

BOROUGH OF MILLERSVILLE

Lancaster County, Pennsylvania

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE MILLERSVILLE BOROUGH CODE OF ORDINANCES TO ADD A NEW CHAPTER 110, ALARM SYSTEMS.

BE AND IT IS HEREBY ORDAINED AND ENACTED by Borough Council of the Borough of Millersville, Lancaster County, Pennsylvania, as follows:

Section 1. The Millersville Borough Code of Ordinances shall be amended by adding a new Chapter 110, Alarm Systems, which shall provide as follows:

Chapter 110

Alarm Systems

§110-1. Short Title.

This chapter shall be known and may be cited as the Millersville Borough Alarm System Ordinance.

§110-2. Definitions.

- A. As used in this chapter, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

ALARM

A notification to a law enforcement agency, emergency medical services agency, or the Fire Department that an alarm, either manual or automatic, has been activated at a particular alarm site warranting immediate emergency response by a law enforcement agency, the Fire Department or emergency medical services agency.

ALARM DEVICE

A mechanical device designed to automatically transmit an alarm by wire, telephone, radio or other means:

- (1) To Lancaster County-Wide Communications (911); or
- (2) To a person who is instructed to notify Lancaster County-Wide Communications (911) of the alarm; or

- (3) To activate a bell or sounding device to be heard outside a building which is intended to alert the Fire Department or others to the existence of a fire or other emergency situation warranting Fire Department, law enforcement agency or emergency medical services agency action.

BOROUGH

Includes Millersville Borough, members of Borough Council, and Millersville Borough officers, employees, and agents.

FALSE ALARM

An emergency alarm activated by malice, inadvertence, negligence, or unintentional acts to which the Fire Department responds but which is not the result of an emergency and which activation is caused by a condition within the control of the person in possession of the premises where the device is located, including the malfunction of the alarm system. This definition excludes alarms caused by testing or repairing of telephone or electrical lines or equipment outside the premises; acts of God, such as earthquake, flood, windstorm, thunder or lightning; an attempted illegal entry of which there is visible evidence; the user acting under a sincere belief that a need exists to call the Fire Department; or accidental striking, breakage, leak or failure of an alarm system, sprinkler system or system that release steam, heat, gas, water or vapor which may activate a detector; provided, however that such accident does not occur during construction activities. If a doubt exists as to the cause of the “false alarm”, the Chief of the Fire Department, or his designee, shall make a decision regarding the circumstances of the activation. Multiple alarms received by Lancaster County Wide Communications before the system can be deactivated within a reasonable period of time shall be considered a single alarm.

FIRE DEPARTMENT

Blue Rock Fire Rescue.

LAW ENFORCEMENT AGENCY

The Millersville Borough Police Department or any successor agency providing police protection services within the Borough.

PERSON

An individual, company, corporation, partnership, incorporated association or other legally recognized entity.

PREMISES

Any property situate in the Borough that is provided with fire, emergency, and other services, regardless of whether or not the property is owned by a person residing within the Borough.

RESPONSIBLE PERSON

The person who or which has caused an intentional false alarm or an accidental false alarm and, if different, the owner of the premises on which the alarm device is installed. When a false alarm is triggered during construction or renovation work

on a premises, the responsible person shall include the company contracted to perform such work as well as the individual worker who caused the false alarm.

- B. In this chapter, the singular shall include the plural; the plural shall include the singular; and the masculine shall include the feminine and the neuter.

§110-3. False alarms.

- A. No person shall create a false alarm.
- B. Any responsible person for a false alarm for any reason shall be subject to a false alarm fee. The amount of the false alarm fee shall be determined based on the number of false alarms from the same premises within a twelve-month period, as established by resolution by Borough Council.
- C. The Borough or its designee will notify the responsible person(s) in writing after each false alarm, with the amount of the fee for the false alarm and the penalties which may be assessed if a criminal prosecution is brought under §110-7.
- D. A false alarm fee shall be due and payable at the offices of the Borough or its designee no later than 30 days from the date of the mailing of the notice of assessment of the false alarm fee.
- E. Failure of a responsible person causing a false alarm to pay a false alarm fee on or before the date due shall constitute a violation of this chapter and shall subject said person to the penalties set forth in §110-7 hereof. If there is more than one responsible person and the false alarm fee is not paid, all responsible persons shall be in violation of this chapter and subject to the penalties set forth in §110-7 hereof.

§110-4. Testing.

No person shall conduct or test any alarm device without first notifying Lancaster County-Wide Communications and the Fire Department.

§110-5. Liability of municipality.

The Borough shall not be liable to any person for any loss or damage relating to the alarm device or procedure.

§110-6. Administration and enforcement.

Administration and enforcement of this chapter shall be functions of the Borough. Borough Council may, by resolution, designate a Borough officer or the Fire Department to administer and enforce this chapter.

§110-7. Violations and penalties.

Any person who violates or permits a violation of this chapter shall, upon conviction in a summary proceeding brought before a Magisterial District Judge be guilty of a summary offense and shall

be punishable by a fine of not more than \$1,000, plus all costs of prosecution, including, but not limited to, attorneys' fees. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense.

Section 2. All other sections, parts and provisions of the Millersville Borough Code of Ordinances shall remain in full force and effect as previously enacted and amended.

Section 3. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of Borough Council that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 4. This Ordinance shall take effect and be in force from and after its enactment as provided by law.

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

BOROUGH OF MILLERSVILLE
Lancaster County, Pennsylvania

Attest: _____
(Assistant) Secretary

By: _____
(Vice) President
Borough Council

[BOROUGH SEAL]

Examined and approved as an Ordinance this _____ day of _____, 2025.

By: _____
Mayor