

ORDINANCE NO 2013-04

AN ORDINANCE OF THE BOROUGH OF GREENCASTLE, FRANKLIN COUNTY, PENNSYLVANIA AMENDING CHAPTER 57 ENTITLED "ALARMS" OF THE CODE OF THE BOROUGH OF GREENCASTLE BY ESTABLISHING A NEW SERVICE CHARGE SCHEDULE FOR FALSE ALARMS AND DEFINING PUBLIC SAFETY AGENCY AND FALSE ALARM

WHEREAS, the Borough of Greencastle desires to modify the schedule for service charges for any false alarm above and beyond the number of false alarms permitted per consecutive twelve (12) month period; and

WHEREAS, 18 Pa.C.S.A. § 7511 prohibits false alarms in excess of four (4) in the same consecutive twelve (12) month period and allows the Borough to initiate prosecution for a violation; and

WHEREAS, the Borough of Greencastle desires to revise the definition of audible alarm and intrusion alarms to reflect advances in technology; and

WHEREAS, the Council of the Borough of Greencastle deems it in the best interest, and for the general welfare of the citizens and residents of the Borough to amend certain provisions of Chapter 57 of the Borough of Greencastle.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Mayor and Borough Council of the Borough of Greencastle, Franklin County, Pennsylvania, and it is enacted and ordained as follows:

SECTION I: Chapter 57 of the Code of the Borough of Greencastle, entitled "Alarms", Section 1 thereof, entitled "Definitions", is hereby amended in its entirety and shall read as follows:

The following words and phrases when used in this Chapter shall have the meanings given to them in this section, unless the context clearly indicates otherwise:

AUDIBLE ALARM: Any other alarm system which causes a communication to a Borough Public Safety Agency indicating that a crime, fire or other emergency warranting immediate action by that Public Safety Agency has occurred or is occurring. This definition includes but is not limited to Knox Boxes.

BOROUGH PUBLIC SAFETY AGENCY: The Borough police or fire department.

CUSTOMER: Individual, establishment, partnership, entity, incorporated association, corporation, or other similar entity owning, possessing, installing or having installed intrusion alarm equipment connected to the Borough of Greencastle either directly or by a telephone dialer system, or having an audible alarm as defined above.

FALSE ALARM: The activation of an audible alarm and/or intrusion alarm to which a Borough Public Safety Agency responds and/or dispatches when a crime, fire, or other emergency has not occurred.

INTRUSION ALARM: An alarm system which when activated causes the phone or telephone line or lines which service the Borough Public Safety Agency to ring.

SECTION II: Chapter 57 of the Code of the Borough of Greencastle, entitled "Alarms", Section 2 thereof, entitled "False Alarms; Imposition of Service Charges", is hereby amended in its entirety and shall read as follows:

Should any intrusion alarm system or audible alarm system cause five (5) or more false alarms to occur in a consecutive twelve (12) month period, the Customer and/or the owner of the intrusion alarm system or audible alarm system shall be assessed a service charge as follows: \$50.00 for each violation representing False Alarms Five (5) through Eight (8) in a consecutive twelve (12) month period; and \$100.00 for each violation representing any false alarm exceeding Eight (8) False Alarms in a consecutive twelve (12) month period.

SECTION III: Chapter 57 of the Code of the Borough of Greencastle, entitled "Alarms", Section 4 thereof, entitled "Failure to Pay Service Charge", is hereby amended in its entirety and shall read as follows:

Should any Customer or the owner of any intrusion alarm system or audible alarm system fail to pay the service charge set forth in §57-2 above within the time frame set forth in §57-3 above, then the intrusion alarm equipment and/or audible alarm equipment connected to the Borough of Greencastle or Borough Public Safety Agency shall immediately be disconnected, and the same shall not be reconnected until all charges and related costs are paid to the Borough of Greencastle as provided in this Chapter.

SECTION IV: **REPEALER.** All provisions of previous Ordinances of the Borough of Greencastle which are contrary to this Ordinance are expressly repealed.

SECTION V: **SAVINGS CLAUSE.** In all other respects, Chapter 57 of the Code Borough of Greencastle shall remain as previously enacted and ordained.

SECTION VI: **SEVERABILITY.** The provisions of this Ordinance are severable and if any of its sections, clauses, or sentences shall be held illegal, invalid, or unconstitutional, such provisions shall not affect or impair any of the remaining sections, clauses or sentences.

SECTION VII: **EFFECTIVE DATE.** This Ordinance shall take effect immediately.

ENACTED, ORDAINED, AND APPROVED this 4th day of November, 2013

Borough Council of the Borough of
Greencastle, Franklin County, Pennsylvania

By: *[Signature]*
President

ATTEST:

[Signature]
Secretary

[Signature]
Mayor of the Borough of Greencastle

