

**BOROUGH OF MOUNT POCONO
MONROE COUNTY, PENNSYLVANIA**

**ORDINANCE #7 OF 1999
ALARM ORDINANCE**

**AN ORDINANCE OF THE BOROUGH OF MOUNT POCONO RELATING TO
ALARM SYSTEMS, PROVIDING FOR THE ISSUANCE OF PERMITS FOR
THE INSTALLATION OF SUCH SYSTEMS; FOR THE REVOCATION OF
SAID PERMITS; REQUIRING THE REGISTRATION BY OWNERS OF SAID
ALARM SYSTEMS WITH THE BOROUGH OF MOUNT POCONO FOR THE
INSTALLATION OF SAID ALARM SYSTEMS, AND PROVIDING FOR FINES,
AND THE ADMINISTRATION OF THE ORDINANCE**

The Borough of Mount Pocono, Monroe County, Pennsylvania, does hereby
ENACT AND ORDAIN:

SECTION 1: TITLE

This Ordinance shall be known as the "Borough of Mount Pocono Alarm
Ordinance".

SECTION 2: DEFINITIONS

- a. **ALARM SYSTEM** shall mean any device designed or used for detection of intrusion into a building, structure, or facility, or for alerting persons in the attempt of commission of a crime or any emergency situation involving potential death or serious injury and which is directly connected to an audible alarm or the transmission of a related signal or message which is used to evoke an emergency response to any address or separate component of any system.
- b. **NUISANCE ALARM** shall mean the activation of an alarm system due to other than the said purpose for which the alarm system is designed. Any activation of an alarm system caused by any malfunction caused by violent natural catastrophic condition including electrical storms or power outages or conditions beyond the control of the permittee will not constitute a nuisance alarm.
- c. **EMERGENCY DEPARTMENT** is defined to mean any municipal agency including police, fire, and any other duly constituted municipal authority.

SECTION 3: ADOPTION AND AUTHORITY

The Borough of Mount Pocono, by authority granted to them as specified in the Pennsylvania or Borough Code, being the Act of May 20, 1957, P.L. 74, as Amended by the Act of March 21, 1968, P.L. 66, No. 22, Section 1, 53 P.S. 65712, hereby enacts the herein Ordinance.

SECTION 4: PURPOSE AND INTENT

The Borough Council of Mount Pocono finds and declares that:

- a. The majority of emergency alarms to which Pocono Mountain Regional Police and emergency personnel respond are false. False alarms are herewith deemed to be nuisances resulting in a waste of municipal manpower and creating the potential for serious injury to police officers, fire department personnel, and other emergency personnel responding to a false alarm; further, when the said personnel are responding to false alarms, they are not available for the protection of residents and the general public of the Pocono Mountain Regional Police territory.
- b. The danger created through emergency responses created by nuisance alarm is unnecessary and hazardous.
- c. The unnecessary waste of public revenue through responses to nuisance alarms must be eliminated.
- d. Nuisance alarms have created conditions causing danger and annoyance to the general public.

SECTION 5: APPLICATION FOR ALARM PERMIT

Every applicant for an alarm permit shall file, with the Borough of Mount Pocono Zoning Officer, a written application on forms provided by the Borough stating the name, address, and telephone number of the applicant; a description of the property or properties where the proposed alarm system shall be installed; the location, road name of the development, and a name which is conspicuously displayed on the property of the mailbox of the property; a description of the type or types of alarm system to be used including name and model number of the manufacturer; the name of the person or company who will install the alarm system at the location; the name, address, and telephone number of any person or company who will be available to be contacted in the event of an alarm activation. In the case of more than one building site in which the alarm systems shall be installed, the applicant must provide the Borough with the necessary information concerning how the alarm for each building shall be distinguishable from the alarms in other buildings. All alarms should have a 9 minute cut off time. In the event the name, mailing address, or telephone number of the person to be contacted changes, the applicant shall supply corrected information to the Borough within five (5) days of the change. If requested by the Borough, the persons listed shall be required to be present at the alarm location within a reasonable length of time after being notified that the police or other emergency departments have received any signal or message of an alarm activation.

SECTION 6: ALARM PERMITS - TRANSFER

Alarm permits shall be transferable from one permittee to another, or from one location to another, without the express written authorization from the Borough. In the event that the premises in which the alarm system has been installed is to be leased, conveyed, or transferred, it shall be the responsibility of the then registered permittee to notify the Borough of the name and telephone number of the new owner or new lessee and the name of the person to be contacted in case of the alarm activation.

Any subsequent individual or other type of entity that obtains title or occupies real property in which an alarm system has been installed and a permit issued by the Borough, shall notify the Borough within five (5) days of taking possession of said property and make application for registration specifying all information necessary for the police department or other emergency departments to respond to the alarm activations.

SECTION 7: ALARM PERMITS - FEES

Every person or entity applying for an alarm permit under the provisions of this Ordinance shall pay a fee established by Resolution of the Borough of Mount Pocono to obtain an alarm permit prior to the installation of the new alarm system on the premises.

