

ORDINANCE NO. 2011-2

**FORWARD TOWNSHIP  
BUTLER COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF FORWARD TOWNSHIP, BUTLER COUNTY,  
PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES, TO PROVIDE  
PENALTIES FOR FALSE ALARMS.**

**WHEREAS**, in order to promote and protect the health, safety and welfare of the residents of Forward Township, Butler County, Pennsylvania, the Council has determined it necessary to amend the Code of Ordinances to provide penalties for false alarms.

**NOW, THEREFORE, BE IT ORDAINED** and enacted by the Council of Forward Township, Butler County, Pennsylvania, and it is hereby ordained and enacted by and with the authority of the same as follows:

**SECTION ONE: FALSE ALARMS**

**1. Definitions.**

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

**EMERGENCY SERVICES** – The services provided by the Evans City Area Volunteer Fire Department and/or any emergency agency or provider operating within the Township of Forward or 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 Evans City Area Volunteer Fire Department and/or other emergency services agency or provider respond and where 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.

**2. False Alarms Prohibited.**

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

**3. False Alarm Service Fees.**

(a) Whether an alarm is a false alarm as defined herein is to be determined by the Evans City Area Volunteer Fire Department or other affected emergency services agency or provider. The decision shall be final.

(b) Upon notification to Forward Township of a first false alarm within a calendar year, the Township shall send a written warning to the owner, lessee, and/or occupant of the premises notifying said person or persons of this Ordinance, and directing that a written report be made within fourteen (14) days by said owner, lessee, or occupant of the property to the Evans City Area Volunteer Fire Department, and/or other emergency service agency or provider, setting forth what steps have been taken to eliminate future false alarms.

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

2. A Second false alarm in any one calendar year shall be subject to a service fee of ONE HUNDRED (\$100.00) DOLLARS to Residential Homeowners, and TWO HUNDRED (\$200.00) DOLLARS to Commercial Buildings

3. A Third false alarm in any one calendar year shall be subject to a service fee of TWO HUNDRED (\$200.00) DOLLARS to Residential Homeowners and FOUR HUNDRED (\$400.00) DOLLARS to Commercial Buildings.

4. A Fourth and all subsequent false alarms in any one calendar year shall be subject to a service fee of FIVE HUNDRED (\$500.00) DOLLARS, plus prosecution in accordance with this Ordinance.

(d) Forward Township shall be responsible for administering the terms of this Ordinance.

#### **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, Forward 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, fails to comply with any provision of this Ordinance, or assigns or abets its violation, shall upon conviction thereof, before any Magistrate, be sentenced to pay a fine not less than ONE HUNDRED (\$100.00) DOLLARS, nor more than THREE HUNDRED (\$300.00) DOLLARS, together with the costs of prosecution and service fees as set forth above. In default of the payment of said fine, costs and service fees, he or she shall be committed to the County jail for a period not exceeding thirty (30) days.

#### **SECTION TWO: GRACE PERIOD**

The fines implemented in this Ordinance shall not be imposed for a period of one (1) month. The one (1) month grace period shall begin on the effective date of this Ordinance. At the completion of the one (1) month grace period, any violation of this Ordinance shall be enforced by all available procedures.

**SECTION THREE: CONFLICT**

Any Ordinance, Resolution or part thereof in conflict herewith, is hereby repealed to the extent of said conflict.

Nothing in this section is intended to prohibit the prosecution of false alarms pursuant to 18 Pa.C.S.A. §7511, as may be amended, by the emergency service agency or provider responding to the false alarm or by Forward Township.

All remedies set forth in this Ordinance are cumulative and the failure to pursue any one of said remedies does not constitute a waiver of said remedy or any other remedy.

**SECTION FOUR: AUTHORIZATION**

Forward Township is hereby authorized and directed to execute any and all documents necessary to effectuate the purposes of this Ordinance.

The Code Enforcement Officer shall have all necessary power and authority to enforce this Ordinance by issuing citations and taking all necessary actions as directed by the Township.

We do hereby certify that the above Ordinance was passed by the Board of Supervisors on the 12th day of July, 2011.

ATTEST:

FORWARD TOWNSHIP

Mary McElhinny  
\_\_\_\_\_, Township Secretary

By: Dave Lamperski  
Chairman of the Board of Supervisors  
of Forward Township

(SEAL)

**APPROVED** by me this 12th day of July, 2011.

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