



**TOWNSHIP OF NORTH FAYETTE
ALLEGHENY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 496

AN ORDINANCE OF THE TOWNSHIP OF NORTH FAYETTE, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 7, EMERGENCY MANAGEMENT, PART 1, VOLUNTEER FIRE DEPARTMENT AUTHORIZING REIMBURSEMENT FOR CERTAIN COSTS AND ESTABLISHING PROTOCOLS FOR ADDRESSING FALSE EMERGENCY ALARMS.

- WHEREAS,** pursuant to the authority vested in the municipality by the Second-Class Township Code, the Township of North Fayette (hereinafter referred to as the “Township”) wishes to revise the sections of its Code of Ordinances regulating the North Fayette Township Volunteer Fire Department (hereinafter referred to as the “Volunteer Fire Department”), governed by Chapter 7 of the Township's Code of Ordinances; and
- WHEREAS,** considerable sums are expended by the Volunteer Fire Department in relation to responding to a call for their services; and
- WHEREAS,** the Board of Supervisors has determined it is necessary and in the best interests of the Township and the Volunteer Fire Department to establish regulations and specific authorization relating to the reimbursement of fees for services provided to mitigate the costs of providing essential public safety services to the Township and its residents; and
- WHEREAS,** there has been a growing number of false emergency alarms being responded to by the Volunteer Fire Department; and
- WHEREAS,** the Board of Supervisors has determined that it would be in the best interest of the Township and the Volunteer Fire Department to establish protocols in regard to the multiple false emergency alarms resulting in a response by the Volunteer Fire Department; and
- WHEREAS,** the Board of Supervisors believes the implementation of fines to reimburse the Volunteer Fire Department’s services in responding to false emergency alarms would encourage the use of appropriate alarm installation and maintenance practices to prevent or minimize false alarms that require the response of the Volunteer Fire Department.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors for the Township of North Fayette, and it is hereby ordained and enacted by the authority of the aforesaid as follows:

SECTION 1. AMENDMENTS.

Section 7-110, Reimbursement for Fire Services, shall be added as follows:

- A. Due to the costs incurred by the North Fayette Township Volunteer Fire Department, in the event said Volunteer Fire Department incurs costs and/or expenses associated with responding to a call, fees can be assessed as set forth via Resolution. Said fees can be amended from time to time via Resolution.
- B. It is acknowledged that the North Fayette Township Volunteer Fire Department uses a third-party entity for services associated with calls. Said use of a third-party service shall not affect the North Fayette Township Volunteer Fire Department's ability to charge for costs and/or recoup the same. It is understood and acknowledged that the North Fayette Township Volunteer Fire Department may charge individuals for services associated with responding to calls.

Section 7-111, False Fire Alarms, shall be added as follows:

- A. Due to the growing number of False Emergency Alarms being responded to by the North Fayette Township Volunteer Fire Department, the Township herein encourages the use of appropriate alarm installation and maintenance practices to prevent or minimize false alarms that require the response of the North Fayette Township Volunteer Fire Department.
- B. Definitions.

False Emergency Alarm – Shall be defined as any signal actuated by an emergency alarm to which the North Fayette Township Volunteer Fire Department responds, which is not the result of fire or other actual emergency, and not caused by an extraordinary act of nature.
- C. The principal owner, operator, tenant, or other individual responsible for the facility from which a False Emergency Alarm emanated shall pay to the North Fayette Township Volunteer Fire Department a charge for False Emergency Alarms, as required by this section, to which the North Fayette Township Volunteer Fire Department responds, in each calendar year, as specified in the fee resolution.
- D. The following schedule of notices, warnings, penalties, and costs shall be assessed by the North Fayette Township Volunteer Fire Department, to the owners and/or operators of emergency alarm systems from False Emergency Alarms transmitted to the North Fayette Township Volunteer Fire Department within any continuous twelve (12) month period, beginning with the first False Emergency Alarm.
 - (1) The first False Emergency Alarm results in a written notification by the Fire Chief informing the owner or operator of the alarm system of the provisions of this ordinance.

- (2) The second False Emergency Alarm results in a written warning informing the owner or operator of the alarm system of the provisions of this ordinance and the occurrence of a second violation.
- (3) The third False Emergency Alarm results in a written warning informing the owner or operator of the alarm system of the provisions of this ordinance and the occurrence of a third violation.
- (4) The fourth False Emergency Alarm and every subsequent False Emergency Alarm will result in a fine, as set forth in the Townships' fee resolution.

E. Discretion.

- (1) The Fire Code Official and Fire Chief have reasonable discretion in regard to determining a violation of the within Ordinance. Sais discretion is based on bad weather, construction, alarm service repairs, and/or other circumstances that are not within the control of the property owner or occupant.

- F. A false alarm fine shall be due and payable to the North Fayette Township Volunteer Fire Department thirty (30) days from the date of notice of the fine. If the amount is not paid within the thirty (30) day period, a certified letter shall be sent to the principal owner, operator, tenant, or other individual responsible for the alarm system of the alarmed facility demanding payment within thirty (30) days. If payment is still not made, the Fire Code Official, Fire Chief or Law Enforcement Official will file a citation with the district judge.

SECTION 2: SEVERABILITY.

That if any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

SECTION 3: CONFLICT.

Any ordinances or any part of any ordinance which conflict with this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 4: EFFECTIVE DATE.

That this Ordinance shall take effect immediately upon enactment as provided by law.

ENACTED AND ORDAINED into Law this the ____ day of _____ 2022.

ATTEST:

TOWNSHIP OF NORTH FAYETTE

James R. Mangan
Township Manager

James Morosetti
Chairman, Board of Supervisors

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