

**BOROUGH OF EDGEWOOD  
ALLEGHENY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 1081**

**AN ORDINANCE OF THE BOROUGH OF EDGEWOOD  
REPEALING AND REPLACING CHAPTER 75, ALARM  
SYSTEMS, ARTICLE I, AUTHORIZING  
REIMBURSEMENT FOR CERTAIN COSTS AND  
ESTABLISHING PROTOCOLS FOR ADDRESSING FALSE  
EMERGENCY ALARMS.**

**WHEREAS**, pursuant to the authority vested in the Borough of Edgewood (“Borough”) by the Borough Code, the Borough wishes to repeal and replace the sections of its Code of Ordinances regulating the Borough’s Alarm System requirements, governed by Chapter 75 of the Borough’s Code of Ordinances;

**WHEREAS**, considerable sums are expended by the Volunteer Fire Department and other emergency services in relation to responding to a call for their services;

**WHEREAS**, the Borough has determined it is necessary and in the best interests of the Borough and its emergency response services to establish regulations and specific authorization relating to the reimbursement of fees for services provided to mitigate the costs of providing essential public safety services to the Borough and its residents;

**WHEREAS**, false emergency alarms have been a problem for the Borough’s emergency response services;

**WHEREAS**, the Borough has determined that it would be in the best interest of the Borough and its emergency services to establish protocols in regard to the multiple false emergency alarms resulting in a response by its emergency services; and

**WHEREAS**, the Borough believes the implementation of fines to reimburse the emergency response services in responding to false emergency alarms would encourage the use of appropriate alarm installation and maintenance practices to prevent or minimize false alarms that require the response of the emergency services.

**NOW, THEREFORE**, the Borough Council of the Borough of Edgewood hereby ordains and enacts as follows:

**SECTION 1. PURPOSE**

- (A) The purpose of this ordinance is to encourage Alarm Users and Alarm companies to properly use and maintain the operational effectiveness and proper utilization of Alarm Systems and to reduce or eliminate False Alarms which may unduly divert law enforcement from responding to criminal activity.
- (B) This ordinance governs systems intended to summon law enforcement and fire response, and requires registration, establishes fees, provides for penalties for violation, establishes a system of administration, and sets conditions for suspension or loss of registration.

**SECTION 2. DEFINITIONS**

In this ordinance:

- (A) **Alarm Administrator** means a Person or Persons designated by the governing authority to administer and enforce this Ordinance.
- (B) **Alarm Company** means the business, by an individual, partnership, corporation or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, installing or Monitoring an Alarm System in an Alarm Site.
- (C) **Alarm Dispatch Request** means a notification to a law enforcement agency that an alarm, either manual or automatic has been activated at a particular alarm site.
- (D) **Alarm Registration (or Permits)** means the notification by an Alarm Company or an Alarm User of the Alarm Administration that an Alarm System has been installed and is in use.
- (E) **Alarm Site** means a single fixed premises or location served by an Alarm System or systems. Each tenancy, if served by a separate Alarm System in a multi-tenant building or complex shall be considered a separate Alarm Site.
- (F) **Alarm System** means a device or series of devices, including, but not limited to, systems interconnected with a radio frequency method such as cellular or private radio signals, which emit or transmit a remote or local audible, visual or electronic

signal indicating an alarm condition and intended to summon law enforcement service of the municipality, including Local Alarm System. Alarm Systems does not include an alarm installed in a vehicle or Person unless the vehicle or Personal alarm is permanently located at a site.

