

WANTAGE TOWNSHIP

AN ORDINANCE TO AMEND CHAPTER IV OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WANTAGE, BEING THE GENERAL LICENSING ORDINANCE.

BE IT ORDAINED by the Township Committee of the Township of Wantage, County of Sussex and State of New Jersey, that Chapter IV of the Revised General Ordinances, being the General Licensing Regulation, of the Township is amended to include a provision for alarm systems as follows:

Section 1. §4-9 is enacted as follows:

§4-9 Alarm Devices

§4-9.1. Purpose: The purpose of this Ordinance is to establish standards and regulations concerning the installation, operation and maintenance of certain alarm systems within the Township of Wantage and to reduce or eliminate false alarms.

§4-9.2. Definitions:

a. Alarm System--Any device employed to call attention to, or provide warning of, intrusion by any person whether the same provides a visual or audio response, alarm or warning. The term "alarm system" shall not include:

- (i) concealed battery or electrically powered smoke detector or carbon monoxide detector units located within single family residences and which give out an audible signal;
- (ii) automobile alarm systems;
- (iii) an alarm designed to alert only the inhabitants of a premises that does not have a sounding device which can be heard on the exterior of the alarm site.

b. Central Alarm Station--An alarm station that transmits the alarm to an alarm processing center which then calls to dispatch the police and/or the fire department.

c. Dial Alarm--An alarm device using telephone or other lines which transmits an alarm signal of intrusion to the New Jersey State Police Department or any other third party.

d. False Alarm--Any alarm or signal activated or transmitted by inadvertent, negligent, unintentional or intentional act or omission of a person (caused or transmitted other than by an intruder), and shall also include alarms caused by malfunctioning of the alarm device or other related equipment. False alarms shall not include:

activation caused by power or phone line interruptions when such interruptions have been reported to the New Jersey State Police; an alarm which is cancelled by the owner registrant, or agent, prior to the time the responding Police Officer is dispatched to the alarm site; and

- (iii) when the responding police officer finds evidence of criminal offense or attempted criminal offense, or calamity such as fire damage by natural elements.

e. Local Alarm--Any alarm device or local alarm located within the Township of Wantage which when activated produces an audible or visual signal (such as, but not limited to, burglar alarm activating bell devices). It shall not include motor vehicle anti-theft alarms.

f. Person--Any natural person, partnership corporation, association or other entity.

g. Registrant--Any person who owns, operates or leases an alarm system within the scope of this chapter, who has been issued a registration permit to operate and maintain such alarm system.

§4-9.3. Applicability: The provisions of this Chapter shall apply to any person who owns, operates, leases, or maintains any type of alarm or alarm system as defined in §4-9.2. The provisions of this chapter shall in no way prohibit service by a private source to persons within or without the Township, so long as such operating, leasing or maintaining a premises protected by an alarm system shall be responsible for the registration in accordance with this Chapter.

§4-9.4. Registration of Systems

a. Registration shall be required for each home or business within the Township utilizing any type of alarm or alarm system as defined in §4-9.2 on or after the effective date of this chapter. Users of systems in place on that date shall complete the required registration form within sixty (60) days after this Ordinance is adopted.

b. A registration permit shall automatically terminate upon a change of occupancy of the registered premises. No more than one registration shall be required per home or business at any single location. Information provided to the Township must be kept current, and the registrant must notify the Township Clerk in writing of any changes of information listed in the registration application no later than 30 days following the applicable change(s).

c. Registration Form--Person(s) required to register their alarm devices shall complete and file with the Municipal Clerk a registration application which may be obtained from the Municipal Clerk's Office. A copy of each registration form shall be filed with the New Jersey State Police by the Township Clerk who shall keep the records confidential and not open to public inspection. The registrant shall provide the following information:

1. The full name and address of the registrant, including a complete physical address and property description which will permit the appropriate response to the alarm.

2. Name and address and telephone number of the person installing, maintaining and/or owning the system.

3. The name and address of the person(s) responsible for monitoring and initially responding to an activation of an alarm device and a phone number for such entity and/or person(s).

4. The name, address and telephone number of the person who may be contacted in the event of an alarm, and at least one person who is authorized to receive notification of an alarm call and who is authorized to enter upon the premises in which the alarm system is located.

§4-9.5. Registration Fee--A ten dollar (\$10) registration fee shall be submitted with each registration form. Registration shall be submitted within thirty (30) days of system installation. Failure to register shall result in a fine not to exceed \$50, provided the system is registered within thirty (30) days of imposition of the fine. After that period, each additional day is a separate violation.

