

Chapter 107: ALARMS

[HISTORY: Adopted May 1997 ATM by Art. 11 as Ch. 15 of the 1997 Bylaws. Amendments noted where applicable.]

GENERAL REFERENCES

Enforcement and penalties — See Ch. 1, Art. I.

Emergency management — See Ch. 33.

Fire prevention — See Ch. 145.

§ 107-1. Findings.

It is determined that the number of false alarms being made to the Police and Fire Departments hinders the efficiency of those Departments, lowers the morale of Department personnel, constitutes a danger to the general public in the streets during responses to false alarms, and jeopardizes the response of volunteers, and that the adoption of this chapter will reduce the number of false alarms and promote the responsible use of alarm devices in the Town of Chatham.

§ 107-2. Definitions.

The following words, for the purposes of this chapter of these bylaws, shall, unless another meaning is clearly apparent for the way in which the word is used, have the following meanings:

ALARM SYSTEM — Means an assembly of equipment and devices or a single device such as a solid-state unit which plugs directly into a one-hundred-ten-volt AC line, arranged to signal the presence of a hazard requiring urgent attention and to which police and/or fire fighters are expected to respond. Fire alarm systems and alarm systems which monitor temperature, smoke, humidity or any other condition not directly related to the detection of an unauthorized intrusion into a premises or an attempted break at a premises are included.

CONTRACTOR — Means any firm or corporation in the business of supplying and installing alarm devices or serving the same.

FALSE ALARM — Means:

- A. The activation of an alarm system through mechanical failure, malfunction, improper installation or negligence of the user of an alarm system or of his employees or agents.
- B. Any signal or oral communication transmitted to the Police or Fire Department requesting or requiring or resulting in a response on the part of the Police or Fire Department when in fact there has been no unauthorized intrusion, robbery, burglary, attempted threat, or fire or threat of fire, illness, injury or threat of life.
- C. For purpose of this definition, activation of alarm systems by acts of vandals or by acts of God, including but not limited to power outages, hurricanes, tornadoes, earthquakes and similar weather or atmospheric disturbance, shall not be deemed to be a false alarm.

PROTECTION DEVICE — Means an electrically operated instrument composed of sensory apparatus and related hardware which automatically sends over regular telephone lines, by direct connection or otherwise, a prerecorded voice alarm upon receipt of a stimulus from the sensory apparatus that has detected a physical force or condition inherently characteristic of a fire or unauthorized intrusion.

USER — Means the occupant of the premises containing the alarm systems.

§ 107-3. Administrator.

- A. There shall be in the Town an administrator for alarm devices who shall have the powers and duties granted under this chapter.

- B. The Police and Fire Chiefs or their designee shall be the administrator under the direction and control of the Board of Selectmen which is authorized to adopt regulations for the administration of this chapter.

§ 107-4. Alarm Appeal Board.

- A. There shall be in the Town an Alarm Appeal Board which shall have the powers and duties granted to it under this chapter.
- B. The Alarm Appeal Board shall consist of the Board of Selectmen.

§ 107-5. Registration required.

Each alarm user shall register his alarm device or devices with the administrator prior to use, provided that alarm devices in use as of the effective date of this chapter may be registered no later than 60 days from such date.

§ 107-6. Confidential information.

All information in the possession of the administrator, the Police Department or the Fire Department concerning particular alarm users and particular alarm devices shall be confidential and shall not be divulged without the written consent of the alarm user or users concerned.

§ 107-7. Control and curtailment of signals emitted by alarm systems.

- A. Every user shall submit to the Police and/or Fire Chief the names and telephone numbers of at least two other persons who are authorized to respond to an emergency signal transmitted by an alarm system and who can open the premises wherein the alarm system is installed.
- B. All alarm systems installed after the effective date of this chapter using an audible signal shall be equipped with a device that will shut off such signal within 10 minutes after activation of the alarm system.

§ 107-8. Protection devices.

It shall be unlawful to install a protection device that is automatically keyed to and/or activates the telephone (numbers) lines controlled by and/or listed to the Chatham Police or Fire Department.

§ 107-9. Notification and appeal.

- A. False alarm charges.
 - (1) The administrator shall notify the responsible alarm user of any false alarm charge by mail. Within 30 days after the mailing of such notice, the alarm user may file with the administrator information to show that the alarm was not a false alarm within the meaning of this chapter.
 - (2) The administrator shall consider such information, reaffirm or rescind the false alarm charge, and notify the alarm user of his decision by mail. Within 30 days after the mailing of such notice, the alarm user may file with the Alarm Appeal Board an appeal in writing.
- B. Upon receipt of a timely appeal from a false alarm charge, the Alarm Appeal Board shall hold a hearing to consider it and shall mail notice of the time and place of said hearing to the alarm user taking the appeal at his last known address at least 15 days before the hearing. On the basis of information provided by the alarm user and other information introduced at the hearing, the Board shall affirm the charge if it finds that the charge was properly imposed or rescind the charge if the charge was not properly imposed.
- C. Each notice of a false alarm charge or the reaffirmation of such charge by the administrator shall refer to and provide instructions concerning the alarm user's right to further recourse by filing information with the administrator or an appeal with the Alarm Appeal Board, as the case may be.

§ 107-10. Appeal fees.

- A. There shall be a fee of \$10 for each appeal to the Alarm Appeal Board.
- B. The amount of the fee for taking an appeal may be raised or lowered from time to time at the discretion of the Alarm Appeal Board.

§ 107-11. Charges and fees paid into general fund.

Charges for false alarms and appeal fees will be collected by the administrator and deposited in the general fund.

§ 107-12. Town assumes no responsibility for devices.

Notwithstanding the provisions of this chapter, the Town, its departments, officers, agents and employees shall be under no obligation whatsoever concerning the adequacy, operation or maintenance of any alarm device or of the alarm monitoring facilities at police and fire headquarters. No liability whatsoever is assumed for the failure of such alarm devices or for monitoring facilities or for failure to respond to alarms or for any other act or omission in connection with such alarm devices. Each alarm user shall be deemed to hold and save harmless the Town, its departments, officers, agents and employees from liability in connection with the alarm user's alarm device.

§ 107-13. Violations and penalties.

- A. Upon receipt of three or more false alarms within a calendar year, the Police or Fire Chief:
 - (1) May in writing order the user to discontinue the use of the alarm.
 - (2) May disconnect any direct connections to the Police or Fire Department.
 - (3) May order that further connections to the communications console in the police or fire station will be contingent upon the user equipping any alarm system with a device that will shut off any audible signal within 10 minutes after activation of the alarm system.
- B. Any person who performs or causes to be performed any of the following acts shall be subject to the penalty provided for in Chapter 1 of these bylaws, specifically:
 - (1) Intentional causing of a false alarm.
 - (2) Failure to register an alarm device or give notice of changes in registration information as required by this chapter; each day of such failure shall constitute a separate violation.

§ 107-14. Exceptions.

The provisions of this chapter shall not apply to alarm devices on premises owned or controlled by the Town, nor to alarm devices installed in a motor vehicle or trailer.