

BOROUGH OF ENGLEWOOD CLIFFS

BERGEN COUNTY, NEW JERSEY

ORDINANCE NO. 2007-08

AN ORDINANCE REGULATING ALARMS AND THE
ENFORCEMENT BY THE ENGLEWOOD CLIFFS POLICE DEPARTMENT
IN THE BOROUGH OF ENGLEWOOD CLIFFS
COUNTY OF BERGEN, STATE OF NEW JERSEY

BE IT ORDAINED by the Mayor and Council of the Borough of Englewood Cliffs as follows:

DEFINITIONS:

Mayor and Council - The Mayor and Council of the Borough of Englewood Cliffs.

Medical Emergency Alarm - Any alarm which, when activated, indicates an immediate medical emergency at the announced location.

Panic Alarm - Any alarm which, when activated, indicates some immediate peril at the announced location.

Person - Any natural person or individual, or any firm, partnership, association, limited partnership, proprietorship, corporation or any other business entity or any government agency or entity.

Police Department - The Police Department of the Borough of Englewood Cliffs.

Security Alarm System - Any alarm system or device reporting to the Police Department a burglary, holdup, panic or medical emergency or emergency requiring urgent attention and to which the Police Department may be expected to respond. The Term "security alarm system" shall include the terms "alarm devices," "direct alarms," "digital alarms," "central station alarms" and "local alarms." Fire alarm systems are not included in this Article.

License - A License issued pursuant to N.J.S.A. 13:31A-1.1, et seq.

Fire Alarm - A Fire Alarm means a security system comprised of an interconnected series of alarm devices or components, including systems interconnected with radio frequency signals, which emits an audible, visual or electronic signal indicating an alarm condition and which

provides a warning of the presence of smoke or fire. Fire alarm does not include an energy management system whose primary purpose is telecommunications with energy control, the monitoring of the interior environment being an incidental feature thereto.

ENFORCEMENT:

This Ordinance shall be enforced by the Borough of Englewood Cliffs Police Department.

GENERAL REGULATIONS:

- (A) Local Alarms:
 - (1) Each local alarm shall be of a type approved by the Chief of Police or his designated representative.
 - (2) Each local alarm that transmits any type of audible signal shall be equipped with a ten-minute automatic shut off.

- (B) Dial Alarms:
 - (1) Upon the effective date of this Ordinance, all dial alarms programmed to dial into the Police Department Communication Center shall be prohibited.

OPERATOR'S PERMIT; FEES:

- (A) No person shall operate any central station alarm, digital alarm, or local alarm installed in The Borough of Englewood Cliffs after the effective date of this Ordinance without first obtaining a permit to operate the same from the Police Department.

- (B) A permit shall be obtained from the Police Department within sixty (60) days after the effective date of this Ordinance for each central station alarm, digital alarm, or local alarm in the Borough of Englewood Cliffs, which was installed on or before the effective date of this Ordinance.

- (C) 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. Fees shall be payable to the Borough of Englewood Cliffs upon issuance of said permits.

- (D) In the event a permit is obtained subsequent to February 1 of any calendar year, a permit shall be obtained from the Police Department within sixty (60) days after installation.

- (E) A permit application shall be completed and submitted with the prescribed fee. The names, addresses and telephone numbers of the person responsible for the alarm system and at least two (2) emergency listings shall be provided on the permit application.

- (F) The fee for the initial registration and operation permit of a security alarm system shall be Twenty-Five Dollars (\$25.00). The annual renewal fee shall be Twenty-Five Dollars (\$25.00).

- (G) Failure to obtain or renew a permit within the prescribed period shall subject the alarm system owner to a minimum fine of Fifty Dollars (\$50.00) and not more than Two Hundred Fifty Dollars (\$250.00).

