

BOROUGH OF LAFLIN
Luzerne County, Pennsylvania
ORDINANCE NO. ____ of 2025

**AN ORDINANCE OF THE BOROUGH OF LAFLIN, LUZERNE COUNTY,
PENNSYLVANIA, REGARDING FALSE POLICE AND FIRE EMERGENCY ALARMS
AND ALARM DEVICES, PROVIDING FOR DEFINITION OF TERMS, MAKING
UNLAWFUL THE STARTING OR SPREADING OF FALSE ALARMS AND
PROVIDING PENALTIES FOR FALSE ALARMS**

WHEREAS, the Pennsylvania State Police, regional EMS providers and the Laflin Borough Volunteer Fire Department receive and respond to certain emergency police and fire alarms through the Luzerne County 911 Center; and

WHEREAS, false police or fire alarms are regularly received as a result of improperly maintained or defective alarm systems and as a result of persons improperly activating such alarms. As a result, police, fire or EMS personnel and equipment are unnecessarily called out to the detriment and expense of the citizens of Laflin Borough.

WHEREAS, in addition to the financial cost, each false alarm requires emergency personnel to respond, thus decreasing the number of emergency personnel available to respond to an actual fire or other emergency thereby placing the citizens of Laflin Borough in danger.

NOW THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the Council of the Borough of Laflin, Luzerne County, Pennsylvania, as follows:

SECTION 1. DEFINITIONS

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this Ordinance, except where the context clearly indicates a different meaning. When not inconsistent with the context, words used in the present tense include the future; words in the plural include the singular number; words in the singular shall include the plural; and words in the masculine shall include the feminine and the neuter.

ALARM

A communication to the police, fire, or emergency medical service departments indicating that a crime, fire, or other emergency situation warranting immediate action by the police, fire, or emergency medical service departments has occurred or is occurring.

ALARM AGENT

Any firm, corporation or person who conducts the business of owning, operating, maintaining, installing, leasing, or selling automatic protection devices and whose duties include any of the

following: selling, maintaining, leasing, servicing, repairing, altering, replacing, moving, or installing in or on any building place or premises any automatic protection device, as defined in this part, within Laflin Borough.

ALARM SYSTEM

Any electrically operated instrument composed of sensors and related hardware that automatically signals by wire, telephone, radio signal, or other means to a person who, in turn, notifies the Luzerne County Communications Center of the alarm. Alarm systems also include equipment to activate a bell or sounding device to be heard outside a building which is intended to alert the police or others to the existence of a crime, fire, or other emergency situation warranting action by emergency services, upon receipt of a stimulus from a sensor that has detected a physical force or condition characteristic of a fire, intrusion, or other emergency.

AUDIBLE ALARM

Any device, bell, horn, or siren which is attached to the interior or exterior of a building and emits a warning signal audible outside the building, which signal is designed to attract attention when activated by an intrusion or other emergency requiring police or service response.

CENTRAL STATION SYSTEM

Any protective system or group of systems operated privately for customers by an alarm agent; a firm; or a corporation that accepts messages or signals from alarm systems at a central station having operators in attendance at all times who have the duty to take appropriate action upon receipt of a signal or message, including the relaying of messages by designated or direct trunk line to the Luzerne County Communications Center.

FALSE ALARM

An alarm to which police, fire, or other emergency service personnel respond resulting from the activation of an alarm device when a crime, fire, or other emergency warranting immediate action has not in fact occurred.

INADVERTENT FALSE ALARM

An alarm system activated in the absence of an emergency, whether by inadvertence, negligence, or unintentional act, including any mechanical or electrical malfunction of the alarm system, to which a public safety person actually responds.

INTENTIONAL FALSE ALARM

A false alarm resulting from the intentional activation of an alarm device by an individual under circumstances where that individual has no reasonable basis to believe that a crime, fire, or other emergency warranting immediate action has occurred or is occurring.

FIRE DEPARTMENT

The Laflin Borough Volunteer Fire Department or any other fire company serving any portion of the Borough.

PERSON

Any individual, corporation, partnership, unincorporated association or similar legal entity.

POLICE DEPARTMENT

The Pennsylvania State Police or any other Police Department serving any portion of the Borough.

SILENT ALARM

A protective system that does not emit an audible signal or tone when activated at a protected site and is monitored by a central station system.

SECTION 2. RESPONSIBILITY FOR MAINTENANCE

For the purpose of this Ordinance, all persons, including individuals, groups, associations, corporations and other entities shall be deemed responsible to maintain all portions of the alarm system which they own, or over which they have or may have control or custody, in such condition and in such a manner that will prevent the activation of a false alarm and such persons shall prevent the existence of any external conditions which may cause the activation of a false alarm.

SECTION 3. FALSE ALARMS

From and after the effective date of this Ordinance, any person having ownership, custody or control of an alarm system which issues a false alarm shall be in violation of this Ordinance. Each false alarm shall constitute a separate violation.

SECTION 4. FALSE ALARM PENALTIES

For the first two (2) false alarms which occur in any one calendar year from each alarm system, there shall be no charge. For each false alarm thereafter during such calendar year the penalty shall be Three Hundred Dollars (\$300.00) for an inadvertent false alarm or Five Hundred Dollars (\$500.00) for an intentional false alarm.

Any person, firm, corporation or similar entity who shall fail to pay a charge for a false alarm within thirty (30) days of the date upon which the charge is issued, shall, upon conviction, before the Magisterial District Judge, be sentenced to pay a fine of not less than Three Hundred Dollars (\$300.00) and not more than Five Hundred Dollars (\$500.00) per violation including all court costs and attorney's fees.

SECTION 5. EXCEPTIONS

The following shall not be considered false alarms:

- A. Alarms caused by the testing, failure or repair of telephone equipment lines. This exception applies only if the entity notifies their alarm company prior to any testing and provides proof of such notification.
- B. Alarms caused by an act of God, such as an earthquake, flood, windstorm, thunder or lightning strike.

SECTION 6. ADMINISTRATION AND ENFORCEMENT

The Borough of Laflin, through the State Police, the Fire Department, Code Enforcement Officer or any other appropriate Borough designee, shall have the responsibility and authority to assess the fees and issue the penalties as herein provided.

SECTION 7. REPEALER

All Ordinances or parts of Ordinances inconsistent are hereby repealed.

SECTION 8. SEVERABILITY

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared the intent of the Council of the Borough of Laflin that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 9. ENACTMENT

This Ordinance shall become effective immediately upon passage.

DULY ENACTED AND ORDAINED, by the Council of the Borough of Laflin, Luzerne County, Pennsylvania in lawful session duly assembled this _____ day of _____, 2025.

Submitted by Mr./Ms.

Seconded by Mr./Ms..

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ROLL CALL

<i>COUNCILMEMBER:</i>	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Abstain</i></u>	<u><i>Absent</i></u>
Mr. M. Malvizzi, Pres.	[]	[]	[]	[]
Mr. Boos, V.P.	[]	[]	[]	[]
Mr. D. Malvizzi	[]	[]	[]	[]
Ms. Werner	[]	[]	[]	[]
Mr. Yastremski	[]	[]	[]	[]

ORDAINED AND ENCAPTATED BY THE COUNCIL OF THE BOROUGH OF LAFLIN
ON THIS _____ DAY OF _____, 2025

MARC MALVIZZI, COUNCIL PRESIDENT

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2025

WILLIAM KENNEDY, MAYOR

ATTEST:

Manager/Secretary

(SEAL)