

ORDINANCE 2023-21

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 55, "ALARM DEVICES," OF THE CODE OF THE BOROUGH OF KENILWORTH

WHEREAS, on May 9, 1967, the Borough of Kenilworth Municipal Council adopted Ordinance 67-9, which governs the installation and use of burglar alarm equipment within the Borough of Kenilworth (the "Borough"); and

WHEREAS, the Borough of Kenilworth Municipal Council finds that it is in the best interests of the Borough and its citizenry to amend and modify such sections set forth in the Borough Code; and

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or Federal Government, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Kenilworth in the County of Union, State of New Jersey as follows:

SECTION 1. The foregoing whereas clause is incorporated herein by reference and made a part hereof.

SECTION 2. Chapter 55, "Alarm Devices," shall be amended as follows.

Note: Additions are shown in **bold and underlined** and deletions are shown as ~~strikethrough~~.

§ 55-1 Use of central alarm panel; order to connect; penalty.

- A. No person shall install any **audible** burglar alarm equipment or fire alarm equipment in police headquarters or fire headquarters for the purpose of transmitting any signals or alarms to the attention of the Police Department from a location in the Borough of Kenilworth outside police headquarters for the purpose of obtaining Police or Fire Department response thereto unless the same shall be connected to and used in one central consolidated alarm panel or console provided for by the Borough of Kenilworth.
- B. Whenever any **audible** burglar alarm equipment maintained within the Borough of Kenilworth shall emit more than two unwarranted or false alarms in any one calendar month, the Chief of Police shall issue a written order directing the person, firm or corporation owning or controlling said equipment to connect the same to the central consolidated panel or console provided by the Borough of Kenilworth and pay the charges therefor as specified in this chapter, both within 30 days after receipt of such order. Any person, firm or corporation failing to obey such order shall be subject to a fine of not ~~less~~ **than \$200 or more than \$500-\$1,000.**

- C. **Any and all burglar alarm devices having an external audible alarm or any burglar alarm install indoors shall be designed and shall contain the necessary device and equipment to limit the operation of a sound producing instrument to a maximum of 15 minutes after activation. If any burglar alarm having an external alarm or an alarm installed outdoors has been activated and continues to produce an audible sound, alarm or ringing for more than 15 minutes, the person responsible for the alarm device shall, upon conviction, be subject to a fine of not less than \$200 or more than \$1,000.**

§ 55-2 Connection to consolidated panel.

In lieu of purchasing any such central consolidated panel or unit, any party desiring to make use thereof shall arrange with the person owning such equipment for the connection thereof and for the charge for the use of said connection and the continued use of the same.

§ 55-3 Service fee.

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- A. Each person, firm or corporation that has the use of said equipment or any such similar equipment, either directly or indirectly through the line or connection of any person, firm or corporation supplying fire or burglary or holdup or other similar service, shall each pay to the Borough of Kenilworth an annual charge as set forth in Chapter 91, Fees, for a period from January 1 through December 31 of each year, and in the event of an installation or commencement of service for the benefit of any person, firm or corporation during the year, said sum shall be paid for the balance of said calendar year for which the service shall have been added.
- B. Said fee shall be paid prior to January 10 of each year for all persons, firms or corporations who or which continue to receive such service annually, and the fee shall be paid for any person, firm or corporation commencing service within the calendar year prior to the initiation of such service for any new person, firm or corporation commencing to receive the service. The fee to be paid hereunder shall not be construed to mean a fee for the person, firm or corporation that supplies or furnishes fire or burglary or holdup systems or services, but the fee shall apply to and be paid for each and every person, firm or corporation that subscribes or pays for any service to or through such servicing person, firm or corporation or that may subscribe and receive such service directly.

§ 55-4 Penalty for false alarms.

A person, firm or corporation shall pay ~~an additional~~ fee of ~~\$25-\$50~~ for a ~~third each and every~~ false or unwarranted alarm originating from its location ~~during one calendar month and a fee of \$25 for each additional false or unwarranted alarm originating at its location during the same calendar month year.~~ Each false or unwarranted alarm will act as a separate offense.

§ 55-5 Request to discontinue.

Whenever sufficient cause appears, the Borough of Kenilworth shall have the right to request any person or persons, firm or corporation using said equipment to discontinue the use of the same upon refunding the unused proportionate share of the annual charge.

§ 55-6 Enforcement.

The Borough of Kenilworth Police Department shall be responsible for the enforcement of the provisions of this chapter.

SECTION 3. If any section, paragraph, subdivision, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision so adjudged and the remainder of this Ordinance shall remain valid and effective.

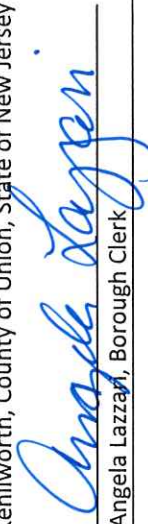
SECTION 4. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

SECTION 5. This Ordinance shall take effect upon final passage and publication according to law.


Linda Karlovitch, Mayor

Moved	INTRODUCTION			NP	Moved	Sec.	FINAL ADOPTION			NP	
	Sec.	Aye	Nay				Abs.	Aye	Nay		Abs.
				X					X		
		X			X				X		
		X							X		
		X							X		X
X									X		
		X							X		

Introduced: August 16, 2023
 I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.

Final Adoption: 
 September 6, 2023
 Angela Lazzari, Borough Clerk