

BURGLAR ALARM ORDINANCE

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BURGLAR ALARM ORDINANCE

SECTION 13-31. PURPOSE

(A) The purpose of this Ordinance is to encourage Alarm Users and alarm companies to properly use and maintain the operational effectiveness of Alarm Systems in order to improve the reliability of Alarm Systems and reduce or eliminate false alarms.

(B) This Ordinance governs Alarm Systems intended to summon police response, and requires registration, establishes fees, provides for surcharges for violations, establishes a system of administration, and sets conditions for suspension of police response or revocation of registration.

SECTION 13-32. DEFINITIONS

In this Ordinance the following terms and phrases shall have the following meanings:

(A) **Alarm** means a signal warning of danger, intrusion or a potentially harmful event.

(B) **Alarm Administrator** means a Person or Persons designated by the Town Manager to administer, control and enforce the provisions of this Ordinance.

(C) **Alarm Installation Company** means a Person in the business of selling, providing, maintaining, servicing, repairing, altering, replacing, moving or installing an Alarm System in an Alarm Site.

(D) **Alarm Dispatch Request** means a notification to the Police Department that an alarm, either manual or automatic, has been activated at a particular Alarm Site.

(E) **Alarm Registration** means authorization granted by the Alarm Administrator to an Alarm User to operate an Alarm System.

(F) **Alarm Site** means a single fixed premises or location served by an Alarm System or systems. Each unit, if served by a separate Alarm System in a multi-unit building or complex, shall be considered a separate Alarm Site.

(G) **Alarm System** means a device or series of devices, including, but not limited to, hardwired systems and systems interconnected with a radio frequency method such as cellular or private radio signals, which emit or transmit a remote or local audible, visual or electronic signal indicating an alarm condition and intended to summon the Police Department, and including Local Alarm Systems. Alarm System does not include an alarm installed in a vehicle or on someone's person unless the vehicle or the personal alarm is permanently located at a site.

(H) **Alarm User** means any person occupying or having control over an Alarm Site who (which) has contracted for monitoring, repair, installation or maintenance service from an Alarm Installation Company or Monitoring Company for an Alarm System, or who (which) owns or operates an Alarm System which is not monitored, maintained or repaired under contract.

(I) **Cancellation** means the process where response is terminated when a Monitoring Company (designated by the Alarm User) for the Alarm Site notifies the police department that there is not an existing situation at the Alarm Site requiring police response after an alarm dispatch request.

(J) **Conversion** means the transaction or process by which one Alarm Installation Company or Monitoring Company begins the servicing and/or monitoring of a previously unmonitored Alarm System or an Alarm System previously serviced and/or monitored by another Alarm Company.

(K) **Customer File Alarm Prevention List** means a checklist of important statements, acknowledgements and understandings, as developed from time to time by the Alarm Administrator, to be signed by one Alarm User to help prevent false alarms.

(L) **Duress Alarm** means a silent Alarm System signal generated by the entry of a designated code into an arming station in order to signal that the Alarm User is being forced to turn off the system and requires police response.

(M) **False Alarm** means an alarm dispatch request to the Police Department, when the responding police officer(s) find no evidence of a criminal offense or attempted criminal offense after having completed a timely investigation of the Alarm Site.

(N) **Hearing Officer** means the person designated from time to time by the Glastonbury Town Manager to hear appeals in accordance with Section 10 herein.

(O) **Holdup Alarm** means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress.

(P) **Local Alarm System** means any Alarm System, which is not monitored, that annunciates an alarm only at the Alarm Site.

(Q) **Monitoring** means the process by which a Monitoring Company receives signals from an Alarm System and relays an alarm dispatch request to the Police Department for the purpose of summoning police to the Alarm Site.

(R) **Monitoring Company** means a person(s) in the business of providing monitoring services.