- (G) **Alarm User** means any Person, firm, partnership, corporation or other entity who (which) uses or is in control of any Alarm System at its Alarm Site.
- (H) **Automatic Voice Dialer** means any electrical, electronic, mechanical or other device capable of being programmed to send a prerecorded voice message, when activated, over a telephone line, radio or other communication system, to a law enforcement agency.
- (I) **Cancellation** or Responding Agency Alarm dispatch Cancellations the process by which an Alarm Company providing Monitoring verifies with the Alarm User or responsible party that a false dispatch has occurred and that there is not an existing situation at the Alarm Site requiring law enforcement agency response.
- (J) **Conversion** means the transaction or process by which one Alarm Company begins Monitoring of a previously unmonitored Alarm System or an Alarm System previously monitored by another Alarm Company.
- (K) **Duress Alarm** means a silent Alarm System signal generated by the manual activation of a device intended to signal a life threatening situation or a crime in progress requiring law enforcement response.
- (L) **False Alarm** means an Alarm Dispatch Request to a law enforcement agency, when the responding officer finds no evidence of a criminal offense or attempted criminal offense after having completed a timely investigation of the Alarm Site.
- (M) **Holdup Alarm** means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress.
- (N) **Keypad** means a device that allows control of an Alarm System by the manual entering of a coded sequence of numbers or letters.
- (O) **Law Enforcement Authority** means the Commissioner, Superintendent, Sheriff, and Chief of Police, director of a Law Enforcement Agency or an authorized representative.
- (P) **License** means a License issued to an Alarm Company to sell, install, monitor, repair, or replace Alarm Systems by an authority having jurisdiction.
- (Q) **Local Alarm System** means any Alarm System that annunciates an alarm only by an internal or external audio device.
- (R) **Monitoring** means the process by which an Alarm Company receives signals from an Alarm System and relays an Alarm Dispatch Request to the municipality for the purpose of summoning Law Enforcement response to the Alarm Site.

- (S) **One Plus Duress Alarm** means the manual activation of a silent alarm signal by entering at a Keypad a code that adds one to the last digit of the normal arm/disarm code (Normal code= 1234 One plus Duress Code=1235)
- (T) **Panic** means an audible Alarm system Signal generated by the manual activation of a device intended to signal a life threatening or emergency situation requiring law enforcement response.
- (U) **Person** means an individual, corporation, partnership, association, organization or similar entity.
- (V) **Takeover** means the transaction or process by which an Alarm User takes overt control of an existing Alarm System, which was previously controlled by another Alarm User.
- (W) **Verify** means an attempt, by the Alarm Company, or its representative, to contact the Alarm Site by telephonic or other electronic means, whether or not actual contact with a Person is made, before requesting law enforcement dispatch, in an attempt to avoid an unnecessary Alarm Dispatch Request.
- (X) **Zones** are subdivisions into which an Alarm System is divided to indicate the general location from which an Alarm System signal is transmitted.

**SECTION 3. REGISTRATION REQUIRED; APPLICATION; FEES; TRANSFERABILITY; FALSE STATEMENTS - RESIDENTIAL**

- (A) No Alarm User shall operate, or cause to be operated, and Alarm System at its Alarm Site without a valid alarm registration issued by Edgewood Borough. A separate registration is required for each Alarm Site.
  - (1). An additional Alarm Registration classification shall be required for Alarm Systems programmed with Duress Alarm or Holdup Alarm.
- (B) The Annual fee for a registration or registration renewal for a Residential Alarm Site shall be **\$25.00** and for a Commercial Site, shall be **\$75.00**, and should reflect the administration cost. The registration fees and any other fees established under this Section and Ordinance may be modified by the Borough Council by Resolution hereafter from time to time. No refund of a registration or registration renewal fee will be made. The initial annual registration fee must be submitted to Edgewood Borough within five (5) days after the alarm installation or alarm Takeover. A registration occurring on or before June 30, shall be charged the full annual fee. A registration occurring after June 30, shall be charged One-Half (1/2) the annual fee.
  - (1). An additional fee established by Edgewood Borough shall be assessed for an Alarm System programmed with Duress Alarm or Holdup Alarm.
- (C) Upon receipt of a completed application form and the Alarm Registration fee, Edgewood Borough shall register the applicant unless the applicant has:



- (1). Failed to pay a fine assessed under section 7 or,
- (2). Had an alarm registration for the Alarm Site suspended or revoked, and the violation causing the suspension or revocation has not been corrected.

