

NOTICE IS HEREBY GIVEN that Ordinance #13-22 was introduced and passed on first reading on regular meeting of the Mayor and Council on the 17th day of September, 2013, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 1st day of October, 2013 at 8:00 p.m. or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Karen Hughes, Borough Clerk
Borough of Westwood

Ordinance #13-22

AN ORDINANCE AMENDING CHAPTER 81, ALARM SYSTEMS

BE IT ORDAINED by the Mayor and Council of the Borough of Westwood that Chapter 81, Alarm Systems, be amended as follows:

Chapter 81. ALARM SYSTEMS, BURGLAR

§ 81-1. Purpose.

The purpose of this chapter is to provide standards and regulations for various types of intrusion, burglar, and other emergency alarm devices, whether it is a dial alarm, direct alarm, indirect alarm or local alarm.

§ 81-2. Applicability.

The provisions of this chapter shall apply to any person who operates, maintains or owns any dial alarm, direct alarm, indirect alarm or local alarm system designed to summon the Police Department or other municipal agencies to any location in response to any type of alarm signal.

§ 81-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DIAL ALARM

That type of device using telephone lines to transmit an alarm directly through the Police Department or other municipal agency.

DIRECT ALARM

Any alarm or device which, when activated, signals the Police Department or other municipal agency directly by the use of an electronic or radio signal.

FALSE ALARM

Any alarm activated by, or resulting from, inadvertence, negligence or an unintentional act of someone other than an intruder, and shall include as well alarms caused by malfunction of the alarm device.

INDIRECT ALARM

Any alarm or device which, when activated, signals any nongovernmental person, entity or agency, whether located within or without the territorial limits of the Borough of Westwood, by use of a dial, electronic or radio signal, the report of which is then, by the use of a dial, electronic or radio signal or manual voice response, communicated to the Police Department, or other municipal agency.

LOCAL ALARM

Any alarm or device which, when activated, produces a visual and/or noise signal and is not connected to telephone lines to the Police Department, or other municipal agency.

PERSON

Includes any natural person, partnership, corporation, association, business, club or organization.

§ 81-4. Permit requirements; fee.

- A. Any person who owns or operates a dial alarm, direct alarm, indirect alarm or local alarm shall notify in writing to the Chief of Police within 90 days from the final passage of this chapter, which application shall contain at least the location of the device, the name and address of the installer of the device, the type of device, provisions relating to false alarms and testing procedures, a list of persons to be contacted in the event of an alarm and other information as may be required by the Chief of Police. Forms may be obtained at headquarters or by going to the Borough website at <http://www.westwoodnj.gov/> and navigating to "Forms" on the Police Department page through the "Departments and Services" link.
- B. No person may install or cause to be installed a dial alarm, direct alarm, indirect alarm or local alarm device without first obtaining a permit for the installation from the Construction Department of the Borough of Westwood.

§ 81-5. Notification requirements; malfunction; tests and repairs.

- A. Persons having either dial alarms, direct alarms, indirect alarms or local alarm devices shall be required to leave with the Police Department the name of a person or persons who can be reached in case of malfunction of the equipment in order that the device can be temporarily disconnected. In lieu thereof, this requirement can be fulfilled by leaving a tagged key to the premises with the Chief of Police of the Borough of Westwood, provided that in so doing the owner thereby releases the Borough of Westwood and the Police Department from any claims of damage or loss in connection with said entry.
- B. Persons having alarm devices which are being tested or repaired shall notify the Police Department before tests or repairs commence and after completion of same so as to avoid the possibility of activating a false alarm.

§ 81-6. False alarms; penalties.

- A. In the case of false alarms, any person having knowledge thereof shall immediately notify the Police Department in the fastest possible manner.
- B. The Chief of Police shall cause an investigation to be made of all false alarms and shall keep a record of said alarms on file.
- C. For such false alarms, the Mayor and Council prescribes the following penalties per calendar year:
 - (1) For the first, second and third false alarms, the Police Department shall issue written warnings.

- (2) For the fourth false alarm, the Police Department shall issue a written complaint with a fine not to exceed \$25 plus Court costs.
- (3) For the fifth through twelfth false alarms, the Police Department shall issue a written complaint per each false alarm with a fine not to exceed \$200 plus Court costs.
- (4) For more than twelve false alarms in any given calendar year, the Police Department shall issue a written complaint per each false alarm with a fine set at the discretion of the Court, with Court costs additional.

§ 81-7. Violations and penalties.

In addition to the penalties prescribed in § 81-6C of this chapter, where any person fails to comply with any of the provisions of this chapter, such person, or, in the event that the equipment malfunctions and no person can be located to secure the device, the owner, shall be punishable as provided in Chapter 1, General Provisions, Article III, General Penalty, of the Code of the Borough of Westwood.

If any section, subsection, part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

This Ordinance shall take effect immediately upon final passage and publication as required by law.

Adopted: _____

Approved:

Attest:

John Birkner, Jr., Mayor

Karen Hughes, Borough Clerk