(S) **One Plus Duress Alarm** means the manual activation of a silent alarm signal by entering at an arming station a code that adds one to the last digit of the normal arm/disarm code (e.g., normal code = 1234, One Plus Duress Code = 1235)

(T) **Panic Alarm** means an audible Alarm System signal generated by the manual activation of a device intended to signal a life threatening or emergency situation requiring police response.

(U) **Person** means an individual, corporation, partnership, association, organization or similar entity.

(V) **Police Department** means the Town of Glastonbury Police Department.

(W) **Responder** means an individual capable of reaching the Alarm Site within [20] minutes and having access to the Alarm Site, the code to the Alarm System and the authority to approve repairs to the Alarm System.

(X) **SIA Control Panel Standard CP-01** means the ANSI – American National Standard Institute approved Security Industry Association – SIA CP-01 Control Panel Standard, as may be updated from time to time, that details recommended design features for security system control panels and their associated arming and disarming devices to reduce the incidence of false alarms.

(Y) **Takeover** means the transaction or process by which an Alarm User takes over control of an existing Alarm System, which was previously controlled by another Alarm User.

(Z) **Verify** means an attempt by the Monitoring Company, or its representative, to contact the Alarm Site and/or Alarm User by telephone and/or other electronic means, whether or not actual contact with a person is made, to determine whether an alarm signal is valid before requesting police dispatch, in an attempt to avoid an unnecessary alarm dispatch request. For the purpose of this Ordinance, telephone verification shall require, as a minimum, that a second call be made to a different

number if the first attempt fails to reach an Alarm User who can properly identify themselves to determine whether an alarm signal is valid before requesting police dispatch.

(i) **Zones** means division of devices into which an Alarm System is divided to indicate the general location from which an Alarm System signal is transmitted.

SECTION 13-33 REGISTRATION REQUIRED; APPLICATION; FEE; TRANSFERABILITY; FALSE STATEMENTS

(A) No alarm user shall operate, or cause to be operated, an alarm system at any alarm site without a valid alarm registration. A separate alarm registration is required for each alarm site.

(B) The fee for an alarm registration or an alarm registration renewal is set forth below and shall be paid by the alarm user. No refund of a registration or registration renewal fee will be made. The initial alarm registration fee must be submitted to the alarm administrator within five (5) business days after the alarm system installation or alarm system takeover.

(1) Initial Registration Fee – **\$25.00**

(2) Annual Renewal Fee – **\$10.00**

(C) Upon receipt of a completed alarm registration application form and the alarm registration fee, the alarm administrator shall register the applicant unless the applicant has:

- (1) failed to pay any fees or any surcharge fees assessed under Section 13-37; or
- (2) had an alarm registration for the alarm site suspended or revoked, and the violation causing the suspension or revocation has not been corrected.

(D) Each alarm registration application must include all information requested by the alarm administrator, including, but not limited to:

- (1) the name, complete address (including apt/suite number), email address, if any, and telephone numbers of the person who shall be the registration holder and be responsible for the proper maintenance and operation of the alarm system and payment of fees assessed under this Section;
 - (2) the classification of the alarm site as either residential (includes apartment, condo, mobile home, etc.) or commercial;
 - (3) for each alarm system located at the alarm site, the classification of the alarm system (i.e. burglary, holdup, duress, panic alarms or other) whether such alarm is audible or silent;
 - (4) mailing address, if different from the address of the alarm site;
 - (5) any dangerous or special conditions present at the alarm site;
 - (6) names and telephone numbers of at least two individuals who are able and have agreed to: (a) receive notification of an alarm system activation at any time; (b) respond to the alarm site within twenty (20) minutes at any time; and (c) upon request can grant access to the alarm site and deactivate the alarm system if necessary;
 - (7) type of business conducted at a commercial alarm site;
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- (8) an acknowledgement that police response may be influenced by factors including, but not limited to the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels, etc.

(E) Any knowingly false statement made by an applicant for the purpose of obtaining an alarm registration shall be sufficient cause for refusal to issue a registration.

