property, the type of alarm system, the manner in which the alarm is given or communicated or any other method of transmission and the name of those persons other than the Lackawanna County Communications Center who are authorized to receive the alarm signals or to respond to such an alarm. The registration form shall be kept under the control of the Borough manager, and all information contained therein shall be deemed confidential and shall not constitute a public record.

SECTION 4. FEES

Each property owner or occupant registering an alarm system as provided herein shall pay a registration fee of five (\$5.00) dollars to the Borough, and no other fee shall be required for this purpose unless a different type of alarm system is installed or a different method of giving or communicating an alarm becomes effective, in which case a new registration shall be required and a new registration fee shall be paid.

SECTION 5. FALSE ALARM

Should any alarm system cause a false alarm to occur during any twelve-month period then a service charge shall be levied against the owner or occupant of said system in accordance with the following during a twelve-month period:

A.	0-3 false alarms within 12 months	No service charge
B.	4 or more false fire alarms within 12 months	\$250.00 each
C.	4 or more false police alarms within 12 months	\$50.00 each
D.	4 or more false alarms other than above-mentioned	\$50.00 each

A false alarm shall be any emergency alarm which is activated by inadvertence, negligence, intentional or unintentional act to which the Borough fire department or police department responds, including alarms caused by the malfunction of the alarm system. The following SHALL NOT be considered false alarms:

1. Alarms caused by the testing, failure or repair of telephone equipment or lines, at the Lackawanna County Communications Center;
2. Alarms caused by an act of God, such as earthquake, flood, windstorm, thunder or lightning.

The records of false alarms shall be maintained by the Borough fire chief and reports of same will be transmitted quarterly to the Borough Manager for appropriate billing and collection thereof.

SECTION 6. COLLECTION FEES, ATTORNEY FEES AND COSTS

If a property owner or occupant registered as above in Sections 2, 3 and 4, or any other property owner or occupant or person in violation of this ordinance, fails to pay fees, levies or penalties hereunder, then the Borough shall be entitled to, from same, collection fees, reasonable attorney fees and costs.

SECTION 7. SEVERABILITY

If any section, clause, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction then such decision shall not affect any other section, clause, provision or portion of this ordinance so long as it remains legally enforceable minus the invalid portion. Borough Council of the Borough reserves the right to amend this ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this ordinance, and the effective administration thereof.

SECTION 8. VIOLATIONS AND PENALTIES

Any owner or occupant of property in the Borough in which an alarm system is now or hereafter installed, who fails to register as herein provided and who fails to pay the registration fee herein established or fails to pay an additional fee for response to a false alarm as provided hereinabove, shall be subject to a fine of not less than ten (\$10.00) dollars or more than three hundred (\$300.00) dollars and costs per incident to be imposed and collected in a manner specified by the Borough for a violation of a Borough ordinance.

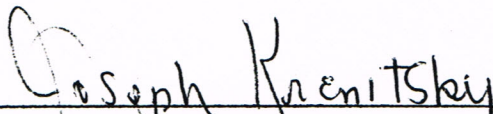
SECTION 9. REPEAL

All ordinances or parts thereof inconsistent herewith are hereby repealed.

SECTION 10. ENACTMENT

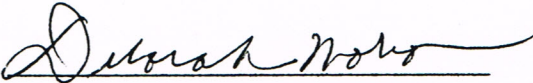
This ordinance shall become effective thirty (30) days after the date of its enactment.

ENACTED AND ORDAINED this 8th day of AUGUST
2002.



JOSEPH KRENITSKY
PRESIDENT, BOROUGH COUNCIL
BOROUGH OF JERMYN

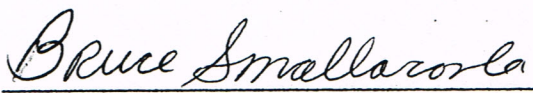
ATTEST:



DEBORAH MORCOM
SECRETARY
BOROUGH OF JERMYN

SEAL

APPROVED this 8th day of AUGUST 2002.



BRUCE SMALLACOMBE
MAYOR
BOROUGH OF JERMYN