

**ORDINANCE OF THE TOWNSHIP COUNCIL
OF THE TOWNSHIP OF DEPTFORD RESCINDING
AND REPLACING IN ITS ENTIRETY CHAPTER 3.5, "COMMERCIAL ALARMS",
OF THE CODE OF DEPTFORD TOWNSHIP**

BE IT ORDAINED by the Mayor and Council of the Township of Deptford hereby rescinding and replacing Chapter 3.5 in its entirety of the Code of Deptford as set forth below:

I. FINDINGS

Alarms are transmitted to the Township daily. By transmitting those alarms a relationship is formed which imposes reciprocal duties, responsibilities and obligations. The alarm owner transmits an alarm in the case of emergency or the need for immediate service and expects services to be rendered in a timely manner. The Police or Emergency Medical Services must respond and thoroughly investigate each alarm, including false alarms. However the number of false alarms transmitted has become burdensome and costly to the Township and to the taxpayers, therefore a need exists to attempt to curtail such false alarms.

II. PURPOSE

The purpose of this chapter is to provide standards and regulations for various types of intrusion, burglar and other emergency alarm equipment, whether by producing a visual, audible or electronic signal and where designed to summon the Police Department, Fire Department or other municipal agencies to a commercial location in response to an emergency.

III. APPLICABILITY; SCOPE

The provisions of this chapter shall apply to any person, firm or corporation who operates, maintains or owns any alarm device designed to summon the Police Department or other municipal agencies to a commercial location in response to an emergency. This chapter shall in no way prohibit any person from providing alarm service or prohibit any person from obtaining alarms service within the Township of Deptford, so long as such activity is not connected to the alarm console at the Deptford Police except, however, that any person, firm or corporation having a commercial premises protected by an alarm device shall still be responsible for the registration thereof in accordance herein.

IV. DEFINITIONS

ALARM DEVICE - Any type of alarm monitor system providing warning of intrusion, fire, smoke, flood or other peril.

ALARM INSTALLATION - Any alarm device or combination of devices installed for one or more buildings at a location other than the alarm console.

ALARM SIGNAL - The transmission of a signal or message as the result of the activation of an alarm system.

ALARM SYSTEM - Any mechanical, electrical or electronic device which is designed or used for the detection of an unauthorized entry into a building, structure or facility, or for alerting about the commission of an unlawful act within a building, structure or facility, or for alerting others about the existence of any other condition requiring response of police, fire or ambulance personnel; and which emits and/or transmits an audible and/or visual signal or message when actuated. Alarm systems include, but are not limited to, direct-dial telephone devices, audible alarms and subscriber alarms.

AUDIBLE ALARM - A device that emits an audible signal from the premises that is designated to protect.

AUDIBLE CUTOFF - An electronic or mechanical device designed to cut off the audible sounding device on the premises after a determinate number of minutes.

COMMERCIAL, BUSINESS, NONPROFIT PREMISES - Any premises used for any and all purposes other than solely as a dwelling unit.

EMERGENCY PHONE NUMBER - The primary phone number registered with the Township to be called in the event an alarm is triggered at a commercial premises.

ENFORCING AGENCY - Deptford Township Police Department.

FALSE ALARM - Any alarm actuated by inadvertence, negligence, intentional or unintentional act of someone other than an intruder, and shall include; alarms caused by malfunctioning of the alarm device or other relevant equipment.

LICENSEE - The person obtaining the license to maintain the alarm monitoring system, usually the owner or designee of the commercial entity.

LOCAL ALARM - Any alarm or device which, when actuated, produces a signal not connected to the alarm monitoring system, such as store burglar alarms actuating bell devices or any type of audio noise or lights.

PERMITTEE - Any person owning an alarm device or a local alarm within the scope of this chapter.

PERSON - Includes any natural person, partnership, corporation or association as the owner of a commercial entity.

POLICE - Deptford Township Department of Police.

SUBSCRIBER ALARM - An alarm system that is terminated by direct communication to the Township Police Department and/or the County Communications Center.

REGISTRANT - Any person owning, operating, leasing or maintaining an alarm system within the scope of this article who has been issued a registration certificate to operate and maintain such alarm system.

TOWNSHIP - The Township of Deptford.

VISUAL ALARM - A rotating or flashing light that, when activated, is intended to alert the observer that the premises on which it is affixed has been illegally entered.