(F) An alarm registration cannot be transferred to another person or alarm site. An alarm user shall inform the alarm administrator of any change that alters any of the information listed on the alarm registration application within five (5) business days of such change.

(G) All fees and surcharges owed by an applicant must be paid before an alarm registration may be issued or renewed.

SECTION 13-33.1. ALARM REGISTRATION DURATION AND RENEWAL

An alarm registration shall expire on September 30th of each year commencing September 30, 2005, and must be renewed annually by submitting an updated application and a registration renewal fee to the alarm administrator. It is the responsibility of the alarm user to submit a renewal application prior to the registration expiration date. Failure to renew will be classified as use of a non-registered alarm system and fees and surcharges shall be assessed. An additional \$10.00 late fee shall be assessed if the renewal is more than thirty (30) days late.

SECTION 13-34. DUTIES OF THE ALARM USER

(A) An alarm user shall:

- (1) maintain the alarm site and the alarm system in a manner that will minimize or eliminate false alarms;
- (2) make every reasonable effort to have a responder to the alarm system's location within twenty (20) minutes when requested by the police department in order to:
 - (a) deactivate an alarm system;
 - (b) provide access to the alarm site; and/or
 - (c) provide alternative security for the alarm site.
- (3) not activate an alarm system for any reason other than an occurrence of an event that the alarm system was intended to report.

(B) An alarm user shall adjust the mechanism or cause the mechanism to be adjusted so that an alarm signal audible on the exterior of an alarm site will sound for no longer than ten (10) minutes after being activated.

(C) An alarm user shall have an alarm installation company inspect the alarm system after two (2) false alarms in a one (1) year period. The alarm administrator may waive a required inspection if it determines that a false alarm(s) could not have been related to a defect or malfunction in the alarm system. After four (4) false alarms within a one (1) year period, the alarm user must have an alarm installation company modify the alarm system to be more false alarm resistant or provide additional user training as appropriate.

(D) An alarm user shall maintain at each alarm site, a set of written operating instructions for each alarm system.

(E) All alarm users shall agree with their alarm installation company and/or monitoring company to go through an "acclimation period" for the first seven (7) days after installation of an alarm system during which time the alarm installation company and/or monitoring company will have no obligation to and will not respond to any alarm signal from the alarm site and will not make an alarm dispatch request to the police department.

SECTION 13-35. DUTIES OF ALARM INSTALLATION COMPANY AND MONITORING COMPANY

(A) The alarm installation company shall provide written and oral instructions to each of its alarm users in the proper use and operation of their alarm systems. Such instructions will specifically include all instructions necessary to turn the alarm system on and off and to avoid false alarms.

(B) Upon the effective date of this Ordinance, alarm installation companies shall not program alarm systems so that they are capable of sending One Plus duress alarms. Monitoring companies may continue to report One Plus duress alarms received from alarm systems programmed with One Plus duress alarms prior to enactment of this Ordinance. However, upon the effective date of this Ordinance, when a takeover or conversion occurs or if an alarm user requests an alarm system inspection or modification pursuant to Section 13-34(C) of this Ordinance, an alarm installation company must remove the One Plus duress alarm capability from such alarm systems.

(C) Upon the effective date of this Ordinance, alarm installation companies shall not install a device to activate a holdup alarm, which is a single action, non-recessed button.

(D) Ninety (90) days after enactment of this Ordinance, the alarm installation companies shall, on new installations, use only alarm control panel(s) which meet SIA Control Panel Standard CP-01.

(E) After completion of the installation of an alarm system, an alarm installation company employee or representative shall review with the alarm user a Customer False Alarm Prevention Checklist approved by the alarm administrator.

(F) The monitoring company shall not make an alarm dispatch request of the police department in response to a burglar alarm signal, excluding panic, duress and holdup signals, during the first seven (7) days following an alarm system installation. The alarm administrator may grant an alarm user's request for an exemption from this waiting period based upon a determination that special circumstances substantiate the need for the exemption.

