

**BOROUGH OF CALIFORNIA
COUNTY OF WASHINGTON
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO. 568

AN ORDINANCE OF THE BOROUGH OF CALIFORNIA, WASHINGTON COUNTY, COMMONWEALTH OF PENNSYLVANIA, PENALIZING FALSE FIRE ALARMS FROM BUSINESSES; PENALIZING FALSE BURGLAR ALARMS FROM BUSINESSES; PROVIDING A DEFINITIONS SECTION; ALLOWING FOR A WAIVER OF THE PENALTY UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR COLLECTION METHODS FOR UNPAID PENALTIES; REPEALING INCONSISTENT, PRIOR ORDINANCES AND/OR PORTIONS OF INCONSISTENT, PRIOR ORDINANCES; INCLUDING A SAVINGS CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. DEFINITIONS.

False Alarm: For the purposes of this Ordinance, a false alarm shall be defined as any alarm to which the Fire Department or the Police Department is alerted that is later determined to be faulty in nature or incorrectly called in by the owner or lessee of a business, or an alarm caused by a mechanical malfunction.

SECTION 2. PENALTY FOR FALSE FIRE ALARMS.

1. The owner or lessee of any commercial building in the Borough shall be penalized for false fire alarms made to the California Borough Fire Department caused by faulty fire detection equipment or by the neglect of said owner or lessee or by the agents or employees of same owner or lessee.
2. There shall be no penalty for the first three false alarms within a six (6) month time frame. All subsequent false alarms shall result in a penalty fee in the amount of Three Hundred Dollars (\$300.00) per incident.

SECTION 3. PENALTY FOR FALSE BURGLAR ALARMS.

1. The owner or lessee of any commercial building in the Borough shall be penalized for false burglar alarms made to the California Borough Police Department.
2. There shall be no penalty for the first three false alarms within a six (6) month time frame. All subsequent false alarms shall result in a penalty fee in the amount of Three Hundred Dollars (\$300.00) per incident.

SECTION 4. WAIVER OF PENALTY UNDER CERTAIN CIRCUMSTANCES.

Borough Council is authorized to waive any penalty for false alarms caused by severe weather conditions and local electric department problems.

SECTION 5. BILLING FOR PENALTIES; COLLECTION.

The penalties shall be billed directly by the Borough Fire Department or the Borough Police Department, and, if unpaid, after thirty (30) days from the date thereof, may be collected by an action in assumpsit or as provided by law for municipal claims.

SECTION 6. POWERS BY RESOLUTION.

Borough Council may amend the penalty fee provided for in Section Two and/or in Section Three of this Ordinance, from time to time, by subsequent Resolution of Borough Council.

SECTION 7. REPEAL OF PRIOR ORDINANCES.

Any and all prior Ordinances and/or any and all portions of prior Ordinances, which conflict with this Ordinance, are hereby repealed to the extent of such conflict. The remaining Ordinances and/or portions of prior Ordinances, not modified herein, shall remain the same.

SECTION 8. SAVINGS CLAUSE.

Should any section, provision or other part of this Ordinance be found to be illegal, unenforceable or void, such shall not affect the remainder hereof, which shall remain fully binding, valid and enforceable, and such section, provision or other part shall be modified to the extent necessary to so conform to the law.

The Borough Council of the Borough of California hereby declares its intention that should any section, provision or other part of this Ordinance be found to be illegal, unenforceable or void, it would have made the foregoing Ordinance without such part or with such part so modified so as to conform to the law.

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SECTION 9. EFFECTIVE DATE.

This Ordinance shall become effective immediately.

DULY presented and adopted at a meeting of the Borough Council of the Borough of California, Washington County, Commonwealth of Pennsylvania, this 12th day of December, 2019.

ATTEST:


BOROUGH OF CALIFORNIA

Shirley Gross
Borough Secretary

By: *Patricia J. Alfano*
President of Council

EXAMINED AND APPROVED by me this 12 day of December, 2019.

BOROUGH OF CALIFORNIA

By: 
Mayor