

**FALSE ALARMS  
SCOTT TOWNSHIP, LACKAWANNA COUNTY  
ORDINANCE NO. 07-10-025-002**

**AN ORDINANCE PROVIDING FOR PENALTIES FOR FALSE FIRE ALARMS**

This Ordinance shall be known and cited as the Scott Township False Alarm Ordinance.

**ARTICLE I: DEFINITIONS**

The following definitions shall apply in the interpretation and enforcement of this Ordinance:

Emergency Services – The police, fire and/or ambulance services of the Township or of the Commonwealth of Pennsylvania.

False Alarm- Any activation of an alarm system by inadvertence, negligence or intentional or unintentional acts or means, to which emergency services of the Township respond and whereafter it is determined that the alarm was not the result of a crime in progress, fire, medical or other emergency necessitating a response by emergency services, excepting those alarms which are caused solely by weather extremes or inadvertent utility interruptions.

**ARTICLE 2: FALSE ALARMS PROHIBITED**

It shall be unlawful for the property owner, lessee or any person occupying, in control of or otherwise on any premises within Scott Township, to make or cause to be made, a false alarm, directly or indirectly to any fire department or emergency response agency responding to alarms within the Township.

**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 the decision shall be final.

(b) Upon notification of a first false alarm within a calendar year, a written report shall be made within fourteen (14) days by the owner or lessee of the property to the affected emergency response agency and Chief of Police and shall contain what steps have been taken to eliminate future false alarms.

(c) Service fees for false alarms shall be assessed by and paid to the Township as follows:

1. A Second false alarm in any one calendar year shall require a written final warning to the property owner or Lessee of the penalties of this ordinance.
2. A Third false alarm in any one calendar year shall be subject to a service fee not to exceed One Hundred (\$100.00) Dollars.
3. A Fourth false alarm in any one calendar year shall be subject to a service fee not to exceed Three Hundred (\$300.00) Dollars.
4. A Fifth and subsequent false alarms in any one calendar year shall be subject to a service fee not to exceed Five Hundred (\$500.00) Dollars plus prosecution in accordance with article 4 herein.

(d) The Township Chief of Police or his designee, shall be responsible for administering the terms of this Ordinance.

#### **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 assigns or abets its violation, shall upon conviction thereof, before any Magistrate, be sentenced to pay a fine of not less than One Hundred (\$100.00) 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 Lackawanna County Prison for a period not exceeding thirty (30) days, in addition to the service fees imposed under Article 3 herein. 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**

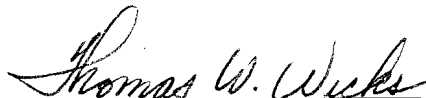
All Ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance hereby adopted are hereby repealed.

#### **ARTICLE 7: EFFECTIVE DATE**

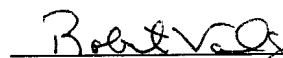
This Ordinance shall become effective five (5) days after enactment by the Board of Supervisors.

**ORDAINED AND ENACTED** into an Ordinance at a regular meeting of the Board of Supervisors of the Township of Scott, Lackawanna County, Pennsylvania, this 25<sup>th</sup> day of October, 2007.

**ATTEST:**

  
Secretary

**SCOTT TOWNSHIP  
BOARD OF SUPERVISORS**

  
Chairman, Supervisor

  
Supervisor

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Supervisor