Any individual or other entity who owns or obtains title to or leases property in which an alarm system has already been installed shall pay the fee established by resolution of the Borough of Mount Pocono to register the name, address, telephone number, and individual to be contacted in case of the activation of the alarm system.

All fees shall be payable to the Borough of Mount Pocono.

SECTION 8: PENALTIES AND FINES

Any person or responsible entity that shall fail to make application or register with the Borough of Mount Pocono prior to the installation or transfer of an alarm system on the premises shall pay to the Borough of Mount Pocono a fine in the amount of \$50.00.

Any person or other entity who, after receiving written notice from the Regional Police that an Emergency Department has responded to two nuisance alarms as defined in this Ordinance during any six (6) month period, shall thereafter pay a fine of \$25.00 for the first nuisance alarm, \$50.00 for a second and \$100.00 for each nuisance alarm thereafter plus the costs of prosecution. For the purpose of determining the number of nuisance alarms, the repeated alarms in a 24 hour period shall be deemed as one nuisance alarm.

All alarms should have a 9 minute cut off time. First time violator's fine shall be \$50.00; second time violators \$100.00; third time violators \$150.00; each time after third time \$150.00.

SECTION 9: SUSPENSION OF PERMITS

In the event that the applicant-permittee or transferee shall receive written notice from the Regional Police that three nuisance alarms have occurred on the premises within a term of thirty (30) days, the Borough after giving fifteen (15) days written notice to the applicant-permittee or transferee, shall conduct a hearing to determine whether the permit shall be suspended until the applicant-permittee or transferee shall produce satisfactory to the Borough that the alarm system has been properly repaired so that no future nuisance alarms will be activated. If after notice and hearing, it is the judgment of the Borough that such permit shall be suspended and if the alarm has not been properly repaired, disconnected, or removed from the premises, the applicant-permittee or the transferee shall then be liable to pay a fine to the Borough in the sum of \$300.00 per nuisance alarm.

SECTION 10: CONFIDENTIALITY

The information furnished and secured pursuant to this Ordinance shall be confidential in character and shall not be subject to public inspection and all records shall be so maintained that the contents thereof shall not be divulged to anyone except to the persons charged with the administration of this Ordinance.

SECTION 11: EFFECTIVE DATE

The herein Ordinance shall be effective five (5) days from the date of its adoption. Owners of such alarm systems existing at the time of the adoption of this Ordinance and who have not heretofore filed the necessary permit application, shall have a period of sixty (60) days to comply with all provisions of this ordinance, and in default or failure to obtain said permit as herein mandated, the owner of said alarm system shall be subject to a fine of \$300 plus the costs of prosecution for each day that said violation shall continue.

SECTION 12: SEVERABILITY

Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Ordinance in it's entirety or any part thereof, other than that so declared invalid.

SECTION 13: ENFORCEMENT

Enforcement of this Ordinance shall be supplemental to enforcement under the Pennsylvania Crimes Code Section 7511. (18 Pa. C.S.A. Section 7511) (1998).

SECTION 14: REPEALER

All prior inconsistent ordinances are hereby repealed.

ENACTED AND ORDAINED by the Borough of Mount Pocono this 17th day of May, 1999.

BOROUGH OF MOUNT POCONO

By: 

Roy Gross, Borough President

Attest:


Lori Yocum, Borough Secretary

APPROVED this 17th day of May, 1999.

By: 

Mario Scavello, Mayor

EMERGENCY ALARM PERMIT APPLICATION

NAME: _____

FEE: \$30.00

LOCAL ADDRESS: _____

MAILING ADDRESS: _____

TELEPHONE: _____ TAX ID#: _____

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DESCRIPTION OF PROPERTY OR PROPERTIES, WHERE THE ALARM SHALL BE OR HAS BEEN INSTALLED:

NAME OF DEVELOPMENT: _____

ROAD NAME: _____

LOCATION OF HOME/BUSINESS: _____

PROPERTY ID#: _____

NAME CONSPICUOUSLY DISPLAYED ON PREMISES: _____

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DESCRIPTION OF TYPE(S) OF ALARM TO BE USED: _____

ALARM MODEL NO: _____

MANUFACTURER: _____

INSTALLER: NAME: _____

ADDRESS: _____

PHONE: _____

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PERSONS OR FIRM TO BE CONTACTED IN THE EVENT OF ALARM ACTIVATION:

NAME: _____

ADDRESS: _____

PHONE: _____

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PERSONS OR FIRM NAMED ABOVE MUST BE AVAILABLE 24 HOURS/DAY, 365 DAYS/YEAR AND IS REQUIRED TO BE AT THE ALARM LOCATION WITHIN A REASONABLE LENGTH OF TIME AFTER BEING NOTIFIED BY THE POLICE DEPARTMENT THAT THE ALARM HAS BEEN ACTIVATED.
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BOROUGH USE ONLY

DATE RECEIVED: _____

PERMIT NO.: _____

DATE APPROVED: _____

APPROVED BY: _____

FEE FECEIVED: _____

CASH: _____ CHECK#: _____