

Chapter 3

ALARMS*

* **Editors Note:** Printed herein is the Town Alarm Ordinance as adopted by Town Council Dec. 19, 2005; effective January 18, 2006. Formerly, chapter 3 pertained to similar subject matter as enacted by an Ordinance of Aug. 19, 1985.

Cross References: Buildings and building regulations, Ch. 5; fire prevention and protection, Ch. 7; housing, Ch. 8; housing code, § 8-26 et seq.; licenses and business regulations, Ch. 10; police and fire departments, § 12-171 et seq.; zoning and subdivision of land, App. A.

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Sec. 3-1. Purpose.

The purpose of this chapter is to establish guidelines for the proper use of emergency alarm systems or devices and to establish a service fee to compensate for the inappropriate use of town resources in response to false alarms.

Sec. 3-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alarm system shall mean a system including any mechanism, equipment, or device designed to transmit a signal, or warning, from a private facility or residence to the town's emergency communications center or private security company, and that features two-way voice communication.

Direct alarm shall mean a device that is designed, or used, to transmit an alarm signal directly from the location of the alarm to the emergency communications center without the need for two-way voice communication.

False alarm shall mean the transmission of an emergency alarm or warning, whether intentional or unintentional, when a situation of emergency does not in fact exist. This is intended to include, but shall not be limited to, any alarm caused by malfunctioning equipment, or improperly maintained or monitored equipment. For the purposes of this chapter, this term is not intended to include transmissions

caused by power outage, electrical storm, or other weather-related malfunction. Nor will the transmission be considered a false alarm if the permit holder, or his agent, notifies the appropriate department prior to the dispatch of emergency personnel and equipment.

Cross References: Definitions and rules of construction, generally § 1-2.

Sec. 3-3. Permit required.

No person, firm, corporation, partnership, association, or any other entity, shall install or operate an alarm system, which automatically transmits a signal, or warning, to the town's emergency communications center or private security company without first obtaining a permit.

Sec. 3-4. Application for permit.

(a) An application for a permit to install, maintain, or operate an alarm system must be filed with the police, or fire department, whichever is appropriate, on a form provided by the department including but not limited to the name, address, and telephone number of the installer of the system, the owner of the premises on which the system will be installed, and the lessee, if any, and a description of the system and the location in which it is to be installed.

(b) The applicant shall pay a non-refundable five dollar (\$5.00) fee.

(c) The applicant shall pay a non-refundable twenty-five dollar (\$25.00) fee for each fire alarm, or combination fire/police system.

Sec. 3-5. Approval of application.

The chief of police, or fire department, whichever is appropriate, shall approve an application for a permit required by this chapter if it is found that the use of the alarm system will not interfere with the orderly conduct of town business, that the owner of the system agrees to adequately maintain it in order to assure its proper functioning, and the proposed system and method of installation are proper. The police/fire department shall provide a copy of the alarm ordinance as it pertains to alarms.

Sec. 3-6. Term of permit; transfer.

The permit to install and operate a private alarm system is valid for a period of three (3) years from the date of approval, unless terminated at the request of the holder or revoked as provided in this chapter. The permit may be renewed without charge at the request of the holder upon expiration. A permit issued under this chapter may not be transferred to another person or property.

Sec. 3-7. Certain information confidential.

All information provided by the permit holder related to the type and location of the alarm system shall be held confidential, to the extent permitted by Law.

Sec. 3-8. Installation guidelines.

The police chief and fire chief, respectively, may adopt necessary guidelines for the proper installation

of equipment intended to connect an alarm system with the town's emergency communications center. The regulations are on file in the town clerk's office.

Sec. 3-9. Revocation of permit.

The chief of police or fire department, whichever is appropriate, shall revoke any permit issued under this chapter after reasonable written notice to the permit holder and an opportunity to be heard if he/she determines that the alarm system has been installed, maintained, or operated in violation of this chapter or of any condition of the permit, or who fails to pay any service fee required by section 3-12 within ten (10) days after written notice that it is due and payable.

Sec. 3-10. Certain systems prohibited.

Effective, July 1, 1985, no person shall install, operate, or maintain a dialing alarm system of any kind, which directly connects to the town's emergency communications center or to any town department.

Sec. 3-11. Liability of town or others.

Notwithstanding the payment of any fee or the issuance of any permit under this chapter, the town is under no obligation whatsoever concerning the adequacy, operation, or maintenance of the alarm device so installed. The town, its agents and employees assume no liability whatsoever for any failure of such an alarm device, or for the failure to respond to any such alarm by any act of omission or commission. The applicant and property owner, if different, shall each sign the release and indemnification agreement attached to the application for alarm system permit.

Sec. 3-12. False alarms.

(a) *Police:* Any permit holder whose alarm system(s) causes the transmission of a false alarm to the emergency communications center three (3) times in any given calendar year shall pay a service fee of twenty-five dollars (\$25.00) for each subsequent false alarm.

(b) *Fire:* Any permit holder whose alarm system(s) causes the transmission of a false alarm to the emergency communications center two (2) times, in any given calendar year, shall pay a service fee of one hundred dollars (\$100.00) for each subsequent false alarm.

(c) Following the 3rd police, 2nd fire alarms, all subsequent false alarms, in any calendar year, the appropriate department shall notify the permit holder of the occurrence(s) of a false alarm, and shall inform the holder of the permit of the fee provisions of this section.

Sec. 3-13. Billing.

The police/fire departments will invoice permit holders on a monthly basis when the allowable false alarms have been exceeded. Payment is due within ten (10) calendar days after the invoice is sent out. The invoice will contain at least: the permit holder's name and address, dates and times of false alarms, if determined, cause of alarm, and fee assessed.

The invoice will also contain information to contact the respective chief if the permit holder wishes to dispute the invoice.

If payment is not received within the ten (10) calendar days, the respective chief may send a notice to the permit holder that the permit to operate an alarm system may be suspended until further notice, or until payment is received. Suspension of permit may result in police, fire, and EMS not responding to alarms (as defined in this chapter).

Sec. 3-14. Appeal process.

Upon receiving invoice, or notice of suspension/revocation, permit holders will have ten (10) calendar days to appeal the invoice/revocation to the respective commander/deputy chief.

If still in dispute after appeal, the permit holder can, within five (5) calendar days of meeting with the commander/deputy chief, appeal to the respective department chief. The chief will have the final decision in the appeal process.

A written decision will be kept on record within the respective police/fire department's records keeping.

Sec. 3-15. Penalty.

Any violation of this chapter shall be punishable by a civil penalty of not more than one hundred dollars (\$100.00) for the first and second violations, and not more than five hundred dollars (\$500.00) for the third and subsequent violations.