

## Chapter 33

### ALARMS

§ 33-1. Definitions.

§ 33-3. Fines.

§ 33-2. Nuisance alarms prohibited.

§ 33-4. Notice of violation.

**[HISTORY: Adopted by the Borough Council of the Borough of Heidelberg 4-19-1994 by Ord. No. 500. Amendments noted where applicable.]**

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#### § 33-1. Definitions.

For purposes of this chapter, the following terms are defined as follows:

**ALARM SIGNAL** — A communication, either direct or through the action of a person contacting the borough regarding an alarm activation, to the Police and/or Volunteer Fire Department of the Borough of Heidelberg, indicating that a crime, fire or other emergency situation warranting immediate action by said Departments has occurred or is occurring.

**NUISANCE ALARM** — Any alarm signal that alerts the Borough Police and/or Volunteer Fire Departments, either directly or through a personal contact, which upon investigation is not the result of an actual or threatened emergency requiring immediate response by said Departments.

A. Nuisance alarms include:

- (1) Negligently or accidentally activating signals.
- (2) Signals which are the result of faulty, malfunctioning or improperly installed or maintained equipment.
- (3) Signals which are purposely activated to summon emergency services in nonemergency situations.
- (4) Alarm signals for which the actual cause is not determined.

B. Alarm signals occurring within the first three months of the initial installation of a system, due to system malfunction, shall not be considered nuisance alarms, provided that the borough is presented with sufficient evidence to verify that the causes of these alarms are being investigated and corrective action is being taken. Sufficient evidence shall be in written form from a qualified alarm service company.

#### § 33-2. Nuisance alarms prohibited.

It is hereby unlawful for any person and/or other entity with ownership, custody or control over an alarm signal system or who communicates an alarm system in any way to purposely or otherwise cause or permit a nuisance alarm to be activated and/or communicated to the proper authority within the Borough of Heidelberg. The property owner and/or occupant from whose

property the alarm signal originated or who owns, has custody of or controls the alarm system sending a nuisance alarm to the borough shall be held responsible for any communication of nuisance alarms as defined herein.

**§ 33-3. Fines.<sup>1</sup>**

The person and/or other entity found to be responsible for the communication of nuisance alarms to the borough shall be assessed a fine by the borough as follows:

- A. First nuisance alarm: no fine.
- B. Second nuisance alarm: \$50.
- C. Third nuisance alarm: \$75.
- D. 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 twelve-month period, cause or permit a subsequent false alarm to occur in the same consecutive twelve-month period. A person that violates this section commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than \$300 pursuant to 18 Pa.C.S.A. § 7511.

**§ 33-4. Notice of violation.**

A written notice from the borough describing the receipt of any nuisance alarm shall be given in writing to all persons or entities held responsible.

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<sup>1</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. D).