

BOROUGH OF JERMYN
LACKAWANNA COUNTY, PENNSYLVANIA
RESOLUTION 16 - 2016

**A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF JERMYN,
LACKAWANNA COUNTY, PENNSYLVANIA,**

WHEREAS, On August 8, 2002, the Borough of Jermyn enacted Ordinance 1 of 2002, titled An Ordinance Regulating the Installation and Maintenance of Alarm Systems within the Borough of Jermyn.

WHEREAS, Council desires to amend Section 4 and Section 5 of Ordinance 1 of 2002.
NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Jermyn, Lackawanna County, Pennsylvania as follows:

Section 1. In accordance with § 3301.1 of the Borough Code, Council amends Section 4 of Ordinance 1 of 2002 to read as follows:

“Each property owner or occupant registering an alarm system as provided herein shall pay a registration fee of twenty-five dollars (\$25.00) 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 2. In accordance with § 3301.1 of the Borough Code, Council amends Section 5 of Ordinance 1 of 2002 to read as follows:

“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 (12) 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 | \$100.00 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 Secretary for appropriate billing and collection thereof. False fire alarm fees collected shall be allocated as follows:

10% allocated to the Borough for tracking and collection; and
90% to the Borough fire department(s) that respond to said fire alarm.”

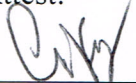
Section 3. The proposed amendments to Ordinance 1 of 2002 shall be published in accordance with § 3301.2 of the Borough Code and shall be available to be examined at the Jermyn Borough Building in accordance with § 3301.2 of the Borough Code.

Section 4. In the event, any provision, section, sentence, clause, or part of this Resolution shall be held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Resolution, it being the intent of Council that the remainder of the Resolution shall be and shall remain in full force and effect.

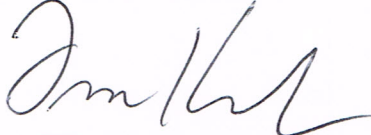
Section 5. This Resolution shall be effective immediately upon Council’s vote at the December 1, 2016 meeting.

DULY ADOPTED this 15th day of Dec, 2016, by Council of the Borough of Jermyn, Lackawanna County, Pennsylvania, in lawful session duly assembled.

Attest:



Borough Secretary



President of Council