

CHAPTER 5
EMERGENCY MANAGEMENT

ARTICLE I

PUBLIC SAFETY AND EMERGENCY SERVICES

History: Adopted by the Board of Supervisors of Center Township as Ordinance 98-11-9, November 10, 1998, as amended by Ordinance No. 2018-07-04, July 11, 2018

§5-101 General

- A. The Board of Supervisors of Center Township finds that increasing costs of providing adequate safety and emergency services, including services resulting from extraordinary and dangerous occurrences and hazardous materials incidents, seriously impairs the Volunteer Fire Company's ability to provide all necessary Fire Company services.
- B. In order to protect the public health, safety, and welfare and to protect and preserve public funds and tax dollars, the Township hereby adopts a policy of reimbursement of expenses and costs incurred by the Volunteer Fire Company providing these services.

§5-102 Collection of Fees

- A. The Chief of the Volunteer Fire Company rendering the services shall collect all fees for fire prevention and protection services and for all other public safety and emergency services. Such fees may include and encompass all manpower, equipment, materials, maintenance and overhead expenses and costs which shall constitute full reimbursement to the Volunteer Fire Company for such services actually rendered and as herein-after authorized. Such fees shall be recovered directly by the Volunteer Fire Company or by arrangements and contract with a third party agency.
- B. Within thirty (30) of the date of providing fire prevention and protection services or other public safety and emergency services as enumerated in Section 5-103, the Chief of the Volunteer Fire Company rendering the service shall submit an invoice by direct billing or use of a third party agency for all costs, fees, charges and expenses related to the provision of such services to the property owner or the property owner's designated agent or representative. All such invoices shall be paid in full within sixty (60) days of the receipt thereof, and interest shall accumulate thereafter on any unpaid balances at the rate of one (1) percent per month until paid.
- C. In addition, any bills, fines, or penalties, including but not limited to, containment costs, fees, or expenses, that are imposed upon the Volunteer Fire Companies by any local, state, or federal agency and related to the same situation or occurrence for which the Volunteer Fire Company rendered services may be included in the billing or may be billed separately within thirty (30) days of receipt and shall be paid as provided in Section 5-102 B.

§5-103 Fee Schedule

The Township will assess fees for emergency service responses including, but not limited to, motor vehicle accidents, motor vehicle fires, hazardous material emergencies, technical rescues, dive recoveries, utility stand-bys and negligent fires. Fees to be assessed will be established from time to time by Resolution of the Township Supervisors, and will be invoiced in fifteen (15) minute increments, beginning at the time of dispatch or notification and ceasing when the last unit is ready for service.

§5-104 Enforcement

The Township may enforce the provisions of this Article by civil action in a court of competent jurisdiction for the collection of any amounts due hereunder, plus attorney fees, or for any other relief that may be appropriate

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ARTICLE II FALSE ALARMS

History: Adopted by the Board of Supervisors of Center Township as Ordinance No. 2013-02-01, February 13, 2013.

§5-201. **General**

The Center Township Board of Supervisors finds that a False Alarm ordinance needs to be adopted for the following purposes.

- A. To provide for penalties to principal owners, operators, tenants, and other individuals responsible for false alarms resulting in a response by emergency service personnel.
- B. To encourage the use of appropriate alarm installation practices to prevent or minimize false alarms that require the response of public safety personnel.

§5-202. **Definitions**

- A. Words used in the present tense shall include the future. The singular shall include the plural, and the plural the singular. The word "person" includes a corporation and unincorporated association.
- B. As used in this part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

ALARM: A communication to the police, fire, or any other emergency service indicating that a crime, fire, or other emergency situation warranting immediate action by the police, fire, or any other emergency service has occurred or is occurring.

ALARM AGENT: Any firm, corporation or person who conducts the business of owning, operating, maintaining, installing, leasing, or selling automatic protection devices and whose duties include any of the following: selling, maintaining, leasing, servicing, repairing, altering, replacing, moving, or installing in or on any building place or premises any automatic protection device, as defined in this part, within Center Township.

ALARM SYSTEM: Any electrically operated instrument composed of sensors and related hardware that automatically signals by wire, telephone, radio signal, or other means to a person who, in turn, notifies the Butler County Communications Center of the alarm. Alarm systems also include equipment to activate a bell or sounding device to be heard outside a building which is intended to alert the police or others to the existence of a crime, fire, or other emergency situation warranting action by emergency services, upon receipt of a stimulus from a sensor that has detected a physical force or condition characteristic of a fire, intrusion, or other emergency.

AUDIBLE ALARM: Any device, bell, horn, or siren which is attached to the interior or exterior of a building and emits a warning signal audible outside the building, which signal is designed to attract attention when activated by an intrusion or other emergency requiring police or emergency service response.

CENTRAL STATION SYSTEM: Any protective system or group of systems operated privately for customers by an alarm agent; a firm; or a corporation that accepts messages or signals from alarm systems at a central station having operators in attendance at all times who have the duty to take appropriate action upon receipt of a signal or message, including the relaying of messages by designated or direct trunk line to the Butler County Communications Center.