STANDARDS; INSPECTION; DISCONNECTION:

- (A) The Chief of Police or his designated representative may inspect and test any newly installed alarm system within seven (7) days of the initial installation. This provision shall not be construed to impose a duty on the borough to make inspections or to relieve the alarm owner from inspecting, testing and maintaining his own alarm system.
- (B) Each alarm system that transmits any type of audible signal shall be equipped with a ten-minute automatic shut off.
- (C) Any unauthorized installation may be disconnected by the Chief of Police or his designated representative for noncompliance with this Ordinance.
- (D) No alarm system shall be installed and configured so as to transmit a signal that does not convey the proper emergency, thus altering the response by emergency services.
- (E) The Chief of Police or his designated representative may order immediate, temporary disconnection of any alarm, with an audible signal, which has failed to shut off automatically after a ten-minute time period if said alarm is, in the opinion of the Police Department, causing a disturbance. In such cases, the Police Department shall enter the premises, by force if necessary, to disable the alarm. The Borough of Englewood Cliffs, its various departments, agencies and officials shall be held harmless for and on account of any and all damages arising out of such entry.

EMERGENCY LISTINGS:

- (A) The owner of any security alarm device within the Borough of Englewood Cliffs shall be responsible to provide the Police Department with his name, address and day/night telephone number or the name, address and day/night telephone number of the person responsible for the operation of the alarm system, as well as the name, address and telephone number of at least two (2) other persons having access, control and a working knowledge of the alarm system who may be contacted in the event of an activation or emergency.
- (B) Emergency listings shall be updated as follows:
 - (1) Upon initial registration of the alarm system.
 - (2) On an annual basis upon renewal of the alarm permit.
 - (3) On the next business day following any change in any of the emergency information provided to the Police Department.

RESPONSE TO ALARMS:

- (A) In response to any alarm signal indicating panic or medical emergency, as so authorized by the alarm system owner in the permit application, the Police Department in accordance with this Ordinance, will be considered a real emergency, and entry will be made to the premises, by force if necessary, to respond to such signal, and the Borough of Englewood Cliffs, its various departments, agencies and officials shall be held harmless from and on

account of any and all damages arising out of such entry.

FALSE ALARMS:

- (A) In the event that an alarm system is activated under conditions heretofore defined as a false alarm, the Chief of Police shall cause an investigation to be made and a record to be kept on file of said instance.
- (B) Violations and penalties. Any person who pleads guilty or is found guilty after trial in the Municipal Court of the Borough of Englewood Cliffs for a violation of a false alarm shall be fined as follows:
 - (1) For the first and second false alarms in any given calendar year, a written warning shall be issued by the Police Department.
 - (2) For the third false alarm in any given calendar year, a mandatory fine of Twenty-Five Dollars (\$25.00) per false alarm shall be imposed.
 - (3) For the fourth false alarm in any given calendar year, a mandatory fine of Fifty Dollars (\$50.00) per false alarm shall be imposed.
 - (4) For the fifth false alarm in any given calendar year, a mandatory fine of Seventy-Five Dollars (\$75.00) per false alarm shall be imposed.
 - (5) For each subsequent false alarm in any given calendar, a mandatory fine of One Hundred Dollars (\$100.00) per false alarm shall be imposed.
 - (6) After five false alarms in any given calendar year, the Police Department shall have the right to deny the person further use of the alarm system incorporated within the Borough of Englewood Cliffs Police Department.
- (C) Each violation of a false alarm shall be a separate offense.
- (D) No corporation or person may install, maintain or repair a burglar alarm or fire alarm unless they have obtained a license pursuant to N.J.S.A. 13:31A 1.1 and N.J.S.A. 45:5-23.
 - (1) Any person who fails to comply with any provisions of this Article shall be subject, upon pleading guilty or being found guilty after trial in the Municipal Court of the Borough of Englewood Cliffs, to a mandatory minimum fine of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1,000.00)

RULE-MAKING AUTHORITY:

The Chief of Police may promulgate written rules and regulations supplementing this Ordinance in order to provide for accurate record keeping and efficient management.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon adoption and publication in accordance with law; and,

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent

with or in conflict with this ordinance are hereby repealed as to said inconsistencies and conflict;
and

BE IT FURTHER ORDAINED that should any part or provision of this Ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part held so unconstitutional or invalid.

JOSEPH C. PARISI, Mayor

DEBBIE FEHRE, Borough Clerk