

WESTPORT ALARM ORDINANCE

I. Preamble

It has been 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 Departmental Personnel, is a sound nuisance to neighbors, constitutes a danger to the general public in the streets during responses to false alarms and jeopardizes life and property. This ordinance is intended to reduce the number of false alarms and promote the responsible use of alarm devices in Westport

II. Purpose

(A) The purpose of this ordinance is to encourage security alarm users and alarm businesses (sales, installation, customer service and/or monitoring) to maintain the operational reliability and the proper use of alarm systems in limiting unnecessary police emergency responses to false alarms.

(B) This ordinance governs burglary, robbery and fire systems, requires permits, establishes fees, provides for penalties for violations, establishes a system of administration, and sets conditions for suspension or loss of permit.

III. Definitions

Alarm Administrator means a person or persons designated by the Chief to administer, control and review alarm application, permits and false alarm notifications.

Alarm System means an assembly of equipment and devices, or a single device, arranged to signal the presence of a hazard requiring urgent attention and to which police or fire department personnel are expected to respond. Excluded from this definition are smoke detectors, which do not signal outside the alarmed premises and alarm systems on motor vehicles and boats.

Alarm User means any person, firm or corporation on whose premises any alarm system is maintained.

Automatic Telephone Dialing Alarm means an alarm system, which automatically sends over regular telephone lines a prerecorded voice message or coded signal indicating the existence of the emergency situation the alarm system is designed to detect.

Key-Holder means any person holding by permission of the user, the key or keys necessary to gain ingress to and egress from the site of the alarm system.

Fiscal Year means the twelve-month period beginning July 1 of any year and ending June 30th the following year.

False Alarm means the activation of an alarm system to which the police or fire department responds and which is not caused by a criminal act, fire or other emergency. This does not mean the activation of an alarm by circumstances normally attributed to weather or power outage.

Central Station means an office to which remote alarm devices transmit signals where operators monitor those signals and relay information to the Police and Fire Departments.

Contractor means any person, firm or corporation in the business of supplying and installing alarm devices or servicing the same.

IV. Registration

No person shall install or operate an alarm system within the Town of Westport until a permit authorizing the installation and operation of said alarm system has been issued by the Chief of Police. This permit shall be issued after the explicit requirements of this ordinance are met.

The alarm user shall pay an initial registration fee of ten dollars (\$10.00) and a yearly renewal fee of ten dollars (\$10.00). If, during the preceeding twelve (12) months an alarm user has no false alarms, he/she shall have the ten dollar (\$10.00) fee waived for the following year

Each user of an existing alarm device shall register his/her alarm device with the Chief of Police within sixty (60) days following the effective date of this ordinance. Any alarm system installed after the effective date shall be registered with the Chief of Police within thirty (30) days following installation.

Such registration shall set forth, but not be limited to, the name, address and telephone number of both the Contractor of the system and the alarm user on whose premises the system is installed, as well as a description of the system. Such registration shall also set forth the names, addresses and telephone numbers of key-holders who may gain entry to the premises having the alarm device.

Each central station shall register within thirty (30) days of the effective date of this ordinance with the Chief of Police. Any central station created after the effective date shall register prior to the transmission of any signals to an emergency service.

An alarm permit cannot be transferred to another person. A permit holder shall inform the Alarm Administrator of any change that alters any information listed on the permit application within two business days. No fee will be assessed for such changes, for example sale of home or business.

V. Automatic Dialers

Automatic Dialing devices coming directly into the communications center of the Police Department or Fire Department are prohibited in the Town of Westport.

VI. Exterior audible timing devices

Except as otherwise provided by law, no alarm device which produces an exterior audible sound shall be installed unless its operation is automatically deactivated after no more than fifteen (15) minutes of operation.

Within sixty (60) days from the effective date of this ordinance, pre-existing alarms which produce audible sound shall be retrofitted so that they are automatically deactivated after no more than fifteen (15) minutes of operation.

VII. Auxiliary Power

All alarm systems installed after the effective date of this ordinance shall have their own auxiliary power source, which shall be maintained in working order.

VIII. Penalty for false alarms

It shall be the responsibility of the Police Department to monitor and keep records of the alarms received. In order to discourage false alarms the following schedule shall be set forth. After two false alarms in the course of a fiscal year from a user, a letter will be sent to the user informing the user that any further issuances of false alarms will incur a penalty.

For the third (3) false alarm in the course of a fiscal year the alarm user shall be fined thirty-five dollars (\$35.00)

For the fourth (4) through the sixth (6) false alarm in the course of a fiscal year the alarm user shall be fined fifty dollars (\$50.00) per false alarm.

If the alarm user causes more than six false alarms in the course of a fiscal year, any further false alarms shall warrant a fine of ninety-nine dollars (\$99.00) for each false alarm.

Failure to pay any such charges within thirty (30) days shall constitute a violation of this chapter.

There will be no penalty if such false alarm(s) is caused by power outage or unavoidable acts of nature.

IX. Appeals

Whenever a charge for a false alarm is imposed against the user, said user may within 30 days of imposition appeal the charge by filing a written notice of appeal with the Alarm Administrator. A hearing shall be scheduled within 20 days of receipt of the appeal.

This hearing shall be conducted by a Hearing Officer. Hearing Officers are to be appointed by and to serve at the pleasure of the First Selectman. All hearings shall be conducted in accordance with the provisions of the Connecticut General Statutes, Section 7-152c as amended.

X. Disclaimer

Except as expressly provided herein, the town, its departments, officers, agents and employees shall be under no obligation whatsoever concerning the adequacy, operation or maintenance of any alarm system or of the alarm monitoring facilities. No liability whatsoever is assumed for the failure of such alarm systems or monitoring facilities or for failure to respond to alarms or for any other act or omission in connection with such alarm systems. 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 user's alarm device.

XI. Violations

Any person who performs or causes to be performed any of the following acts shall be subject to a penalty not to exceed ninety-nine dollars (\$99.00) for each such act.

- (a) Failure to register an alarm device as required by this chapter.
- (b) Use of an automatic dial alarm or an exterior audible alarm device in violation of the provisions of this chapter.
- (c) Failure to install or maintain an auxiliary power source as mandated by section VII.
- (d) Failure to make timely payment of fines. This penalty is in addition to the original fine.

XII. Exceptions

The provisions of this chapter shall not apply to alarm devices owned and occupied by the Town or one of its departments or agencies, including the Board of Education, the State of Connecticut or the United States of America, nor to alarm devices installed in motor vehicles or boats.

XIII. Severability

If any part or parts of this chapter are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this chapter.