(G) A monitoring company shall:

- (1) report alarm signals by using telephone numbers designated by the alarm administrator;
 - (2) Verify every alarm signal, except a duress or holdup alarm activation before requesting a police department response to an alarm system signal;
 - (3) communicate alarm dispatch requests to the police department in a manner and form determined by the alarm administrator;
 - (4) communicate cancellations to the police department in a manner and form determined by the alarm administrator;
 - (5) ensure that all alarm users of alarm systems equipped with a duress, holdup or panic alarm are given adequate training as to the proper use of the duress, holdup or panic alarm;
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- (6) communicate any available information (north, south, front, back, floor, etc.) about the location on all alarm signals related to the alarm dispatch request;
- (7) communicate type of alarm activation (silent or audible, interior or perimeter) ;
- (8) after an alarm dispatch request, promptly advise the police department if the monitoring company knows that the alarm user or the responder is on the way to the alarm site;
- (10) attempt to contact the alarm user or responder within 24 hours via mail, fax, telephone or other electronic means when an alarm dispatch request is made; and
- (11) upon the effective date of this Ordinance, monitoring companies must maintain for a period of at least one (1) year from the date of the alarm dispatch request, records relating to alarm dispatch requests. Records must include the name, address and telephone number of the alarm user, the alarm system zone(s) activated, the time of alarm dispatch request and evidence of attempts to verify. The alarm administrator may request copies of such records for individually named alarm users. If the request is made within sixty (60) days of an alarm dispatch request, the monitoring company shall furnish requested records within three (3) business days of receiving the request. If the records are requested between sixty (60) days to one (1) year after an alarm dispatch request, the Monitoring company shall furnish the requested records within thirty (30) days of receiving the request.

(H) An alarm installation company and/or monitoring company that purchases alarm system accounts from another person shall notify the alarm administrator of such purchase and provide details as may be reasonably requested by the alarm administrator.

SECTION 13-36. DUTIES AND AUTHORITY OF THE ALARM ADMINISTRATOR

(A) The alarm administrator shall:

- (1) designate a manner, form and telephone numbers for the communication of alarm dispatch requests; and
- (2) establish a procedure to accept cancellation of alarm dispatch requests.

(B) The alarm administrator shall establish a procedure to record such information on alarm dispatch requests necessary to permit the alarm administrator to maintain records, including, but not limited to, the information listed below.

- (1) identification of the alarm site;
 - (2) date and time alarm dispatch request was received, including the name of the monitoring company and the monitoring operator name or number;
 - (3) date and time of police department officer arrival at the alarm site;
 - (4) zone and zone description, if available;
 - (5) weather conditions;
 - (6) name of alarm user's representative at alarm site, if any;
 - (7) identification of the responsible alarm installation company or monitoring company;
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- (8) whether a police officer was unable to locate the address of the alarm site; and
- (9) cause of alarm signal, if known.

(C) The alarm administrator shall establish a procedure for the notification to the alarm user of a false alarm. The notice shall include the following information:

- (1) the date and time of law enforcement response to the false alarm;
- (2) the identification number of the responding police officer; and
- (3) a statement urging the alarm user to ensure that the alarm system is properly operated, inspected, and serviced in order to avoid false alarms and resulting fees and surcharges

(D) The alarm administrator may require a conference with an alarm user and the alarm installation company and/or monitoring company responsible for the repair or monitoring of the alarm system to review the circumstances of each false alarm.

(E) The alarm administrator may require an alarm user to remove a holdup alarm that is a single action, non-recessed button, if a false holdup alarm has occurred.

(F) The alarm administrator will make a copy of this Ordinance and/or an Ordinance summary sheet available to the alarm user.