WRITTEN NOTICE - Written notice used herein shall mean by certified mail, return receipt requested.

V. APPLICATION FOR INSTALLATION OF ALARM

Every person intending to install or cause to be installed, whether upon his premises or upon the premises of another, an alarm system within the Township shall file, with the applicable Township Department, upon a form provided by the Township Department, an application for a certificate of registration for the alarm system. Each application shall include at least the following information and such additional information as the Township Department may prescribe:

- A. The name, physical address, mailing address and telephone number of the entity requesting the installation of the alarm.
- B. If the applicant is an incorporated or unincorporated entity, the name, physical address, mailing address and telephone number of the employee responsible for overseeing the installation and maintenance of the alarm system.
- C. A description of the place where the alarm system is to be installed, including the physical address and the location within the structure where the alarm is to be placed.
- D. The name, address and telephone number of the person or entity who will install the alarm system.
- E. The name, address and telephone number of the person who will maintain and service the alarm system. A copy of the service agreement and the maintenance agreement shall be furnished to the Township before a certificate of registration will be issued.

- F. The name, physical addresses and residential telephone numbers of at least two persons who will respond, upon notification by the Police Department, to alarms outside the usual business hours.
- G. A description of the education provided to the alarm owner regarding the use of the alarm and maintenance of alarm.

VI. INSTALLER'S PERMIT; FEES

- A. Any alarm installer or maintenance contractor who installs security alarms devices or maintains security alarm devices within the Township of Deptford must first obtain a permit for installation from the Township.
- B. All such permits shall be valid for the calendar year in which issued and shall be renewed annually on a calendar-year basis before February 1 of such year.
- C. The annual fee for a permit to install security alarm systems within the Township of Deptford shall be \$50.

VII. ANNUAL ALARM REGISTRATION PERMIT PROCEDURE

- A. Commercial entities required to register their alarm devices shall complete and file with the appropriate Department a registration application which may be obtained from the appropriate Department and which shall contain the following information:
 - 1. The full name and address of the applicant, including a complete physical address and property description which will permit the appropriate response to the alarm.
 - 2. The exact location of each alarm device on the property and in or on the building or structure.
 - 3. Name, address and telephone number of the person installing, maintaining and/or owning the system.
 - 4. The type of device, including what provisions have been made to avoid false alarms and the testing provisions.
 - 5. The name and telephone number of the person(s) responsible for monitoring and initially responding to an activation of an alarm device and at least one other person who is authorized to receive notification of an alarm call and who is authorized to enter upon the premises in which the alarm system is located.

6. A copy of the floor plan of the property with the location of the alarm and exits clearly marked. A copy of the floor plan with markings shall also be conspicuously placed next to the alarm.
 7. Any additional relevant information as may be reasonably required.
- B. The registration permit for the system shall be issued by the Township when the following have been delivered to the Township and shall have been completed:
1. A completed registration application.
 2. A certificate from the installer of the alarm system that the components and the system are listed by a recognized agency; the components are compatible with each other; the system has been properly installed and tested by certified technicians; the system is functioning properly in all respects; and the installer or another entity has a maintenance or service contract with the owner of the system. A copy of the contract shall be included.
 3. Documentation that all competent staff have been trained by the alarm installer or by another entity in the operation of the alarm system, including knowledge of keypad entry codes, passwords, restoring or re-setting the system after an alarm, procedures for placing the system in test and precautions to avoid a false alarm.
 4. Failure to have and keep in force a valid maintenance or service contract shall be cause to rescind or deny renewal of the permit.

VIII. ANNUAL REGISTRATION PERMIT; FEES

- A. All registration permits shall be valid for the calendar year in which issued and shall be renewed annually on a calendar-year basis before February 1 of such year. An issuance of a registration permit in 2013 shall not expire until January 31, 2015. Thereafter registration shall be on an annual basis.
- B. The annual permit registration within the Township of Deptford shall be \$50. Fees shall be payable to the Township of Deptford upon issuance of said permits.

IX. EXISTING ALARM SYSTEMS

- A. This chapter applies with equal force and effect to all commercial alarm systems which have been or will be installed, operated or otherwise placed in service within the Township effective from the date of the article's adoption.
- B. Owners of commercial properties shall submit application for permit registration of their alarm system by August 1, 2013. The initial registration permit shall not expire

until January 31, 2015. Thereafter registration shall be on an annual basis and must be completed by February 1 of the calendar year.

