

**BOROUGH OF WEST WILDWOOD
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

ORDINANCE NO. 529 (2014)

**AN ORDINANCE ESTABLISHING REGULATIONS CONCERNING FALSE ALARMS
WITHIN THE BOROUGH OF WEST WILDWOOD AND TO PROVIDE FOR PENALTIES FOR
VIOLATIONS THEREOF**

Preamble:

This Ordinance is to establish regulations to govern false alarms and to provide for penalties for violations of same.

BE IT ORDAINED by the Governing Body of the Borough of West Wildwood, County of Cape May, State of New Jersey; as follows:

ARTICLE I – DEFINITIONS

For the purpose of this section, certain words and phrases are defined as follows:

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 others 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 and EMS 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, central station alarms, visual alarms and subscriber alarms.

AUDIBLE ALARM

A device that emits an audible signal from the premises that it is designed to protect.

CENTRAL STATION

A service that monitors the operation of an alarm system and relays information to the West Wildwood Police Department and/or other emergency number when the system is activated.

FALSE ALARM

An alarm signal requiring response by the West Wildwood Police, fire or emergency medical services where an emergency situation does not in fact exist. An alarm that has been activated by an external source that is beyond the reasonable control of the subscriber shall not be considered false.

POLICE

West Wildwood Police Department

VISUAL ALARM

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

ARTICLE II – GENERAL PROVISIONS

- A. Audible alarms must be silenced within 30 minutes after a designated responsible person is notified to do so by the police, or the alarm may be equipped with a timing device that will automatically silence the audible alarm within 30 minutes after it is actuated.
- B. Upon the activation of an alarms system, there shall be a mandatory delay of at least 15 seconds before the transmission of a signal to the central station to enable the user to abort the signal in the event that it was triggered inadvertently. This delay shall not be applicable to a robbery (holdup) or medical emergency alarm.
- C. False Alarms:
 - 1.) It shall be the responsibility of all persons, entities, firms, corporations or anyone maintaining an alarm system within the Borough of West Wildwood to prevent the transmission of false alarms through a program of training and periodic inspection and maintenance of the system.
 - 2.) The maximum permissible number of false alarms for any one location shall be three (3) false alarms in any one (1) calendar year. Each and any false alarm in excess of this number shall be considered a violation of this Ordinance and subject to the penalties in Article IV below.

ARTICLE III – EXCEPTIONS

- A.) The provisions of this chapter shall not apply to the general alerting alarms used by fire companies, ambulance squads or emergency management agencies to summon response of their members.
- B.) The provisions of this Ordinance shall not apply to alarm systems that are affixed to motor vehicles.

ARTICLE IV – VIOLATIONS AND PENALTIES

Any person, entity, firm, corporation or other group that is found guilty of violating any of the provisions of this Ordinance shall be subject to a fine as follows. Each incident shall be considered as a separate violation.

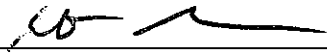
- A.) Any person or entity whose alarm system generates a fourth false alarm in any calendar year shall, upon issuance of a special complaint (summons) by the West Wildwood Police Department pay a fine of \$50, upon a guilty plea, may be paid through the Violations Bureau of the Municipal Court.
- B.) Any person or entity whose alarm system generates a fifth false alarm in any calendar year shall, upon issuance of a special complaint (summons) by the West Wildwood Police Department pay a fine of \$150 which, upon a guilty plea, may be paid through the Violations Bureau of the Municipal Court.
- C.) Any person or entity whose alarm system generates a sixth false alarm in any calendar year shall, upon issuance of a special complaint (summons) by the West Wildwood Police Department pay a fine of \$250 which, upon a guilty plea, may be paid through the Violations Bureau of the Municipal Court.
- D.) Any person or entity whose alarm system generates a seventh or more false alarms in a calendar year shall, upon issuance of a special complaint (summons) by the West Wildwood Police Department, be required to appear in Municipal Court and be subject to a fine of up to \$1,000 for each violation.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that:

- 1.) All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.
- 2.) Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of the Ordinance shall not be affected thereby and shall remain in full force and effect.
- 3.) This Ordinance shall take effect after a public hearing and final adoption and publication as provided by law.

FIRST READING: January 3, 2014
PUBLICATION: January 8, 2014
SECOND READING: February 7, 2014
FINAL PUBLICATION: February 13, 2014

MAYOR CHRISTOPHER J. FOX



COMMISSIONER SCOTT W. GOLDEN

COMMISSIONER CORNELIUS J. MAXWELL

I, Donna L. Frederick, RMC, Municipal Clerk of the Borough of West Wildwood, Cape May County, do hereby certify the forgoing to be a true and correct copy of an ordinance introduced at the January 3, 2014 Regular Meeting, and was considered for final passage after a public hearing held on February 7, 2014, at 7:00 pm prevailing time, at the West Wildwood Borough Hall, 701 W. Glenwood Avenue, West Wildwood, N.J. at which time Ordinance No. 529(2014) was finally adopted.



Donna L. Frederick, RMC
Municipal Clerk