

Chapter 28

ALARMS

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[HISTORY: Adopted by the Mayor and Council of the Borough of Waldwick 6-14-88 as Ord. No. 12-88, Amended 09-08-15 as Ord. 17-15]

28-1. Purpose.

WHEREAS, it is in the best interest of the community of the Borough of Waldwick to provide standards and regulations relative to the operation of alarms for the protection of residential and commercial properties;

28-2. Definitions

As used herein the following words and phrases shall be defined as hereinafter indicated:

ALARM DEVICE shall mean any type of alarm system transmitting to a private central station.

DIAL ALARM shall mean a type of alarm using telephone lines and transmitting a pre-recorded alarm message directly to Police Headquarters.

LOCAL ALARM shall mean any alarm or device which, when activated, produces a signal, but which is not connected to a central station.

PERSON shall be deemed to include any natural person, partnership, corporation or any other legal entity.

SUBSCRIBER shall mean any person owning or possessing an alarm device as defined in this ordinance.

FALSE ALARM shall mean any alarm activated by inadvertence, negligence, the unintentional act of someone other than an intruder, or the malfunction of the alarm equipment.

DESIGNATED REPRESENTATIVE shall mean any member of the Police Department of the Borough of Waldwick.

28-3. Alarm Devices.

- (a) Any person may have an alarm device connected to any private central station upon payment of the fees prescribed herein and compliance with all other applicable provisions hereof.
- (b) See Chapter 48:28-4(b)
- (c) Completed applications shall be registered with the Borough Clerk.
 - (1) The annual charge shall be payable during the month of February of each year, in advance, for each year or part thereof.

28-4. Local Alarms.

- (a) The owner or operator of any Local Alarm shall register same with the Borough Clerk prior to installation, annually during the month of February for each year or part thereof during which the local alarm is in operation.
- (b) Registration shall be on a form to be provided by the Borough Clerk and shall include the names, addresses and telephone numbers of persons having access to the premises and capable of deactivating the local alarm.
- (c) See Chapter 48:28-4(c)
- (d) No person shall cause or permit any local alarm to emit any sound for a period in excess of 15 minutes, and any such emission for a period in excess of 15 minutes shall, in addition to subjecting such person to the penalties prescribed in Section 10 hereof, constitute a false alarm.

All Local Alarms installed after adoption of this ordinance shall be equipped with a time relay device which limits the sounding of alarms to 15 minutes or less.

- (e) The owner or operator of any Local Alarm shall provide the Police Department with the name, address, and telephone number of at least two persons who will be available at all times, from whom the Police Department may obtain a key for the purpose of deactivating the alarm, or who will be able to enter the premises for such purpose.

28-5. Dial Alarms.

- (a) No person shall operate a Dial Alarm without first registering same with the Borough Clerk, annually during the month of February for each year or part thereof during which the dial alarm is in operation.
- (b) Dial Alarms shall be registered with the Borough Clerk.
- (c) See Chapter 48:28-5(c)
- (d) No Dial Alarm shall be initially registered until a satisfactory test thereof has been conducted by the Chief of Police or his designated representative.
- (e) No person shall operate a Dial Alarm which does not conform to the requirements set forth below. In addition to any penalty imposed pursuant to Section 10 hereof, any message transmitted by a Dial Alarm not in conformance with the requirements set forth below shall constitute a false alarm.
 - (i) Dial Alarms shall be coded so as to dial a specific number to be furnished by the Chief of Police, and no Dial Alarm shall be coded to dial the number of the general police switchboard of the Borough of Waldwick.
 - (ii) Dial Alarms shall be coded to conform to a message prescribed by the Chief of Police.
 - (iii) The total length of any message shall not exceed fifteen (15) seconds.
 - (iv) Dial Alarm shall not be transmitted to Police Headquarters more than three times per activation of the dial alarm device.
 - (v) All Dial Alarm devices shall be capable of disconnection to enable the owner to call the Police Switchboard to indicate that a false alarm has occurred.

28-6. False Alarms.

- (a) The Police Department of the Borough of Waldwick shall record the date and location of each false alarm.
- (b) For the first and second false alarm that shall occur within any calendar year, a warning shall be issued by the Chief of Police or his designated representative to the person owning or operating the alarm that caused the false alarm.
- (c) See Chapter 48:28-6(c)

28-7. Installation on Subscribers Premises.

The subscriber shall retain the right to have the alarm company of his choice install and service the alarm system on the subscriber's premises, with the costs of said installation and service, in any event, to be borne exclusively by the subscriber.

28-8. Liability of the Borough Limited.

- (a) The Borough shall not be liable for any defects in operation of alarm devices, Dial or Local Alarms, or for any failure or neglect to respond appropriately upon receipt of any person in connection with the installation and operation of equipment, or the relaying of such signals and messages.
- (b) The Borough shall assume no liability or responsibility to correct defects in any equipment maintained by any private telephone company or in any equipment installed on the subscriber's premises.

28-9. Notices.

- (a) The Borough Clerk shall forthwith, following the effective date of this ordinance, mail a copy of this ordinance, together with a notice that the annual service charge is due, to all subscribers who have had alarm devices connected to the alarm console prior to the effective date of this ordinance.
- (b) Copies of the ordinance shall be provided to all persons making application for a connection of an alarm device or registering a dial alarm or local alarm.
- (c) The Borough Clerk shall record all charges paid pursuant to this ordinance and shall mail notices to persons who are more than 30 days in default of payment of any such charges.

28-10. Penalties.

See Chapter 1:14.1.

28-11. Severability.

In any section, clause, sentence, or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

28-12. Repeal of Inconsistent Ordinances.

All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

28-13. Effective Date.

This ordinance shall take effect immediately upon passage and publication as provided by law.