

LOCAL LAW NO. 1 OF 2020

ALARM DEVICES AND SYSTEMS LAW

Section 1: Title.

This local law shall be known as Local Law No. 1 of the Year 2020, a local law adopting regulations for the emergency alarm systems with the Town of Windham.

Section 2: Legislative Intent.

The Town of Windham Recognizes that private emergency alarm systems provide security and promote safety for buildings, structures and persons within the town. However, the Town acknowledges that emergency responses due to repeated false alarms from systems can cause an unnecessary danger and detriment to fire departments, emergency responders as well as the public and general.

Section 3: Definitions.

For the purpose of this Local Law, the following terms shall have the meanings indicated:

- A. ALARM SYSTEM - A device or an assembly of equipment which is designed to detect smoke, abnormal rise in temperature, fire, medical emergency or in entry into or exit from a building, structure or facility and by reason thereof emits an audible response intended to alert persons outside the premises and/or transmit a signal or message to an emergency agency either directly or through private answering point .
- B. EMERGENCY AGENCY - Any fire, police, 911 or other dispatch center or public or private response agency, without regard as to whether such agency is paid or volunteer.
- C. FALSE ALARM - Any signal activated by a police, fire or medical emergency alarm device, devices or system of police, fire or medical emergency alarm devices which is not the result of natural disaster, act of God, criminal act, fire or other emergency, resulting in police, fire or other emergency services or personnel response. The term "False Alarm" shall include human error or equipment malfunction causing the alarm to be activated and which results in the above emergency response.

- D. OWNER: The lawful owner of the premises including the titled owner of the record and any tenant or resident of said premises.

Section 4: Registration

An application for registration of any installation of or modification to an alarm system or purchase or lease of real property where an alarm system currently exists, occurring after the adoption of this local law shall be filed with the Town of Windham Clerk on a form supplied by the Town, together with an application fee of \$25.00 (Twenty Five Dollars) made payable to the Town Clerk. Said application shall set forth the following:

- A. Name, address and telephone number of both the installer of the system and the land owner on whose premises the system will be operated, maintained, monitored, or installed.
- B. The location, (physical address and 911 address), directions from the main responding Fire Department and where on the premises the alarm system is proposed to be installed or the existing location of a system has already been installed prior to the effective date of this law, shall be provided.
- C. The type of emergency that the alarm system is designed to detect.
- D. The name, address and telephone number of at least two (2) person(s) or willing entity(s) who are key holders to the building in which the system is located.
- E. The applicant shall agree that if the person to be notified either refuses to come to the premises upon request of the local Fire Department or police or if the person cannot be reached within a reasonable time by telephone or otherwise, the local Fire Department or police may, contact the installer to disconnect the system, without any liability for any charges as a result of disconnection, or any liability as a result of responding to alarms. The applicant will be notified of the disconnection by registered mail.
- F. A copy of the application shall be sent to the Windham Fire District by the Town.

Section 4: Automatic Cutoff Required.

- A. No person shall install or maintain an external audible alarm device which does not contain an operational automatic cut off system which turns off the external audible alarm after a period not to exceed 15 minutes.
- B. An automatic dialer connected directly to an emergency agency shall automatically disconnect and/or terminate its message after the message has been transmitted a maximum of two times. Notwithstanding the foregoing, however, the total transmission time of all messages shall not exceed 5 minutes.

Section 5: False Alarms.

- A. The owner of the premise to which an emergency agency responds as a result of a False Alarm shall pay a fee for each such response in each calendar year as follows:
 - a. 1ST AND 2ND FALSE ALARM: NO FEE RESPONSE
 - b. 3RD AND 4TH FALSE ALARM: \$100.00 (One Hundred Dollars) EACH RESPONSE
 - c. 5TH AND 6TH FALSE ALARM: \$250.00 (Two Hundred and Fifty Dollars) EACH RESPONSE
 - d. 7TH AND OVER FALSE ALARM: \$500.00 (Five Hundred Dollars) EACH RESPONSE
- B. For addresses where multiple units exist, the fee shall be assessed to the owner of the property of which the primary alarm system panel is located.
- C. The alarm system maintenance/installation company or person responsible for such maintenance/installation who may be determined to be responsible for such False Alarm shall be liable in the same amounts as set forth above.

Section 6: Penalties for Offenses

Any person that does not pay the fee established in this local law or which violates any other provisions of this local law shall be subject to a civil penalty not to exceed \$1,000.00 (One Thousand Dollars) for each offence. A separate offence shall be deemed committed upon each day during which a violation occurs, continues or is permitted.

Section 7: Severability

If any section or provision of this local law or the application thereof to any persons is adjudged invalid, the adjudication shall not affect other sections, clauses or provisions or the application thereof which shall be sustained or given effect without the invalid section, cause or provisions of this local law are declared to be servable.

Section 8: Effective Date

This law shall become effective upon adoption.