

Killingly Code of Ordinances

Chapter 11

OFFENSES AND MISCELLANEOUS PROVISIONS

- Art. I. In General
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- Art. III. Adult-Oriented Establishments
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Article IV REGISTRATION OF BURGLAR ALARMS

Section 11-70 Purpose

- a) The purpose of this ordinance is to reduce or eliminate false alarms and improve the reliability of alarm systems by encouraging alarm users and alarm companies to properly use and maintain the operational effectiveness of alarm systems.
- b) A reduction in false alarms will reallocate resources for an increased police presence in the community, thus permitting proactive law enforcement.
- c) This ordinance governs alarm systems intended to summon police response, and requires registration, establishes fees, provides for fines for violations, and establishes a system of administration.

Section 11-71 Definitions

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

- d) **Alarm** means a signal warning of danger, intrusion or a potentially harmful event.
- e) **Alarm Administrator** means a person or persons designated by the Town Manager to administer, control and enforce the provisions of this ordinance.
- f) **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.
- g) **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.
- h) **Alarm Registration** means authorization granted by the Alarm Administrator to an alarm user to operate an alarm system.
- i) **Alarm Site** means a single fixed premise 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.
- j) **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.
- k) **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.
- l) **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.
- m) **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.

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- n) **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.
- o) **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.
- p) **Hearing Officer** means the Hearing Officer shall be appointed by the Town Manager, pursuant to the provisions of Section 1-10 of the Killingly Town Code, Citation for Violations of Ordinances, subsection a.
- q) **Holdup Alarm** means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress.
- r) **Local Alarm System** means any alarm system, which is not monitored, that annunciates an alarm only at the alarm site.
- s) **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.
- t) **Monitoring Company** means a person(s) in the business of providing monitoring services.
- u) **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)
- v) **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. Person means an individual, corporation, partnership, association, organization or similar entity.
- 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.
- aa) **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 11-72 Registration required; application; fee; transferability; false statements

- aa) 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.
- bb) The \$25 fee for an alarm registration shall be paid by the alarm user. No refund of a registration fee will be made. The registration fee must be submitted to the alarm administrator within five (5) business days after the alarm system installation or alarm system takeover. The registration fee will be waived within sixty (60) days of the enactment of this ordinance for current alarm users. Alarm companies will be encouraged to distribute and collect the alarm registration form.
- cc) 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 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;

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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;
 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.
- dd) 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.
- ee) All fees and fines owed by an applicant must be paid before an alarm registration may be issued or renewed.

Section 11-73 Duties of the alarm user

- ff) 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.
- gg) 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.
- hh) 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.
- ii) An alarm user shall maintain at each alarm site, a set of written operating instructions for each alarm system.

Section 11-74 Duties of alarm installation company and monitoring company

- jj) 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.
- kk) 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 4 of this ordinance, an alarm installation company must remove the One Plus duress alarm capability from such alarm systems.
- ll) 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.
- mm) 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.
- nn) 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.
- oo) A monitoring company shall:
1. report alarm signals by using telephone numbers designated by the alarm administrator;
 2. communicate alarm dispatch requests to the police department in a manner and form determined by the alarm administrator;
 3. communicate cancellations to the police department in a manner and form determined by the alarm administrator;

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4. 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;
 5. communicate any available information (north, south, front, back, floor, etc.) about the location on all alarm signals related to the alarm dispatch request;
 6. communicate type of alarm activation (silent or audible, interior or perimeter);
 7. 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;
 8. 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
- pp) 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 11-75 Duties and authority of the alarm administrator

- qq) 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.
- rr) 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;
 8. whether a police officer was unable to locate the address of the alarm site; and
 9. cause of alarm signal, if known.
- ss) 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 fines.
- tt) 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.
- uu) At the alarm administrator's discretion, an alarm user may be required to remove a holdup alarm that is a single action, non-recessed button, if a false holdup alarm has occurred.
- vv) The alarm administrator will make a copy of this ordinance and/or an ordinance summary sheet available to the alarm user.

Section 11- 76 Fines

ww)An alarm user shall be subject to surcharges, depending on the number of false alarms within any calendar year based upon the following schedule:

1. False Alarm Fines per Incident

No. of False Alarms	Fines
1	\$0
2	\$0
3	\$0
4	\$50
5	\$75

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6	\$100
7 or more	\$200

- xx) In addition, any person operating a non-registered alarm system will be subject to a fine of \$100.00 for each false alarm in addition to any other fines. The alarm administrator will waive this additional fine 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.
- yy) If cancellation occurs prior to law enforcement arriving at the scene, this is not considered a false alarm, and no fines will be assessed.
- zz) Notice of the right of appeal under this ordinance will be included with any fines to be assessed.

Section 11-77 Notification

- aaa) The alarm administrator or responding police officer shall notify the alarm user in writing after each false alarm. The notification shall include the fine schedule for false alarms and a description of the appeals procedure available to the alarm user.
- bbb) The alarm administrator shall provide specific notice to the alarm user when a fine is imposed.

Section 11-78 Appeals

Any appeal of a fine assessed by the alarm administration shall be pursuant to the provisions of Section 1-10 of the Killingly Town Code regarding citations for violations of town ordinances.

Section 11-79 Enforcement and penalties

This ordinance shall also be enforced pursuant to the provisions of Section 1-9 and 1-10 of the Killingly Code of Ordinances relative to general penalties and citations for violations of ordinances, and all violations of this ordinance shall, in addition to any penalties set forth herein, be subject to the provisions of Section 1-9 and 1-10 for violations of citations.

Section 11-80 Confidentiality

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

Section 11-81 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 11-82 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. (Ord. of 3-15-05)