

## CHAPTER 91: ALARM SYSTEMS

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### § 91.01 DEFINITIONS.

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

**ALARM AGENT.** The business, firm, corporation or partnership designated and employed by the Alarm Board on behalf of the police to maintain, service, alter, repair, replace, move or connect any burglar or other alarm to the monitoring equipment and related paraphernalia to be maintained by the police at the central answering point.

**ALARM BOARD.** The Board which performs the duties herein set out. The members of such Board shall include the Town Marshal, who shall be the Chairman of the Board, and three other members appointed at the pleasure of the Town Council. The Board shall meet at such time as the Town Marshal shall designate and shall perform the following duties:

- (1) Acquire information to determine the effectiveness of this chapter.
- (2) Promulgate such rules and regulations as are necessary to implement and carry out the intent of this chapter.
- (3) Perform such other activities as may be required by the Town Marshal to carry out, improve and implement the intent of this chapter.

**ALARM DEVICE.** The portion of the alarm system located within or upon the premises of the alarm holder to detect entry into such premises by an unauthorized intruder.

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**ALARM HOLDER.** The owner, lessee or person responsible for the existence of an alarm device within or upon his premises.

**ALARM SYSTEM.** An assembly of equipment and devices designed to signal or transmit a signal to monitoring equipment maintained at the central answering point indicating the presence of a hazard at the premises of the alarm holder requiring urgent attention and to which police personnel are expected to respond. The alarm system may include **burglar**, **hold-up** or **robbery** warning devices. Included in the alarm system are alarm devices emitting sounds, flashing lights or beacon signals to warn persons outside the premises of the existence of a hazard at the premises.

**AUTOMATIC DIALER.** An alarm system which automatically sends over regular telephone lines (as distinguished from dedicated telephone lines) a prerecorded voice message, or coded signal, indicating the existence of an emergency situation at the premises of an alarm holder.

**BURGLAR ALARM.** An alarm device activated automatically signaling the entry or attempted entry of an unauthorized intruder in or upon the premises of an alarm holder, of which such activation is to signal a robbery, attempted robbery, hold-up, attempted hold-up, burglary or attempted burglary at such premises.

**CENTRAL ANSWERING POINT.** An office or place maintained by the police to which burglar alarms are connected and where police personnel supervise or monitor burglar alarm signals through the use of monitoring equipment.

**DEDICATED TELEPHONE LINE.** A telephone line which has as its sole use the transmission of an alarm signal from an alarm device to monitoring equipment.

**DIRECT CONNECTION.** The method of using a telephone line, or other transmission line, which line has as its sole use the transmission of a burglar alarm signal from an alarm device to the monitoring equipment maintained at the central answering point.

**FALSE ALARM.** A burglar alarm signal received at the central answering point from an alarm device from causes aside from burglary, attempted burglary, severe weather conditions or timely and proper telephone call to police canceling any response by police to the alarm signal. Such causes are generated from human error; improper maintenance; improper installation; faulty equipment; electrical or mechanical malfunction; or excessive sensitivity.

**FEES.** Monies paid by an alarm holder to continue to have his alarm device connected to the central answering point.

**LOCAL ALARM.** Alarm equipment which when activated causes an audible and/or visual signal in or on the premises. Such type of alarm equipment may or may not be a part of the alarm system.

**MONITORING EQUIPMENT.** An assembly of equipment and devices maintained at the central answering point which is part of the alarm system which registers the activation of an alarm device in response to which police personnel are expected to respond.

**POLICE.** The Town Marshal's Department.

**SERVICE CHARGE.** An assessment by the police against an alarm holder for a false alarm.

**TROUBLE INDICATION.** A transmittal signal, different from a burglar alarm signal, which indicates a mechanical or electrical problem within the alarm system.

#### **§ 91.02 TESTING OF ALARM DEVICE.**

An alarm holder, in the first 30 days of the installation of an alarm device, shall be authorized to test the alarm device without the imposition of any false alarm service charge or without the risk of disconnection, subject to the alarm holder's filing of a written statement with the police stating the testing procedure to be utilized and the name of the alarm holder's delegate performing such testing procedure. The testing procedure will be as follows:

(A) In the event the testing procedure is an on-site test designed to simulate conditions to induce an alarm signal to be generated, the alarm holder, or his delegate, shall timely and properly inform the police of the testing and the police will telephone the alarm holder, or his delegate, each time an alarm signal is received at the central answering point, but the police will not otherwise respond to the alarm signal;

(B) If the testing procedure utilized is to allow an alarm signal to be generated without simulating condition to induce an alarm signal, the police will respond to each alarm signal generated but the alarm holder, or his delegate, shall file with the police within 48 hours of the generated alarm signal, a written statement of each false alarm created, the cause of such false alarm and the procedure utilized to eliminate further false alarms; or

(C) Both of the foregoing testing procedures.

