
CITY OF JEANNETTE

Westmoreland County, Pennsylvania

Bill No. 15-02

Ordinance 15-02

**AN ORDINANCE AUTHORIZING ENFORCEMENT
ACTION BY THE CITY OF JEANNETTE PURSUANT TO THE
PROVISIONS OF ACT 70 OF 1998 REGULATING THE
PROHIBITING OF FALSE ACTIVATION OF AUTOMATIC
FIRE AND BURGLARY ALARMS, AND ESTABLISHING THE
MANNER AND MEANS FOR ENFORCEMENT THEREOF.**

WHEREAS, the legislature of the Commonwealth of Pennsylvania has enacted Act 70 of 1998, effective August 17, 1998; and

WHEREAS, said Act 70 of 1998 specifically prohibits the false activation of an alarm device or automatic dialing device; and

WHEREAS, said Act 70 of 1998 authorizes certain actions to be taken by the designated public service agency of the municipality in which a violation may occur; and

WHEREAS, the City Council does now wish to establish the manner and terms by which the City of Jeannette will enforce the provisions of Act 70 as they apply to false fire alarms within the City of Jeannette.

NOW, THEREFORE, BE IT RESOLVED and it is hereby resolved by City Council of the City of Jeannette as follows:

SECTION I:

Definitions

ALARM SYSTEM – Any device designed for the detection of unauthorized

Entry on the premises, unlawful act or detection of fire or smoke, and when activated gives a signal, visual, audible or both, transmits or causes to be transmitted a signal.

CALENDAR YEAR – January 1 through December 31.

CHARGE – The amount assessed a subscriber protected by an alarm system for a false alarm only.

FALSE ALARM – An alert by an alarm system, which upon investigation discloses that no burglary, attempted burglary, breaking and entering, robbery or other acts for which it is designed to initiate police investigation where action has occurred, or where the investigation discloses that no fire or smoke exists for which is it designed to initiate a response by a Fire Department. It should not include alerts caused by power outages or weather conditions.

SUBSCRIBER – An owner or lessor of a premise equipped with an alarm system.

SECTION II:

The City of Jeannette Police Department and Fire Department are hereby designated as the agencies from which prior written approval must be received before the installation of any automatic dialing device designed and intended to alert the several fire departments in proximity the City of Jeannette of an alarm condition.

SECTION III:

In accordance with the provisions of said Act, The City of Jeannette Police Department and Fire Department shall not be responsible for any costs, claims or liabilities relating to the installation and maintenance of any dedicated telephone line or equipment associated with alarm termination.

SECTION IV:

The City of Jeannette Police Department and Fire Department shall establish such procedures and forms as may be necessary to report false alarms as and when they are received.

SECTION V:

Whenever a false alarm is received for a premises served by an alarm system, the subscriber shall be charged an amount in accordance with the following schedule:

Alarms Received Per Calendar Year	Fee
Less than 3	No charge
3 to 10	\$50.00 per false alarm
11 or more	\$100.00 per false alarm

SECTION VI:

The failure of a subscriber to pay a false alarm charge shall result in the filing of a citation before the issuing authority to institute a summary for criminal proceeding; or the City of Jeannette shall have the right to collect said charge by an action in assumpsit, and shall have the right to lien, collect and enforce such charge in the same matter as hereintofore provided by the act of assembly for the enforcement, liening and claiming of municipal claims against subscribers.

SECTION VII:

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

SECTION VIII:

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the City of Jeannette that this Ordinance would have been adopted, had such unconstitutional, illegal or invalid sentence, clause, section or part thereof, not been included herein.

This Ordinance shall become effective within thirty days of the date of enactment hereof.

ORDAINED AND ENACTED this 11th day of February, 2015.

CITY OF JEANNETTE

By: /s/ **Richard R. Jacobelli**
Richard R. Jacobelli, Mayor

ATTEST:

/s/ **Bruce D. Jamison**
Bruce D. Jamison, City Manager