SECTION 13-37. SURCHARGES

(A) An Alarm User shall be subject to surcharges, depending on the number of false alarms within any 12-month period based upon the following schedule:

- (1) False Alarm Surcharges per incident [\(effective 01-01-2006 per amendment\)](#)

No. of False Alarms	Surcharges
1	0
2	0
3	\$75.00
4	\$100.00
5	\$125.00
6 or more	\$200.00

(B) In addition, any person operating a non-registered alarm system will be subject to a surcharge of \$100.00 for each false alarm in addition to any other surcharges. The alarm administrator may waive one-half of this additional Surcharge for a non-registered system if the alarm user submits an application for alarm registration within ten (10) days after of notification of such violation.

(C) If cancellation occurs prior to law enforcement arriving at the scene, this is not a false alarm for the purpose of surcharges, and no surcharges will be assessed.

(D) The alarm installation company shall be assessed a surcharge of \$100.00 if the officer responding to the false alarm determines that an on-site employee of the alarm installation company directly caused the false alarm. In this situation, the false alarm will not be counted against the alarm user.

(E) The monitoring company shall be assessed a surcharge of \$100.00 for each failure to verify alarm system signals as specified in Section 13-35(G)(2).

(F) The alarm installation company shall be issued a surcharge of \$200.00 if the alarm administrator determines that an alarm installation company employee or representative knowingly made a false statement concerning the inspection of an alarm site or the performance of an alarm system.

(G) Notice of the right of appeal under this Ordinance will be included with any surcharges to be assessed.

SECTION 13-38. NOTIFICATION

The alarm administrator or responding police officer shall notify the alarm user in writing after each false alarm. The notification shall include: the surcharge schedule for false alarms; the fact that response may be suspended after the seventh (7th) false alarm, excluding duress, holdup and panic alarms and a description of the appeals procedure available to the alarm user.

The alarm administrator shall provide specific notice to the alarm user and the alarm installation company or monitoring company where a surcharge or suspension of response is to be imposed.

SECTION 13-39. SUSPENSION OF RESPONSE

(A) The alarm administrator may suspend police department response to an alarm site by revoking the alarm registration if it is determined that:

- (1) the alarm user has seven (7) more false alarms in any twelve (12) month period; or
- (2) there is a knowingly false statement in the application for a registration; or
- (3) the alarm user has failed to make payment within thirty (30) days of any fee or surcharge assessed under Section 13-37 or a fee assessed under Section 13-33; or
- (4) the alarm user has failed to submit a written certification from an alarm installation company, that complies with the requirements of this section, stating that the alarm system has been inspected and repaired (if necessary) and/or additional training has been conducted by the alarm installation company.

(B) An **alarm user** commits a violation if he/she operates an alarm system during the period in which the alarm registration is revoked and is subject to enforcement and surcharges set in Sections 13-37 and 13-42. A monitoring company commits a violation if it continues alarm dispatch requests to an alarm site after notification by the alarm administrator that the registration has been revoked.

(C) Unless there is separate indication that there is a crime in progress, the police department will refuse police response to an alarm dispatch request at an alarm site for which the alarm registration is revoked.

(D) If the alarm registration is reinstated pursuant to Section 13-41, the alarm administrator may again suspend law enforcement response to the alarm site by again revoking the alarm registration if it is determined that two (2) false alarms have occurred within ninety (90) days after the reinstatement date.

SECTION 13-40. APPEALS

(A) If the alarm administrator assesses a surcharge or denies or revokes the issuance, renewal or reinstatement of an alarm registration, the alarm administrator shall send written notice of the action and a statement of the right to an appeal to either the affected applicant or alarm user and the alarm installation company and/or monitoring company.

(B) The alarm user, alarm installation company or monitoring company, as the case may be, may appeal an assessment of a surcharge or the non-renewal or revocation of an alarm registration to the alarm administrator by setting forth in writing the reasons for the appeal within fifteen (15) business days after receipt of the assessment of a surcharge or notice of revocation or non-renewal.