§4-9.6. False Alarms--It shall be unlawful for any person to cause, allow or activate a false alarm as defined in this Ordinance. In case of a false alarm, any person and any registrant who violates this Ordinance shall each be subject to the provisions of Section 4-9.11. In case of a false alarm, any person having knowledge of the false alarm shall immediately notify the New Jersey State Police. The New Jersey State Police shall be responsible for enforcing this Ordinance.

§4-9.7. Connections of Dial Alarm Devices--Dial Alarm devices may be connected to the State Police by telephone or other lines as are permitted and designated by the New Jersey State Police or to other law enforcement agencies having jurisdiction or to third party providers. Dial alarms shall

be registered as specified in subsections 4-9.4 and 4-9.5 of this Ordinance.

§4-9.8. General Regulations

a. The provisions of this section shall not apply to any alarm system installed on the property owned or occupied by any Township, County, State, or Federal Government agency or office, or to any alarm device having only an indoor audible or visual/flashing system, and which are not dial alarm devices.

b. Alarm devices having an audible alarm installed out of doors shall be designed to limit the operation of a bell or sound producing instrument to a maximum of twenty (20) minutes after activation. If the duration of an outside activated audible alarm exceeds twenty (20) minutes, the warnings and penalties provided by subsection 4-9.11 of this Ordinance shall apply as though a false alarm has been activated.

§4-9.9. Limitations of Township Obligations.

The Township of Wantage is under, and assumes no duty or obligation to any permittee or other persons by reasons of issuance or failure to issue any registration permit.

§4-9.10. Rule Making Authority.--The Township Committee may from time to time promulgate rules and regulations supplementing this section in order to provide for record keeping and efficient management of the system.

§4-9.11. False Alarm Penalty--Any person, firm, corporation or other entity who violates the terms of this section, including but not limited to failure to initially register or providing false registration information or other provisions of this Ordinance, shall be subject to a fine not exceeding \$250, provided, however, that the following minimum and mandatory fines shall apply to false alarms.

a. For the first two false alarms in any 12-month period, a warning shall be issued.

b. For the third false alarm within the 12-month period, a fine of fifty (\$50) dollars shall be paid to the Township of Wantage.

c. For the fourth and subsequent false alarms in any 12-month period, a fine not to exceed \$250 dollars for each occurrence shall be paid to the Township of Wantage, and which shall be accompanied by an advisory letter (dated within 30 days following the date on which the Complaint is issued) from an alarm company stating that the system is operating

properly. Failure to provide such advisory letter will constitute a separate offense, subject to penalty after \$250.

In the event the State Police determine the registrant has failed to take reasonable steps to avoid false alarms, the State Police shall have the right to require the alarm to be disconnected for either a limited amount of time or permanently. However, no such disconnection and revocation of the permit shall take place without providing the registrant an opportunity to show cause before the Municipal Court why such action should not be taken. The occurrence of 3 or more false alarms in any calendar month shall raise the presumption that the registrant is disregarding the responsibility to take reasonable remedial steps to avoid false alarms. In the event registrant's alarm is disconnected as the result of an action under this section of the Ordinance, and in the event the registrant is allowed to reconnect the equipment in the future, registrant shall be responsible for a re-registration fee of \$50.

§4-9.12. Severability. If any article, Section or subsection of this Ordinance is declared for any reason to be unconstitutional or invalid by an Court of competent jurisdiction, such provisions shall be deemed severable.

Section 2. All Ordinances or parts of Ordinances or Resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

Section 3. This Ordinance shall take effect after publication and passage according to law.

Paul H Grau, Mayor

ATTEST

Mary Ann Seeko, RMC/CMC

NOTICE

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Wantage Township Committee on March 12, 1998. Public Hearing was held on March 26, 1998, and final action was carried to the April 9, 1998, meeting. At the regular meeting of the Township Committee on April 9, 1998, the Ordinance was amended and reintroduced and will be considered for final passage at the regular meeting of the Township Committee, Township of Wantage to be held on _____, 1998, at 8:00 p.m. in the Municipal Building, 888 Route 23 S., Wantage, New Jersey. A copy of this Ordinance can be obtained from the Wantage Township Clerk in the Municipal Building during normal business hours.

Mary Ann Seeko, RMC/CMC

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