

ORDINANCE NO. 100

AN ORDINANCE OF THE BOROUGH OF INDIAN LAKE, SOMERSET COUNTY, PENNSYLVANIA, REGULATING THE INSTALLATION AND OPERATION OF SECURITY/FIRE ALARM SYSTEMS, DECLARING CERTAIN INSTALLATIONS THEREOF TO BE PUBLIC NUISANCES AND PROVIDING FOR PENALTIES AND THE ABATEMENT OF NUISANCES.

BE IT ORDAINED AND ENACTED by the Borough of Indian Lake, and it is hereby ORDAINED AND ENACTED by the authority of the same as follows:

*Section 1:* The following definitions shall apply to this Ordinance:

Security/Fire Alarm System. The term security/fire alarm system, for the purposes of this Ordinance, shall mean: (a) any security system, device or combination thereof which has as a part of its apparatus a horn, bell, gong or other signal device, which emits a sound or warning noise audible or perceptible outside the building in which it is installed or used, and/or (b) any security system or device or combination thereof which has as a part of its apparatus, a signal device which alerts, through radio or telephone signals, an outside entity, such as Somerset County Control or a private security service, of activation of the security/fire alarm system.

False Alarm: The term false alarm, for the purposes of this Ordinance, shall mean any activation of the security/fire alarm system which is not the result of an unauthorized entry to the protected building or actual fire occurring in or to the protected building and which results in emergency notification, either directly or indirectly, of the Indian Lake Borough Police Department.

*Section 2:* After the effective date of this Ordinance, no person, firm or corporation may cause to be installed or used in any building, dwelling or other structure, whether occupied or unoccupied, any form of security/fire alarm system, unless said system is installed or modified in accordance with the requirements of this Ordinance.

*Section 3:* All security/fire alarm systems which are installed or used after the effective date of this Ordinance, and which have as a part of their apparatus a horn, bell, gong or other signal

device, which emits a sound or warning noise audible or perceptible outside the building in which it is installed, shall either be equipped with a device which shall automatically shut off said audible signal within fifteen (15) minutes of time said audible signal commenced or shall be equipped with an outside switch or other device, activated by electronic code or key, which shall allow the audible alarm warning portion of the device to be turned off from the outside of the building, dwelling or other structure.

*Section 4:* The sounding of any horn, bell, gong or warning noise from an unoccupied building, dwelling or other structure, where provisions are not made to provide that the system is automatically switched off or can be switched off from the outside, as required in Section 3, is hereby declared to be a public nuisance, under the provisions of Indian Lake Borough Ordinance No. 100 and the Borough Code. The Borough shall have the right to proceed by appropriate action to abate said nuisance and charge the reasonable costs of such abatement to the property owner and occupant.

*Section 5:* All persons, corporations and firms who own or occupy a building, dwelling or structure in Indian Lake Borough and who now have or hereafter installed a security/fire alarm system in any such building, dwelling or other structure, shall, within six (6) months of the effective date of this Ordinance, register with the Indian Lake Borough Police Department. Such registration shall include the street address of the location having the security/fire alarm system, the names, addresses and telephone numbers of no less than and no greater than three (3) persons to be called if the Indian Lake Borough Police become aware of the security/fire alarm system activation, the names, addresses and telephone numbers of all persons or entities who are notified by the security/fire alarm system itself (if so equipped), whether or not the security/fire alarm system has audible or silent alarms, and a key or such other device or instructions as may be necessary to turn off the audible alarm from the outside, if the audible alarm is not otherwise equipped with an automatic shut off as hereinabove specified.

*Section 6:* The Borough Council shall designate an individual or individuals residing in the Borough of Indian Lake who shall be charged with the responsibility of the safe and confidential storage of the information and keys or other devices or instructions deposited with registration of the system, as required under Section 5 hereof, and who shall be authorized to turn off any audible alarms which are activated or sounding, after notification of the proper police authorities, in the event the building, structure or dwelling is unoccupied at the time the audible alarm is sounded.

*Section 7:* More than two (2) false alarms in any calendar year shall constitute grounds for an order imposing a civil penalty, at a summary proceeding, for each false alarm in excess of two (2) per calendar year. Upon notification of a false alarm, the Indian Lake Borough Police Department shall notify, by certified mail, the owner of the property the subject of the false alarm, and inform him that he will be cited in accordance with the provisions of this ordinance if more than one additional false alarm occurs at the same location within the same calendar year. If an additional false alarm occurs at the same location within the same calendar year, the Indian Lake Borough Police Department shall inform the property owner that he will be cited in accordance with the provisions of this ordinance if another false alarm occurs at that same location within the same calendar year. Upon the occurrence of that additional and any successive false alarm, at the same location within the same calendar year, the Indian Lake Borough Police Department shall forward, by certified mail, a statement to the property owner in the amount of Twenty-Five and 00/100 (\$25.000) Dollars and shall inform the property owner that if he does not remit the amount due within fifteen (15) days from the date of receipt of the statement, that he will be cited in accordance with the provisions of this ordinance and shall be fined a sum of Twenty-Five and 00/100 (\$25.00) Dollars for the first violation and a sum increasing by Five and 00/100 (\$5.00) Dollars for each violation thereafter (for example -- the sixth false alarm is the fourth violation and the fine would be set at Forty and 00/100 (\$40.00) Dollars.) More than six (6) false alarms in any calendar year shall constitute grounds for an order to remove, repair or replace the alarm system. Failure to remove, repair or replace a system within thirty (30) days of receipt of an order of the Borough to do so shall constitute a summary offense. Continued maintenance of such a system without removal, repair or replacement is declared to be a public nuisance, abatable as such by Indian Lake Borough at the expense of the property owner and occupant. The penalties and sanctions imposed hereunder shall not be mutually exclusive.

*Section 8:* Any person, firm or corporation owning or occupying any dwelling, building or structure within the Borough of Indian Lake who does not comply with the requirements set forth in this Ordinance, and who thereafter maintains or installs a security/fire alarm system, or who otherwise violates the provisions of this Ordinance, shall be guilty of a summary offense and, upon conviction thereof, shall be liable for a fine in accordance with the fines as set forth herein and the Commonwealth, if any.

*Section 9:* A summary or other proceeding under this Ordinance shall not prevent the Borough from proceeding in any appropriate manner to abate the public nuisance or nuisances declared in this Ordinance.

*Section 10:* All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

*Section 11:* This Ordinance shall take effect immediately.

ORDAINED AND ENACTED this 8th day of March, 1995.

ATTEST:

BOROUGH OF INDIAN LAKE

Theresa L. Keyant  
Secretary

By Richard W. Stern  
President of Council

EXAMINED AND APPROVED this 8th day of March, 1995.

Edward P. Kozminski  
Mayor