(D) Each Alarm Registration application must include the following information:

- (1) The name, complete address (including apt/suite #), and telephone numbers of the Person who will be the registration holder and be responsible for the proper maintenance and operation of the Alarm System and payment of fees assessed under this article;
- (2) The classification of an Alarm Site shall be either residential (including single family dwelling, duplexes, condos, and or mobile homes) OR Commercial site;
- (3) For each Alarm system located at the Alarm Site, the classification of the Alarm system, i.e., burglary, Holdup, Duress, or other, for each purpose whether audible or silent;
- (4) Mailing address if different from the Alarm Site;
- (5) Any dangerous or special conditions present at the alarm site;
- (6) Name and telephone numbers of at least three individuals who are able and have agreed to receive notification of an alarm activation at any time; respond to the Alarm Site within 30 minutes; and upon request can grant access to the Alarm Site and deactivate the Alarm System if such becomes necessary;
- (7) Type of business conducted at the Alarm Site;
- (8) Signed certification from the Alarm User stating:
  1. The date of installation, Conversion or Takeover of the Alarm System, whichever is applicable;
  2. The name, address, and phone number of the Alarm company performing the Alarm System installation, conversion or Alarm System Takeover and responsible for providing repair service to the Alarm System:
  3. The phone number of the Alarm Company Monitoring the Alarm System if different from the installing Alarm Company;
  4. That a set of written operating instructions for the Alarm System, including written guidelines on how to avoid false alarms, have been left with the applicant; and

5. That the Alarm Company has trained to applicant in proper use of the Alarm System, including instructions on how to avoid false alarms.
  6. The Law Enforcement response may be based on factors such as: availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels, etc.
- (E) Any false statement of a material fact made by an applicant for the purpose of obtaining an alarm registration shall be sufficient cause for refusal to issue a registration.
- (F) An alarm registration cannot be transferred to another Person of Alarm Site. An Alarm User shall inform Edgewood Borough of any change that alters any information listed on the registration application within five (5) business days.
- (G) All fees owed by an applicant must be paid before a registration may be issued or renewed.

### **SECTION 3.1 ALARM SYSTEMS IN APARTMENT COMPLEXES**

- (A) A tenant of an apartment with an Alarm System shall obtain an Alarm Registration from Edgewood Borough before operating or causing the operation of an Alarm System in the tenant's residential unit. The owner or property manager of an apartment complex shall obtain a separate alarm registration of any Alarm System operated in offices or common areas of the apartment complex. The annual fee for these registrations or the renewal of these registrations shall be the same as the fee for a Commercial Alarm Site. Each Building regardless of the number of units contained therein shall be deemed as one commercial Alarm Site and shall pay the annual registration fee for a commercial Alarm Site.

### **SECTION 3.2 REGISTRATION DURATION AND RENEWAL**

A registration shall expire one (1) year from the date of issuance, and must be renewed annually by submitting an updated application and a registration renewal fee to Edgewood Borough. Edgewood Borough shall notify each Alarm User of the need to renew thirty (30) days prior to the expiration date. Failure to renew will be classified as use of a non-registered Alarm System and citations and penalties shall be assessed without waiver. A \$25 late fee can be assessed if the renewal is more than thirty (30) days late at the discretion of the Borough Manager or their designee.

### **SECTION 4. DUTIES OF THE ALARM USER**

- (A) An Alarm User shall:
- (1) Maintain the premises and the Alarm System in a manner that will minimize or eliminate False Alarms, and
  - (2) Make every reasonable effort to respond or cause a representative to respond to the Alarm System's location within 30 minutes when notified by

the municipality to deactivate a malfunctioning Alarm System, to provide access to the premises, or to provide alternative security for the premises, and should the Alarm user either refuse to respond or not respond within 30 minutes then he/she shall be subject to a penalties and fines as provided in this Ordinance.

- (3) Not manually activate an alarm for any reason other than an occurrence of an event that the Alarm System was intended to report.
- (B) An Alarm User shall adjust the mechanism or cause the mechanism to be adjusted so that an alarm signal audible on the exterior of an Alarm Site will sound for no longer than ten (10) minutes after being activated (or fifteen (15) minutes for systems operating under Underwriters Laboratories, Inc. standards 365 or 609).
- (C) An Alarm User shall have a properly Licensed Alarm Company inspect the Alarm System after two (2) False Alarms in a one (1) year period from the date of registration issuance or renewal. Edgewood Borough may waive an inspection requirement if it determines that a false alarm(s) could not have been related to a defect or malfunction in the Alarm System to be more false alarm resistant or provide additional user training as appropriate.
- (D) An Alarm User shall not use Automatic Voice Dialers.
- (E) An Alarm User shall maintain at each Alarm Site, a set of written operating instructions for each Alarm System.