#### **§ 91.03 AUTOMATIC VOICE DIALERS PROHIBITED.**

The installation of any automatic voice dialer to the police or central answering point is prohibited. Alarm holders who, as of September 1, 1989, have been granted permission to have an automatic voice dialer connected to the central answering point shall be allowed to retain such connection. Penalty, see § 91.99

#### **§ 91.04 AUTOMATIC SHUT-OFF REQUIRED.**

All alarm devices and local alarms shall have an automatic shut-off which will deactivate the sound, light or beacon signal of an alarm device or local alarm within one-half hour after the commencement of such sound, light or beacon signal. The police may enter the premises to deactivate such sound, light or beacon signal which has not been shut off within one-half hour of activation of same and which disturbs surrounding residents or premises. Such deactivation by police shall be taken only after reasonable efforts have been made by the police to contact the owner of the local alarm or alarm holder, or his delegate, as the case may be. Neither the police nor the town shall be liable for any damages resulting from such deactivation. Penalty, see § 91.99

**§ 91.05 CONNECTION TO CENTRAL ANSWERING POINT.**

All connections to the central answering point shall be subject to the following:

(A) Permit. No person shall hereafter be authorized to have direct connection to the central answering point for a burglar alarm within the corporate limits of the town, or from financial institutions outside the town limits, without first obtaining a permit from the police.

(1) The permit application shall be on a form prescribed by the police.

(2) All applicants for a permit shall agree as follows:

(a) The applicant and his delegate are solely responsible for the alarm device of the alarm holder, including any liability directly or indirectly connected with the use or non-use of all the alarm devices of the alarm holder;

(b) The applicant shall indemnify, defend and hold free and harmless the Town, the police and the alarm agent from any and all claims, demands, judgments, liabilities, costs or expenses that may arise, directly or indirectly, as a result of any connection to the central answering point.

(c) That neither the town, the police, nor the alarm agent are liable for any costs or expenses of installation, lease, maintenance, service or any other charges or fees for any alarm device or equipment leased or owned by the applicant.

(B) Equipment. All alarm devices hereafter connected to the monitoring equipment shall be compatible with such monitoring equipment and shall conform to the most recent specifications of the American National Standards Institute, or equivalent specifications of an approved rating bureau.

(C) Connection and maintenance fees. The following connection fees shall be chargeable against an alarm holder:

(1) An initial fee of \$90 for each direct connection shall be paid by the alarm holder to the alarm agent at the time of connection to the central answering point. An alarm holder having more than one type of alarm device shall require a separate connection to the central answering point for each alarm device that it to be so connected and, shall require separate permits. Connections in effect as of September 1, 1989 are exempt from this fee.

(2) A monthly maintenance fee shall be paid by the alarm holder to the alarm agent in the amount of \$9, as long as the alarm holder has an alarm device connected to the central answering point.

(3) A fee of \$10 shall be paid by the applicant to the police with each application made for connection of an alarm device to the central answering point.

(D) Testing of equipment. No alarm device connected to the central point shall be tested or demonstrated without first having obtained permission from the Town Marshal or his delegate.

**§ 91.06 DISCONNECTION AND RECONNECTION TO CENTRAL ANSWERING POINT.**

(A) Disconnection. Causes for disconnection from the central answering point are as hereinafter set

out. The alarm holder shall be liable and responsible for all costs, charges and fees arising from a disconnection from the central answering point. Such causes are as follows:

- (1) Failure to pay any fees or charges required herein.
- (2) Twelve false alarms from an alarm device of the alarm holder, transmitted to the monitoring equipment, within any 12-month period.
- (3) Three or more trouble indications from an alarm device of the alarm holder, transmitted to the monitoring equipment, within any 12-month period.
- (4) A continuous transmission to the monitoring equipment of a trouble indicated from an alarm device of the alarm holder for a period of more than 48 hours.
- (5) Failure of the alarm holder to have his portion of the alarm system under a 24-hour basis maintenance agreement with a qualified alarm installer or supplier.
- (6) Violation of division (B) regarding connection to central answering point.

