

TOWNSHIP OF WASHINGTON
COUNTY OF NORTHAMPTON
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 285

WHEREAS, the Township of Washington, through its Board of Supervisors duly convened, adopted Ordinance No. 174 on December 12, 1990; and

WHEREAS, said Ordinance, which established regulations for false alarms; and

WHEREAS, Ordinance 174, and similar ordinances, have been superseded by the PA Crimes Code, specifically Section 7511©(1) thereof.

NOW, THEREFORE, be it ORDAINED and ENACTED by the Board of Supervisors of Township of Washington, County of Northampton and Commonwealth of Pennsylvania, as follows:

1. Ordinance 174 , enacted December 12, 1990 is hereby repealed.
2. This Ordinance shall be effective immediately.

ORDAINED AND ENACTED by the Supervisors of the Township of Washington, County of Northampton and Commonwealth of Pennsylvania, into an Ordinance, this 12th day of November, 2014.

WASHINGTON TOWNSHIP
BOARD OF SUPERVISORS

By: _____

David Renaldo, Chairman

By: _____

David Hess, Vice Chairman

By: _____

Robert Smith, Supervisor

ATTEST: _____

Gail Putvinski, Secretary

NOTICE
TOWNSHIP OF WASHINGTON
NORTHAMPTON COUNTY
PENNSYLVANIA

NOTICE IS HEREBY GIVEN BY THE Board of Supervisors of Washington Township, Northampton County, Pennsylvania, of its intention to hold a public hearing and consider the enactment of Ordinance No. 285. This Ordinance will be considered at the Board's November 12, 2014, meeting to be held at 7:00 p.m. at the Washington Township Municipal Building, 1021 Washington Boulevard, Bangor, Northampton County, Pennsylvania. Said Ordinance repeals Ordinance No. 174, regarding false alarms.

A full text of the Ordinance can be examined at the Township office, 1021 Washington Boulevard, Bangor, Pennsylvania, during regular weekday office hours. In addition, a full text of the Ordinance is available for public inspection at the Northampton County Law Library, Northampton County Government Center, 669 Washington Street, Easton, Pennsylvania.

Any interested citizen is invited to attend the aforementioned meeting to offer any comments or questions.

DAVID J. CERAUL, ESQUIRE
Solicitor to the Borough of Bangor
Twenty-Two Market Street
Bangor, Pennsylvania 18013
Telephone: (610-588-0378)

LAW OFFICES

DAVID J. CERAUL
TWENTY-TWO MARKET STREET
POST OFFICE BOX 19
BANGOR, PENNSYLVANIA 18013
TEL: (610) 588-0378
FAX: (610) 588-3741

PHILIP S. RUGGIERO
1953 - 2003

October 13, 2014

Northampton County Law Library
Northampton County Government Center
669 Washington Street
Easton, PA 18042

Re: Township of Washington - Ord. No. 285

Dear Sir/Madam:

Enclosed herewith please find a copy of proposed Ordinance No. 285 of the Township of Washington, which is to be placed on file in the Northampton County Law Library for public inspection.

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "D. Ceraul", with a large, stylized flourish extending from the end of the signature.

DAVID J. CERAUL,
Solicitor to the Board of Supervisors
of Washington Township

DJC/mlc

Enclosure

cc: Gail Putvinski, Township Secretary (w/Enclosure)

LAW OFFICES

DAVID J. CERAUL
TWENTY-TWO MARKET STREET
POST OFFICE BOX 19
BANGOR, PENNSYLVANIA 18013
TEL. (610) 588-0378
FAX (610) 588-3701
October 13, 2014

PHILIP S. RUGGIERO
1953 - 2003

Sent via email only @ cwilchak@express-times.com

Ms. Cathy Wilchak
The Express Times
ATTENTION: Legal Ads
30 North Fourth Street
Easton, PA 18042

Re: Township of Washington - Legal Notice - Ordinance No. 285

Dear Cathy:

Enclosed herewith please find a Legal Notice for the Township of Washington to be published one time on Wednesday, November 5, 2014.

Upon final publication, kindly forward Proof of Publication, as well as the invoice therefor, to Gail Putvinski, Secretary/Treasurer, Washington Township, 1021 Washington Boulevard, Bangor, PA 18013.

Thank you.

Very truly yours,



DAVID J. CERAUL,
Solicitor to the Board of
Supervisors of Washington
Township

DJC/mlc
Enclosure

cc: Ms. Gail Putvinski, Township Secretary/Treasurer (w/enclosure)



Chief of Police
Daniel C. Cotturo Jr.

WASHINGTON TOWNSHIP POLICE DEPARTMENT

1021 Washington Blvd
Bangor, Pa 18013
Phone (610) 588-2040
Fax (610) 599-0957

To: Washington Twp. Board of Supervisors

From: Scott E. Miller, PD OIC

Date: September 23, 2014

RE: False Alarm Ordinance Research

Dear Board of Supervisors,

At the September 10, 2014 board meeting, I was tasked with researching, amending and/or drafting a new ordinance pertaining strictly to repetitious false alarms. The BOS during this time made the recommendation that the township would no longer require residents to register and obtain permits to have the alarms on record with the township.