## **SECTION 5. DUTIES OF ALARM COMPANY**

- (A) Upon enactment of this ordinance Alarm Companies shall obtain a permit from Edgewood Borough to sell maintenance and/or service alarm systems in the Borough prior to installation of same. The fee shall be \$50.00 for each permit issued or such other amount as may be established by the Borough Council by Resolution hereafter from time to time.
- (B) Upon enactment of this ordinance Alarm Companies shall not program Alarm Systems so that they are capable of sending One Plus Duress Alarms. Alarm Companies may continue to report One Plus duress Alarms received from Alarm Systems programmed with One Plus Duress prior to enactment of this ordinance. However, upon enactment of this ordinance when a Takeover or Conversion occurs or if an Alarm User requests an Alarm System inspection or modification pursuant to section 4(C) of this ordinance, an Alarm Company must remove the One Plus Duress alarm capability from such Alarm System.
- (C) Upon enactment of this ordinance Alarm Companies shall not install a device activating a hold-up alarm, which is a single action non-recessed button, An Alarm Company must remove all single action non-recessed buttons when a Takeover or Conversion occurs.

- (D) Upon enactment of this ordinance Alarm Companies shall use control panels tested for conformance to the Security Industry Association (SIA) Control Panel Standard – Features for False Alarm Reduction.
- (E) After completion of the installation an Alarm Company employee shall review with the Alarm User the Customer False Alarm Prevention Checklist (Appendix B) or an equivalent approved by Edgewood Borough.
- (F) An Alarm Company performing Monitoring services shall:
  - (1) Shall offer a training period in which no request for dispatch by Law Enforcement will occur during the first 7 days after installation of an Alarm System, but rather will use that week to train the Alarm User on proper use of the Alarm System unless circumstances necessitate immediate requests for response as determined by Edgewood Borough;
  - (2) Report alarm signals by using telephone numbers designated by Edgewood Borough;
  - (3) Attempt to Verify every alarm signal, except a Duress and Holdup Alarm activation before requesting a law enforcement response to an Alarm System signal;
  - (4) Communicate Alarm Dispatch Requests to the municipality in a manner and form determined by Edgewood Borough;
  - (5) Communicate Cancellations to the municipality in a manner and form determined by Edgewood Borough;
  - (6) Ensure that all Alarm Users of Alarm Systems equipped with a Duress or Holdup Alarm are given adequate training as to the proper use of the Duress or Holdup Alarm;
  - (7) Communicate any available information (north, south, front, back, floor, etc.) about the location of the alarm;
  - (8) Communicate type of alarm activation (silent or audible, interior or perimeter);
  - (9) Provide Alarm User registration number when requesting dispatch;
  - (10) Endeavor to contact the Alarm User when an Alarm Dispatch Request is made; and
  - (11) Upon enactment of this ordinance Alarm Companies that perform Monitoring services must maintain for a period of at least one (1) year, records relating to Alarm Dispatch Request. Records must include the name, address, and phone number of the Alarm User, the Alarm System Zone (s) activated, the time of Alarm Dispatch Request and evidence of an attempt to Verify. Edgewood Borough may request copies of such records for individually named Alarm Users.

**SECTION 5.1 ALARM COMPANY LICENSE**

Edgewood Borough can appeal to an appropriate governmental body regulating the Alarm Company to suspend or revoke the Alarm Company's License when the Alarm Company fails to comply with the duties listed in Section 5. In the event Edgewood Borough cannot obtain required information about the Alarm Company from the governmental body regulating the Alarm Company, Edgewood Borough can require the Alarm Company to supply the required information in a registration with Edgewood Borough.