(B) Reconnection. In the event an alarm holder has had his alarm device disconnected from the central answering point for causes set out in division (A) hereof, such alarm device can be reconnected to the central answering point, in accordance with the following:

(1) If any alarm system has been disconnected from the central answering point by reason of division (A)(1) hereof, then upon payment in full of all outstanding fees and charges, the alarm system may be reconnected to the central answering point.

(2) If an alarm system has been disconnected by reason of division (A)(2) or (3) hereof, then the alarm holder must submit a written statement indicated that repairs have been made to correct the problem in the appropriate alarm device and its related paraphernalia. After verification, on behalf of the alarm holder, that the alarm system is properly functioning, the alarm holder may have his alarm device reconnected to the central answering point.

(3) If an alarm device has been disconnected from the central answering point by reason of division (A)(4) hereof, then the alarm holder must submit a written statement indicating the reasons for the false alarms and stating what measures have been taken to prevent or minimize future false alarms. After review of aforesaid statements by the Town Marshal, the alarm device may, in the sole discretion of the Town Marshal, be reconnected to the central answering point.

(4) If an alarm device has been disconnected from the central answering point by reason of division (A)(5) hereof, then upon proof submitted to the police by the alarm holder of the acquisition of an appropriate maintenance agreement by the alarm holder, the alarm device of the alarm holder can be reconnected to the central answering point.

The alarm holder shall be responsible for any cost or charge arising from the reconnection.

(C) Security companies. Alarm holders who are directly or indirectly connected to an alarm security company or other answering service, whose primary purpose is that of notifying the police or fire by telephone of a burglary, attempted burglary, hold-up, robbery, fire, smoke, excess heat, explosion, or other emergency, shall be subject to comply with all sections of this chapter with the exception of the

connection and monthly maintenance fees. Registration shall be required with the central answering point. Information shall include, but not be limited to, names of persons that can be contacted to allow entry into the building and/or to shut of an alarm.

#### **§ 91.07 FALSE ALARM SERVICE CHARGE.**

A service charge for false alarms received at the central answering point shall be payable as follows: Three false alarms shall be allowed each alarm device in any 12-month period. A service charge of \$25 shall be paid by the alarm holder to the police for each of the fourth and fifth false alarms received at the central answering point from each separate alarm device of the alarm holder during any 12-month period, and a service charge of \$50 shall be paid for each false alarm in excess of five false alarms received at the central answering point from the alarm holder's each and separate alarm device during any 12-month period.

#### **§ 91.08 MISUSE OF ALARM SYSTEM.**

It is unlawful for any person to activate an alarm system for any purpose other than what the alarm system was originally designed to detect.  
Penalty, see § 91.99

#### **§ 91.09 RESERVATION OF RIGHTS.**

The town and the police reserve the right, at any time, to discontinue the service of providing monitoring of any and all alarm systems after 30 days' written notice to the alarm holder. The town and the police are under no obligation to supply this special type of service described in this chapter to any person.

#### **§ 91.10 ENFORCEMENT OF ORDINANCE.**

The Town Marshal shall have the responsibility for enforcement of this chapter.

#### **§ 91.11 DISPOSITION OF FEES AND CHARGES.**

Fees paid to file an application for the permit described herein, and all charges relative to false alarms, shall be paid directly to the police. All other fees shall be paid to the alarm agent. All fees paid directly to the police shall be dedicated, cumulatively, for the upgrading of response by the police to burglary, hold-up and robbery alarms. The dedication shall include the acquisition of appropriate equipment and related paraphernalia pertaining thereto. The office of the Clerk-Treasurer of the town shall maintain in its records such dedicated fund on a cumulative basis. The Alarm Board, without further authority, shall be entitled to require expenditures from such dedicated fund as are necessary to implement and carry out the intent of this chapter.

(Ord. 1989-9, passed 10-23-89)

**§ 91.12 APPEALS.**

Any final decision issued by the police, Town Marshal, or Alarm Board may be appealed by the alarm holder, or his delegate, to the Town Council within 30 days after the issuance of such final decision.

**§ 91.99 PENALTY.**

Whoever violates any provisions of this chapter shall be fined not less than \$25 nor more than \$300 for each and every offense, and each day that such offense continues shall be considered a separate and distinct offense.