While compiling and reviewing information, I learned that The Pennsylvania Crimes Code, Title 18-Section 7511(c)(1) titled, "Control of alarm devices and automatic dialing devices/False alarms prohibited" would encompass all the needs for enforcement by the police department for repetitious false alarms within a twelve month period.

Therefore, this would eliminate the need for an amended ordinance and/or the ordinance could be removed entirely as it would no longer be needed, due to PA Statute.

Please review the attached PA Statute in its entirety and contact me with any questions or concerns.

Sincerely,

A handwritten signature in cursive script that reads "Scott E. Miller".

Scott E. Miller, OIC
WTPD

7511. Control of alarm devices and automatic dialing devices.

(a) Automatic dialing devices.--A person may not attach or use an automatic dialing device without doing all of the following:

(1) Providing the disclosure under subsection (b).

(2) Obtaining prior written approval from a public safety agency to use the automatic dialing device to alert the public safety agency of an alarm condition. The public safety agency shall not be responsible for any costs for the installation and maintenance of any dedicated telephone line or equipment associated with the alarm termination.

(b) Disclosure.--A person seeking approval under subsection (a) shall disclose the telephone number of a person to be contacted if the automatic dialing device is activated and all relevant facts concerning the design and layout of the premises to be protected by the automatic dialing device. The person shall inform the public safety agency of any change in the information required by this subsection as soon as practicable.

(c) False alarms prohibited.--

(1) A person that owns, uses or possesses an alarm device or automatic dialing device may not, after causing or permitting three false alarms to occur in a consecutive 12-month period, cause or permit a subsequent false alarm to occur in the same consecutive 12-month period. A person that violates this paragraph commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than \$300.

(2) Venue for prosecution of an offense under this subsection shall lie at any of the following places:

(i) Where the alarm originated.

(ii) Where the alarm was received by the:

(A) public service agency; or

(B) third person designated to notify the public service agency.

(3) Notwithstanding 42 Pa.C.S. § 3733 (relating to deposits into account) or any other law, the disposition of fines shall be as follows:

(i) The fine shall be paid to the municipality if all of the following apply:

(A) The public safety agency which responded to the false alarm serves the municipality.

(B) The prosecution is initiated by the public safety agency under clause (A) or by the municipality.

(ii) The full amount of the fine shall be paid to the Commonwealth if all of the following apply:

(A) The Pennsylvania State Police is the public safety agency which responded to the false alarm.

(B) The prosecution is initiated by the Pennsylvania State Police.

(C) There is no prosecution under subparagraph (i).

(d) **Suspension or revocation of approval.**--The public safety agency may refuse, revoke or suspend the approval granted under subsection (a) if the public safety agency determines any of the following:

(1) The request for approval contains a statement of material fact which is false.

(2) The person failed to comply with this section.

(3) The person violated subsection (c).

(e) **Local regulation of installers.**--

(1) **General rule.**--Except as set forth in paragraph (2), nothing in this section shall prohibit a municipality from requiring any individual who installs or inspects alarm devices in such municipality to acquire a license, meet educational requirements or pass an examination relating to competence to perform such installations. Nothing in this section shall preclude municipalities from doing any of the following:

(i) Denying or revoking local permits for failure to comply with local ordinances.

(ii) Levying lawful taxes and fees.

(iii) Requiring the purchase of a business privilege license.

(2) **Limitation.**--A municipality may not require a licensed electrical contractor to acquire a separate or additional license or certification to install or inspect alarm devices if the electrical contractor is licensed by the municipality and has passed an examination in the National Electrical Code, a similar code or local electrical code and has at least two years' experience as an electrical contractor.

(f) **Definitions.**--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Alarm." A communication to a public safety agency indicating that a crime, fire or other emergency warranting immediate action by that public safety agency has occurred or is occurring.

"Alarm device." A device designed to automatically transmit an alarm:

(1) directly to a public safety agency; or

(2) to a person that is instructed to notify the public safety agency of the alarm.

"Automatic dialing device." A device which is interconnected to a telephone line and preprogrammed to transmit the coded signal of an alarm to a dedicated telephone trunk line or to

dial a predetermined telephone number to an alarm to a public safety agency.

"Dedicated telephone trunk line." A telephone line or lines which serve a public safety agency which is dedicated to receiving transmissions from an automatic dialing device.

"False alarm." The activation of an alarm device to which a public safety agency responds when a crime, fire or other emergency has not occurred.

"Person." An individual, corporation, partnership, incorporated association or other similar entity.

"Public safety agency." The Pennsylvania State Police or any municipal police or fire department.

(June 18, 1998, P.L.503, No.70, eff. 60 days; Dec. 21, 1998, P.L.1103, No.149, eff. 60 days)