

ORDINANCE NO. 92-6

AN ORDINANCE OF THE TOWNSHIP OF WEISENBERG,
LEHIGH COUNTY, PENNSYLVANIA PROVIDING FOR
THE REGULATING AND PROHIBITION OF FALSE
ALARMS, PROVIDING FOR FALSE ALARMS SERVICE
FEES, PENALTIES FOR VIOLATIONS, A SEVERABILITY
CLAUSE, A GENERAL REPEALER AND EFFECTIVE DATE.

The Board of Supervisors of the Township of Weisenberg, County of Lehigh, Commonwealth of Pennsylvania, in lawful session duly assembled does hereby Ordain the following:

ARTICLE 1: DEFINITIONS

The following definition shall apply in the interpretation and enforcement of this Ordinance.

False Alarm - Any signal activated by an automatic protection device, any audible alarm or any other kind of direct or indirect signal given to which police, fire department or emergency response agencies respond which is not the result of an attempted illegal entry, burglary, intrusion, fire, medical or other similar emergency, excluding weather extremes and utility interruptions, which activates a protection device.

ARTICLE 2: FALSE ALARMS PROHIBITED

It shall be unlawful for the property owner, lessee or any person occupying or otherwise on any premises within Weisenberg Township, to make or cause to be made, a false fire or security alarm, directly or indirectly to any fire department or emergency response agency responding to alarms within the Township, when the false alarm is caused by faulty detection or alarm equipment or by the negligence of said property owner, lessee or person.

ARTICLE 3: FALSE ALARM SERVICE FEES

(a) The status of an alarm is to be determined by the police department, fire company, or other affected emergency response agency, and their decision as to whether the alarm in question constitutes a "false alarm" as provided for in this Ordinance shall be final.

(b) Service fees for false alarms shall be assessed by the Township as follows:

1. First alarm in any six (6) months calendar year shall not be subject to any service fee.

2. Second false alarms in any six (6) months period shall be subject to a service fee of Two Hundred (\$200.00) Dollars.

ARTICLE 4: PENALTIES AND REMEDIES FOR VIOLATIONS

(a) In the event a violation of this Ordinance occurs, in addition to such other remedies as may be available under existing law, the Township may institute an action in equity to prevent, restrain, correct, abate or enjoin such violation.

(b) Any person, whether as principal or agent, who violates this Ordinance or assists or abets its violation, shall upon conviction thereof, before any Magistrate, be sentenced to pay a fine of not less than Fifty (\$50.00) Dollars, nor more than Five Hundred (\$500.00) Dollars, together with the costs of prosecution, and in default of the payment of said fine and costs, shall be committed to the Lehigh County Prison for a period not exceeding thirty (30) days. Each violation shall constitute a separate offense, for which a summary conviction may be sought.

ARTICLE 5: SEVERABILITY

The provisions of this Ordinance shall be severable, and if any provision hereof shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent of the Township that this Ordinance would have been amended as if such unconstitutional, illegal or invalid provision or provisions had not been included herein.

ARTICLE 6: REPEALER

All Ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance hereby adopted are hereby repealed.

ARTICLE 7: EFFECTIVE DATE

This Ordinance shall become effective five (5) days following the date of enactment.


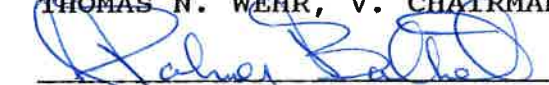
DULY ENACTED AND ORDAINED this 3RD day of December, 1992 by the Board of Supervisors of Weisenberg Township in lawful session duly assembled.

TOWNSHIP OF WEISENBERG

By 
DONALD W. DAVIS, CHAIRMAN

ATTESTED:


DONALD P. BREININGER, SEC.


THOMAS N. WEHR, V. CHAIRMAN

J PALMER BALLIET