1. An alarm system shall be installed in all existing commercial structures prior to the transfer of ownership or title. The timely application shall be the responsibility of both the transferor and the transferee and shall also be a condition for the continuing occupancy.
2. An alarm system shall be required to be maintained in a vacant commercial property by the property owner.

X. TRAINING AND MAINTENANCE OF SYSTEM

It shall be the responsibility of all owners of alarm systems and persons that maintain alarm systems within the Township to prevent the transmission of false alarms through a program of training and periodic inspection and maintenance of the system.

XI. ALARM REPAIR

- A. Persons having an alarm device shall be required to communicate with the Police Department the name and contact information of a person or persons who may be reached in case of malfunction of the equipment in order that the device may be temporarily disconnected.
- B. Persons having alarm devices which are being tested or repaired shall notify the Police Department before tests or repairs commence and after completion so as to avoid the possibility of activating a false alarm.
- C. All alarms must have an automatic reset device with a five to ten minute automatic shut-off feature.

XII. FALSE ALARM; PENALTIES

- A. Failure to obtain or renew a registration permit within the prescribed period shall subject the alarm system owner to a fine of \$50. Each and every day said owner shall fail to comply shall constitute a separate offense.
- B. Audible alarms shall be silenced within 15 minutes of the responsible person being notified by the Township. The alarm owner shall be fined \$50 for alarms that remain audible after 15 minutes after notification. The Township shall contact the person designated on the registration permit. Failure of the responsible person to acknowledge receipt of the call shall not be a defense to the fine.
- C. The alarm owner shall be fined \$50 for alarms which activate a second time for the same emergency

D. The following shall be the schedule of penalties for false alarms:

1 st Alarm	WARNING
2 nd Alarm	\$100
3 rd Alarm	\$500
4 th Alarm	\$1,000
5 th Alarm	\$2,000
6 th Alarm+	\$2,000

XIII. LIMITATION OF TOWNSHIP OBLIGATIONS

- A. The Township of Deptford shall be under no duty or obligation to any permittee/registrant by reason of issuance of any registration permit.
- B. As a condition precedent to the issuance of a registration permit pursuant to this Chapter, it shall be the obligation of each permittee/registrant to agree, in writing, to indemnify and save harmless the Township of Deptford, its agents, servants and employees from and on account of any and all damages arising from or sustained as a result of any forced entry into the premises during any alarm response and for the failure of the Township of Deptford, its agents, servants and employees for failure to respond to any alarm.

XIV. EXCEPTIONS

The provision of this section shall not apply to the General Alerting Alarms that may be used by Fire Companies, Ambulance Squads, or Civil Defense Agencies, to summon response of their members. The provisions of this section further shall not apply to alarm systems that are affixed to motor vehicles such as Police, Ambulance, and/or Fire Vehicles.

BE IT FURTHER ORDAINED that this Ordinance shall take effect 60 days from the passage and publication as required by law.



TOWNSHIP OF DEPTFORD

PAUL MEDANY, MAYOR

ATTEST:

Dina L. Zawadski
DINA L. ZAWADSKI, TOWNSHIP CLERK

CERTIFICATION

The foregoing Ordinance was introduced at a Regular Meeting of Township Council of the Township of Deptford held on the 5th day of August, 2013 and will be considered for final passage and adoption at a Regular Meeting at which time any person interested therein will be given an opportunity to be heard. Said meeting to be held on the 9th day of September, 2013 at the Municipal Building, 1011 Cooper Street, Deptford, New Jersey.

Dina L. Zawadski
DINA L. ZAWADSKI, TOWNSHIP CLERK

Introduction

RECORD OF VOTE						
Council Member	Resolution No.	Ordinance No.	Yes	No	Abstain	Absent
		O.15.13				
Medany			✓			
Hufnell			✓			
DiMarco			✓			
Lamb			✓			
Love			✓			
Schocklin			✓			
Scott			✓			

Adoption

RECORD OF VOTE						
Council Member	Resolution No.	Ordinance No.	Yes	No	Abstain	Absent
		O.15.13				
Medany			✓			
Hufnell			✓			
DiMarco			✓			
Lamb			✓			
Love			✓			
Schocklin			✓			
Scott			✓			