

ORDINANCE NO. 2017-03

AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 104, SECTION 104-7, FALSE ALARMS, TO PROVIDE FOR A REVISED SCHEDULE OF FINES FOR MULTIPLE FALSE ALARMS PER CALENDAR YEAR AND TO ESTABLISH A NEW PROCEDURE FOR ISSUING CITATIONS AND APPEALING CITATIONS.

The Radnor Township Board of Commissioners does hereby ENACT and ORDAIN, as follows:

SECTION 1. Chapter 104, Section 104-7, False Alarms, is hereby amended to read as follows:

§ 104.7. False Alarms.

A. When a false alarm occurs, the following procedure shall be applied:

- (1) Property owner shall receive a false alarm citation letter from the police department. If the false alarm is a second violation in a given calendar year, the property owner shall have ten (10) business days from the date of property owner's receipt of citation to either pay the citation or file an appeal of the citation by mailing or e-mailing a letter of appeal to the Superintendent of Police.
- (2) If the citation is not paid in full or an appeal is not timely filed within ten (10) business days from the date of property owner's receipt of the citation, a second citation letter will be mailed to the property owner and a \$50.00 late fee shall be added to the initial citation fee. If the citation and late fee are not paid in full within ten (10) business days from the date of property owner's receipt of the second citation letter, a Non-Traffic Citation shall be issued for the violation and mailed to the appropriate District Court.
- (3) If the citation is properly appealed, the Superintendent of Police shall, in his sole discretion, determine whether to uphold or dismiss the citation and shall respond to the appeal by providing a final written determination provided to the property owner within ten (10) business days of receipt of said appeal. If the citation is upheld, property owner shall have an additional ten (10) days from the date of property owner's receipt of the determination to pay the citation in full.
- (4) If the citation is not paid in full within ten (10) days after the date of property owner's receipt of the Superintendent of Police's determination to uphold the citation, a Non-Traffic Citation shall be issued for the violation and mailed to the appropriate District Court.

B. For the purpose of defraying the cost to the Township for responding to false alarms, the owners and/or users of an alarm system as defined by this Chapter shall be subject to the following schedule of fines pursuant to the procedure outlined above in §104.7.A.:

- (1) For the second false alarm per calendar year: \$25.00 for each alarm.
- (2) For the third false alarm per calendar year: \$75.00 for each alarm.
- (3) For the fourth false alarm and each subsequent false alarm per calendar year: \$125.00 for each alarm.

C. The Board of Commissioners is hereby authorized on an annual basis to modify all false alarm fines by separate ordinance or resolution.

SECTION 2. Repealer. All ordinance or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 3. Severability. If any section, paragraph, sub-section, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

SECTION 4. Effective Date. This Ordinance shall become effective in accordance with the Radnor Township Home Rule Charter.

ENACTED AND ORDAINED this 27th day of February, A.D., 2017.

RADNOR TOWNSHIP

By:



Name: Elaine P. Schaefer

Title: President

ATTEST:



Robert A. Zienkowski, Secretary