



**BOROUGH OF GARWOOD**  
**UNION COUNTY, NEW JERSEY**  
MUNICIPAL BUILDING  
403 SOUTH AVENUE  
GARWOOD, NEW JERSEY 07027

**ORDINANCE NO. 25-16**

**ORDINANCE AMENDING CHAPTER 115 “MISCELLANEOUS OFFENSES”,  
ARTICLE III “EMERGENCY ALARMS”**

**WHEREAS**, the Borough of Garwood (the “Borough”) previously adopted Chapter 115 of the Code of the Borough of Garwood which established and governs restrictions and regulations on emergency alarms in the Borough; and

**WHEREAS**, the Borough is seeking to update Section 115-6 “Definitions” and Section 115-8 “False Alarms”; and

**WHEREAS**, the Borough Council has determined it appropriate to amend said Ordinances; and

**NOW, THEREFORE, BE IT ORDAINED** by the governing body of the Borough of Garwood that Chapter 115 of the Borough Code of the Borough of Garwood entitled, “Miscellaneous Offenses”, Article III “Emergency Alarms”, Sections 115-6 “Definitions” and Section 115-8 “False Alarms” is hereby amended by deletion shown as strikethrough and additions as underlined.

**§ 115-6. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**ALARM DEVICE** — Any type of alarm system actuating equipment in the alarm panel providing warning of intrusion, fire, smoke, flood or other peril.

**ALARM PANEL** — That device existing in the Police Department of the Borough of Garwood giving visual or audio indications or both, requiring a response thereto by the Police Department, Fire Department or other municipal agency.

**DIAL ALARM** — That type of device that employs an automatic dialing system pre-coded to connect with a telephone in the Police Headquarters rather than to the alarm panel.

**FALSE ALARM** — ~~The actuation of an alarm system by causes other than those to which the alarm system was designed or intended to respond.~~ The activation of an alarm system resulting from mechanical failure, malfunction, improper maintenance, or any cause other than an actual fire or emergency condition for which the system is designed to detect and respond, or the testing of alarms required by law or practice without prior notice to the Garwood Police Department.

**LOCAL ALARM** — Any alarm or device which when activated produces a signal not connected to the alarm panel, such as burglar alarms actuating bell devices.

PERSON — Deemed to include any natural person, partnership, corporation or association or any other legal entity.

**§ 115-8. False alarms.**

- A. In the case of false alarm any person having knowledge thereof shall immediately notify the Police or Fire Department. In addition, in the case of false alarms the Police Chief and/or Fire Chief shall cause an investigation to be made and keep a record of said alarms on file. For such false alarms the following penalties shall be imposed:
  - (1) For the first and second false alarms in any given calendar year, a warning shall be issued;
  - (2) For the third false alarm in the same calendar year, a fine of ~~\$15~~ \$500 shall be paid to the Borough of Garwood; and
  - (3) For the fourth and subsequent false alarms a fine of ~~\$25~~ \$2,000 shall be paid to the Borough of Garwood.
- B. Where the investigation of the Police and/or Fire Department discloses continued abuse of the privilege of connection to the alarm panel or register and a disregard of the permittee for taking remedial steps to avoid false alarms, the Police Chief has the right to require disconnection from the alarm panel or register for limited or permanent time, provided that no such registration shall be revoked or suspended without giving the permittee an opportunity to show cause before the Chief of Police why such action should not be taken.
- C. The Garwood Fire Chief, Garwood Deputy Fire Chief, or the highest-ranking fire officer for fire alarms will determine whether the alarm is a false alarm using the criteria in the ordinance.
- D. The ranking police officer on duty for police alarms will determine whether the alarm is a false alarm using the criteria in the ordinance.
- E. The designation of a false alarm will be recorded by Police Dispatch and maintained as a record.
- F. The Garwood Police Department is responsible for enforcing this ordinance and issuing summonses related to this ordinance. Garwood's Code Enforcement Officer may also issue summonses related to this ordinance. The Garwood Fire Chief and/or Deputy Chief may, in the absence of the Garwood Police Department, may also recommend to the Garwood Police Department that summonses should be issued.

**BE IT FURTHER ORDAINED**, that if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

**BE IT FURTHER ORDAINED**, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect after final passage and publication in accordance with applicable law.

Rejected       Approved

\_\_\_\_\_  
Jen Blumenstock, Mayor

\_\_\_\_\_  
Date

Reconsidered by Council \_\_\_\_\_

Override Vote Yes \_\_\_ No \_\_\_

**DATE OF INTRODUCTION:**

**DATE OF ADOPTION:**

<b>RECORDED VOTE OF COUNCIL</b>																
	<b>Date:</b>					<b>Date:</b>					<b>Date:</b>					
	<b>First Reading/Introduction</b>					<b>Final Reading/Adoption</b>					<b>Tabled</b>					
<b>Council Members</b>	<b>M</b>	<b>S</b>	<b>Yay</b>	<b>Nay</b>	<b>N V</b>	<b>Ab</b>	<b>M</b>	<b>S</b>	<b>Yay</b>	<b>Nay</b>	<b>N V</b>	<b>Ab</b>	<b>M</b>	<b>S</b>	<b>Yay</b>	<b>Nay</b>
<b>K. Boto</b>																
<b>S. Foley</b>																
<b>V. Kearney</b>																
<b>M. Lazarow</b>																
<b>C. Padusniak</b>																
<b>C. Nolde</b>																
<i>✓ - Indicates Vote    NV: Not Voting/Abstain    AB: Absent    M: Motion    S: Seconded</i>																

**CERTIFICATION**

This is to certify that this is a true and compared copy of an Ordinance adopted by the Council of the Borough of Garwood on \_\_\_\_\_.

\_\_\_\_\_  
**PATRICIA VAZQUEZ**  
Acting Municipal Clerk