(C) The alarm user or the alarm installation company or monitoring company may appeal the decision of the alarm administrator to the Hearing Officer as follows:

- (1) The alarm user, alarm installation company or the monitoring company may file a written request for a review by paying an appeal fee of \$25.00 and setting forth the reasons for the appeal within twenty (20) business days after the date of notification of the decision from the alarm administrator. Appeal fees shall be returned to the appealing alarm user, alarm installation company or monitoring company if the appeal is upheld.
- (2) The Hearing Officer shall conduct a hearing within thirty (30) days of the receipt of the request. The hearing shall be informal in nature. The person requesting the hearing may testify concerning the facts, circumstances and nature of his/her appeal and may present supporting documentation.

The Hearing Officer shall render a written decision within fifteen (15) days of the hearing. The decision will either affirm or reverse the decision of the alarm administrator.

(D) Filing of a request for appeal shall stay the action by the alarm administrator revoking an alarm registration or requiring payment of a surcharge, until the Hearing Officer has completed his review. If a request for appeal is not made within the twenty (20) business day period, the action of the alarm administrator is final.

(E) The alarm administrator or Hearing Officer may adjust the count of false alarms based on:

- (1) Evidence that a false alarm was caused by an Act of God;
- (2) Evidence that a false alarm was caused by action of the telephone company;
- (3) Evidence that a false alarm was caused by a power outage lasting longer than four (4) hours;
- (4) Evidence that the alarm dispatch request was not a false alarm; and/or
- (5) In determining the number of false alarms, multiple alarms occurring in any twenty-four (24) hour period shall be counted as one false alarm; to allow the alarm user time to take corrective action unless the false alarms are directly caused by the alarm user.

SECTION 13-41. REINSTATEMENT

(A) A person whose alarm registration has been revoked may, at the discretion of the alarm administrator or the Hearing Officer, as applicable, have the alarm registration reinstated by the alarm administrator if the person:

- (1) submits a new application and pays a \$50.00 reinstatement fee;
 - (2) pays, or otherwise resolves, all outstanding fees and surcharges; and
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- (3) submits a certification from an alarm installation company, stating that the alarm system has been inspected and repaired (if necessary) by the alarm installation company;

(B) In addition, the alarm administrator may require one or more of the following as a condition to reinstatement:

- (1) proof that an employee or representative of the alarm installation company or monitoring company caused the false alarm;
- (2) upgrade the alarm control panel to meet SIA Control Panel Standard CP-01;
- (3) a written statement from an independent inspector designated by the **alarm administrator** that the alarm system has been inspected and is in good working order;
- (4) confirmation that all motion detectors are “dual technology” type;
- (5) confirmation that the alarm system requires two independent zones to trigger before transmitting an alarm signal to the monitoring company;
- (6) confirmation that the alarm system requires two independent detectors to trigger before transmitting an alarm signal to the monitoring company;
- (7) certification that the monitoring company will not make an alarm dispatch request unless the need for police response is confirmed by a listen-in device;
- (8) certification that the monitoring company will not request an alarm dispatch unless the need for police response is confirmed by a camera device; or
- (9) certification that the monitoring company will not make an alarm dispatch request unless the need for police response is confirmed by a person at the alarm site.

SECTION 13-42. ENFORCEMENT AND PENALTIES

Enforcement of this Ordinance may be by civil action as provided in the Connecticut General Statutes.

SECTION 13-43. CONFIDENTIALITY

In the interest of public safety, all information contained in and gathered through the alarm registration applications and applications for appeals shall be held in confidence by all employees, representatives and agents of the Town of Glastonbury to the extent allowable by applicable state and federal laws.

SECTION 13-44. GOVERNMENT IMMUNITY

Alarm registration is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of police response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By applying for an alarm registration, the alarm user acknowledges that law enforcement response may be influenced by factors such as: the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and prior response history.

SECTION 13-45. SEVERABILITY

The provisions of this Ordinance are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or that the application of any part of the provision to any person or circumstance is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.