**SECTION 6. PENALTY CHARGE**

- (A) An Alarm User shall be subject to penalties, warnings and suspension or revocation of registration depending on the number of False Alarms emitted from an Alarm System within a 12-month period from the date of registration or renewal based upon the following schedule:

<u># of False Alarms</u>	<u>Penalties</u>
1	0
2 – 4	\$100.00
5 OR MORE	\$1,000.00

- (B) In addition, any Person, operating a non-registered Alarm System (whether suspended or never acquired) will be subject to a citation and assessment of a \$200 penalty for each False Alarm, in addition of any other penalties.
- (C) If Cancellation occurs prior to law enforcement arriving at the scene, this is not a False Alarm for the purpose of penalties and no penalties will be assessed.
- (D) The Alarm Company shall be issued a citation if the officer responding to the False Alarm determines that an on site employee of the Alarm Company directly caused the False Alarm. In this situation this will not be counted against the Alarm User.
- (E) The Alarm Company may be penalized for failure to verify if the Alarm Administrator determines the existence of the consistent pattern or written policy against verification.
- (F) The Alarm Company can be penalized if the Alarm Administrator determines that an Alarm Company employee make a false statement concerning the inspection of an Alarm Site or the performance of an Alarm System.

**SECTION 7. SUSPENSION OF RESPONSE**

- (A) Alarm Administrator in the Borough may suspend alarm response if it is determined that:
  - (1) The Alarm User has four (4) or more False Alarms in one (1) year; or

- (2) There is a false statement of a material fact in the application for a registration; or
  - (3) The Alarm User has failed to make timely payment of a fine assessed under Section 7 or fee assessed under Section 3.
  - (4) The Alarm User has failed to submit a written certification from an Alarm Company that complies with the requirement of this article, stating that the Alarm System has been inspected and repaired (if necessary) by the Alarm Company.
- (B) A Person commits an offense if he/she operates an Alarm System during the period in which his alarm registrations suspended and is subject to enforcement and penalties set in this Ordinance. An Alarm Company commits an offense if it continues to request Law Enforcement dispatch to an Alarm Site after notification by the Alarm Administrator that the registration has been suspended or revoked and is subject to enforcement and penalties set in this Ordinance.
- (C) If the Alarm registration is reinstated, Alarm Administrator may suspend alarm response if it is determined that two (2) False Alarms have occurred within sixty (60) days after the reinstatement date.

## **SECTION 8. ENFORCEMENT AND PENALTIES**

Any person who shall violate any provision of this Ordinance shall, or who fails to pay any fees or penalty charges, upon conviction thereof, before the District Magistrate, pursuant to Citation filed, be sentenced to pay a fine of not more than six hundred dollars (\$600.00) and cost of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for not more than thirty (30) days.

## **SECTION 9. CONFIDENTIALITY**

Information contained in registration application shall be held in confidence by all employees or representatives of the municipality and by any third-party administrator or employees of a third-party administrator with access to such information.

## **SECTION 10. GOVERNMENT IMMUNITY**

Registration of an Alarm System is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By registering an Alarm System, the Alarm User acknowledges that police response may be based on factors such as; availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions staffing levels.

**SECTION 11. SEVERABILITY**

Should any section, paragraph, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of said Ordinance shall not be affected thereby, and shall remain in full force and effect.

**SECTION 12. REPEALER; INCONSISTENT ORDINANCES**

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 13. DATE OF EFFECT.**

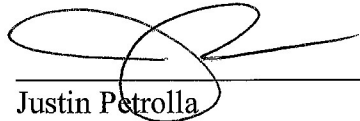
The Manager of Edgewood Borough shall certify to the adoption of this Ordinance and cause the same to be published as required by law; and this Ordinance shall take effect and be in force immediately from and after its approval as required by law.

**ORDAINED and ENACTED into law this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

**ATTEST:**

**BOROUGH OF EDGEWOOD**

\_\_\_\_\_  
Rob Zahorchak  
Borough Manager

  
\_\_\_\_\_  
Justin Petrola  
Council President

**EXAMINED AND APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Ryan O'Donnell, Mayor

Approved as to form by:

\_\_\_\_\_  
Thomas P. McDermott, Solicitor

