
ALARM SYSTEM ORDINANCE

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I. PURPOSE

The purpose of this ordinance is to encourage a reduction in the frequency of false alarms; to establish a service fee to compensate for the inappropriate use of municipal resources in response to false alarms; and to establish an annual service fee for every alarm monitored

II. DEFINITIONS

For the purposes of this ordinance, the following words and terms, as used herein, shall have the meaning defined or explained as follows:

Alarm System - A system including any mechanism, equipment or device designed to automatically transmit a signal, message or warning from private premises, including telephonic alarm systems designed to operate automatically through the use of public telephone facilities to the Town of Gorham Public Safety Communications Center; or monitored by other private or public agencies which in turn transmit a signal to the Town of Gorham Public Safety Communications Center.

False Alarm - A false alarm shall be deemed to be an alarm caused by malfunctioning of alarm system, employee or resident error, inappropriate alarm equipment installation, improperly monitored equipment or inappropriate use of an alarm.

Appropriate - With respect to a Chief or Department, means the Fire Department for fire or rescue alarms and the Police Department for alarms of unlawful entry, theft or other criminal activity.

Center - Means the Public Safety Communications Center of the Town of Gorham.

III. PERMIT REQUIRED

No person shall install, operate, maintain, alter, or replace an Alarm System within the Town of Gorham after July 1, 1992 without an effective permit therefore signed by the Chief of the appropriate department.

Registration Form - The Public Safety Department will prepare and distribute to the alarm subscriber annually a registration form that will require specific information necessary for the successful emergency response in the event of an alarm activation. The information contained on this form will include but may not be limited to: that regarding the location and owner of the property; the type of property and any remarkable or dangerous contents; the type of system installed; the installer name, address and phone number; the service company name, address and phone number and emergency notification information. Such forms will be sent to the subscribers during the month of June of each calendar year and must be returned to the Public Safety Department no later than the last day of July of that calendar year.

IV. APPLICATION PROCEDURE

Application for an Alarm System permit shall be made to the appropriate Department by the owner of the premises to be protected, upon forms prepared by the Town of Gorham, accompanied by prepayment of the first annual service fee and tender of an agreement signed by the applicant releasing and discharging the Town of Gorham, it's officers, agents and employees, from any liability arising from the failure of such Alarm System to operate properly, or from any failure to respond to an alarm sent by each System or from any other act or omission by the Town, it's officers agents and employees excepting any knowing and intentional act or omission. The application shall require the full name, telephone number and address of the owner of the premises to be protected, of his designated agent within the Town, and of the proposed installer who must have the capacity to maintain and service such Alarm System from a point within the Greater Portland area; the application shall also require a description of the principal use of the premises to be protected, a description of the proposed system and the location for it's installation, and such other data as the Chiefs may reasonably require in order to assure the use of appropriate equipment and its proper installation. The appropriate Chief shall issue any permit with such conditions as he deems reasonably designed to assure the foregoing objectives, and the Chiefs shall establish procedures and guidelines for processing such applications.

V. SERVICE FEE

The service fee for each newly installed System shall be fixed and may be changed by order of the Town Council and is initially fixed at \$25.00. Such fee shall apply to each Alarm System connected from the same premises or by the same owners, and to any dialer Alarm System programmed to activate the Gorham Public Safety Communications Center telephone. For any Alarm System to be installed after January 1 of the calendar year, the fee shall be one-half the regular fee.

Annual Registration Fee - Upon receipt of the alarm permit or upon receipt of the annual registration form the subscriber will be assessed a registration fee for the administration and maintenance of the alarm registration record. Said registration fee will apply to each property so protected and is initially fixed at \$15.00.

VI. PROHIBITED SYSTEMS

No system shall be permitted which automatically transmits to the Center telephone lines except to a number designated by the permit issued or as otherwise approved by the appropriate Chief. Each alarm shall be reported individually, and no system shall be permitted which uses a constant signal for one type of alarm and a pulsating signal for another.

VII. USE REGULATED

No alarm system shall be placed in operation until its location, equipment and installation have been finally approved by the appropriate Chief as conforming to the terms of the permit and the provisions of this ordinance. Thereafter the appropriate Chief may inspect, or cause the inspection by a qualified person of, any Alarm System to determine that its condition, location and use comply with its permit and this ordinance, and to assure that it will not interfere with the operation of the Center; access shall be permitted to all reasonable hours for such purpose. Any deficiency noted shall be reported to, and promptly corrected by, the owner. Information concerning any Alarm System shall be maintained confidentially, and release of any such information by any person to one not concerned with the maintenance or operation thereof, or the enforcement of this ordinance, shall constitute a violation of this ordinance.

VIII. ALARM RESPONSE

The property owner or his designated agent, as kept on file at the Center, shall respond to each alarm at the request of the appropriate Department for the purpose of securing the premises.

IX. FALSE ALARMS

Any owners of an alarm system whose system causes the transmittal of a false alarm more than two (2) times per fiscal year, after a 30-day start-up period for new installations, shall pay a fee of twenty-five dollars (\$25.00) for each instance of a non-emergency alarm in excess of that number, upon demand by the appropriate Chief; the appropriate Chief shall give suitable written warning to any permit holder, or to his designated agent, whose alarm sends a second non-emergency alarm in any fiscal year. Non-emergency alarms shall include, but shall not be limited to, false alarms caused by malfunctioning equipment, accidental or negligent activation of the alarm, or improperly monitored equipment. In the event an alarm is activated as a result of a natural or unnatural event beyond the property owner's control (i.e., disruption of electrical service due to a storm, motor vehicle accident, and the like), no fee shall be imposed at the direction of the appropriate Chief.

X. PERMIT REVOCATION

The appropriate Chief may revoke the permit for any Alarm System in the event that:

- A. Payment of any fee therefore is not made within thirty (30) days after the due date therefore,
- B. Any deficiency therein reported to the owner is not corrected within a reasonable time,
- C. Such Alarm System persistently causes an excessive number of non-emergency alarms or otherwise persistently interferes with the orderly operation of the Center,
- D. The owner refuses reasonable access for inspection of such system,
- E. Such System is placed in operation without final approval by the appropriate Chief, or
- F. Any data provided in the application of such System is found to have been falsified willfully or through gross negligence of the applicant.

Such revocation shall not be effective until the appropriate Chief has given the permit holder or his designated agent actual notice of the reason therefore and reasonable opportunity to justify the same.

In the event that an alarm has been deactivated after appropriate notice, the Town of Gorham, its officers, agents and employees, are released and discharged from any and all liability arising during this time period.

XI. APPEAL

In the event of the refusal to issue or the revocation of any permit hereunder, the permit holder may appeal to the Town Manager within ten (10) business days after actual notice of such decision is given to the permit holder or his designated agent. The Town Manager may affirm, modify or rescind such decision, and his action thereon shall be final and conclusive without right or further appeal.

XII. CIVIL VIOLATION

In addition to the foregoing grounds for revocation of a permit hereunder, the following events shall each constitute a civil violation, punishable in proceedings before the District Court by a fine not exceeding \$300.00:

- A. The installing, operation, maintenance, alteration or replacement of an Alarm System in the absence of an effective permit therefor signed by the Chief of the appropriate Department;
- B. The falsification of any data provided in an application for an Alarm System, done willfully or through gross negligence;
- C. The release of any information concerning any Alarm System to one not concerned with the maintenance or operation thereon or with the enforcement of this ordinance.