First Reading: 9/10/18
Final Reading:9/24/18

ORDINANCE 2018-27

AN ORDINANCE AMENDING BOROUGH CODE CHAPTER 99 – ALARM SYSTEMS

NOW, THEREFORE BE IT ORDAINED AND ENACTED, by the Mayor and Borough Council of the Borough of South River, County of Middlesex, State of New Jersey as follows:

Borough Code Ch. 99 – ALARM SYSTEMS be and is hereby amended as follows:

§99-33 ***Application for and issuance of permits; fees*****.** shall be deleted in its entirety and replaced with the following:

A. Every person installing an alarm system within the Borough shall make application to the Borough Clerk for a permit to do so. The application shall be in such form as the Borough Council shall prescribe and shall include all information required by the Chief of Police to enable him to effectively carry out his public safety responsibilities. The same form shall be used for registration.

B. Every alarm device shall be registered with the Borough Clerk within 30 days of (ADD EFFECTIVE DATE), for existing alarms, and prior to becoming operative for new systems. The Alarm registrant shall abide by the fee schedule prescribed in § 155-4 of the Borough Code.

C. Every registrant shall accept the responsibility for the proper operation of the alarm system, by him/herself, his/her employees, residents, tenants, guests or other licensees up to and including the line connection.

§ 99-4. False alarms, shall be deleted in its entirety and replaced with the following:
[Amended 9-18-2006 by Ord. No. 2006-31; 5-26-2009 by Ord. No. 2009-16]

A. If registered:

(1) On the first false alarm: A warning shall be issued.
(2) On the second and third false alarm: $25
(3) On every subsequent false alarm: $100

B. If unregistered:

A penalty shall be assessed at a premium rate of $25 over the penalty assessed on registered false alarms.

C. These penalties shall accrue on a rolling twelve (12) month basis.

§ 99-5. Violations and penalties, shall be deleted in its entirety and replaced with:
[Amended 5-26-2009 by Ord. No. 2009-16]

A. A person shall be deemed to be in violation of this chapter if the following has been found:

(1) For false alarms, the penalties provided in § 99-4, False Alarms, shall apply.

(2) Operating an unregistered alarm device.

(3) Each and every day that such alarm device is in operation subsequent to the compliance date for a cited violation of this chapter shall be considered a separate violation.

B. A person shall be excused from liability for a false alarm if it can be demonstrated that the alarm occurred because of telephone line interference or other similar reason beyond the control of the licensee and/or permittee. Failure to make necessary repairs to an alarm system shall not be an adequate excuse for a false alarm, nor shall the negligence of employees, residents, tenants, guests or other licensees in setting or disarming the system be considered an adequate excuse for false alarms.

SECTION II. The various parts, sections, clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION III. Any ordinances and parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION IV. This Ordinance shall take effect upon final adoption and publication as may be required by law.

Recorded Vote:

AYES: Adelino, Alai, Gurchensky, Jones, Meira, Haussermann
NAYES: None
ABSENT: None
ABSTAIN: None

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JOHN M. KRENZEL MAYOR

ATTEST:

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WILLIAM BRAY, Registered Municipal Clerk

Dated: September 28, 2018