FALSE ALARM: An alarm to which police, fire, or other emergency service personnel respond resulting from the activation of an alarm device when a crime, fire, or other emergency warranting immediate action has not in fact occurred.

INADVERTENT FALSE ALARM: An alarm system activated in the absence of an emergency, whether by inadvertence, negligence, or unintentional act, including any mechanical or electrical malfunction of the alarm system, to which a public safety person actually responds.

INTENTIONAL FALSE ALARM: A false alarm resulting from the intentional activation of an alarm device by an individual under circumstances where that individual has no reasonable basis to believe that a crime, fire, or other emergency warranting immediate action has occurred or is occurring.

SILENT ALARM: A protective system that does not emit an audible signal or tone when activated at a protected site and is monitored by a central station system.

§5-203. Operational Standards

- A. Audible alarms, other than fire alarms, must be equipped with a timing mechanism which will disengage the audible alarm after a maximum period of 10 minutes if the system activates on or near the premises. Exceptions shall be made for certified systems requiring longer sounding alarms for Chapter 5, Article II Emergency Management 5-4 insurance purposes, providing that certification and policy requirements are documented with the Township and further providing that these devices are equipped with timers to disengage the audible alarm after the minimum time required for certification.
- B. The sensory mechanism used in conjunction with an alarm device must be adjusted to suppress false indications of fire or intrusion, so that the alarm device will not be activated by impulses due to transient pressure changes in water lines, short flashes of light, wind effects such as rattling or vibration of doors or windows, vehicular noises adjacent to the premises, or other forces unrelated to genuine alarm situations.
- C. The alarm device must be maintained in good repair to assure reliable operation.
- D. No person shall test any alarm device without first notifying the alarm agent to ensure that the alarm or signal is not relayed to the Butler County Communications Center.

§5-204. Administration and Enforcement

- A. The Center Township Board of Supervisors shall develop and implement the necessary procedures for the effective administration and enforcement of this part.

1. The applicable emergency services and/or police department shall ensure that a report is submitted for alarm activation requiring public safety response.
2. The Township Secretary or his designee will read the report, review the records to confirm the number of prior alarms at the address, and determine if a false alarm charge is due under this Article.

B. False Alarms.

1. The principal owner, operator, tenant, or other individual responsible for the facility from which a false alarm emanated shall pay to the Township a charge for each and every false alarm to which the police, fire, ambulance corps, and/or other emergency service respond, in each calendar year, as specified in the fee resolution.
 - a. The charges imposed by this part in conjunction with the fee schedule shall not apply in the following circumstances.
 - b. The false alarm is due to weather conditions.
 - c. For new installations, documentation has been provided that the alarm system was initially installed within six months prior to the false alarm, no more than three (3) false alarms have occurred since the installation, and the false alarm is due to a system malfunction.
 - d. For installations more than six (6) months old, the false alarm is the first reported at the subject address during the calendar year.
 - e. An event occurred on the alarmed premises that could not have been anticipated, and the alarm system detected the occurrence. Examples might be a ceiling tile falling, a water pipe bursting, or a repairman causing an inadvertent false alarm. Leaving a pet loose or a fan on in a room protected by motion detection would not be events that would be excused.
 - f. Multiple alarms emanating from an alarmed facility in a twelve-hour period shall be treated as a single alarm.

C. When a false alarm occurs, the Center Township Secretary shall notify the principal owner, operator, tenant, or other individual responsible for the alarm system from which the false alarm emanated that a false alarm charge is due and the amount thereof. The amount of the charge (if any) will be determined by referring to the Center Township Fee Resolution. Such notice shall be in writing and mailed to the last known address by regular mail, postage prepaid, of the principal owner, operator, tenant or other individual responsible for the alarm system.

D. The principal owner, operator, tenant, or other individual responsible for the facility where the false alarm emanated may provide information in writing to the Center Township Secretary, providing evidence that one of the circumstances explained in Section 5-204 (above) applied.

E. A false alarm charge shall be due and payable to the Township 30 days from the date of the notice of the charge. If the amount is not paid within the 30 day period, a certified

letter shall be sent by the Center Township Secretary to the principal owner, operator, tenant, or other individual responsible for the alarm system of the alarmed facility demanding payment within 30 days. If payment is still not made, the codes enforcement officer will file with the district judge.

- F. Failure of a person responsible for the alarm system that originated the false alarm to pay a false alarm charge on or before the date due shall constitute a violation of this Chapter and shall subject said person to the penalties set forth in Section 5-205, below.
- G. No individual shall create an intentional false alarm.

§5-205. Penalties

Any person, firm, partnership, or corporation who shall violate any provision of this part or who shall fail to pay a charge for a false alarm, upon conviction thereof in an action brought before a district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than one thousand dollars (\$1,000) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this part continues or each section of this part which shall be found to have been violated shall constitute a separate offense.

§5-206. Out of Service Alarms

Where fire alarms are required by Local, State, or Federal regulations, any person, firm, partnership, or corporation who elects to place a faulty fire alarm out of service until repairs are made shall assign a responsible person to stay on fire watch until the system is restored to service. Unless approved in writing by Center Township, required fire alarms can NOT be out of service for a period longer than seventy-two (72) hours