

Article XIII. Alarm Systems

November 16, 1991, May 5, 2012

Section 1. Title and Purpose

This bylaw shall be known as the Alarm System Bylaw. The purposes of this bylaw are to encourage alarm users to maintain the operational reliability of their alarm systems, to reduce or eliminate false alarm dispatch requests, to establish a system of regulations and fees with respect to alarm systems, and to provide for penalties for violations of this bylaw.

Section 2. Definitions

For the purposes of this bylaw, certain words and phrases shall be construed as set forth in this article, unless it is clear from the context that a different meaning is intended. As used in this bylaw, the following terms shall have the meanings indicated:

ALARM SYSTEM ADMINISTRATOR: The person designated by the Select Board to administer, control, and review alarm system applications, permits and alarm dispatch requests. Unless otherwise designed, the chief of police shall be the alarm system administrator.

ALARM BUSINESS: The business, by an individual, partnership, cooperation or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, installing or monitoring an Alarm System in an Alarm Site.

ALARM DISPATCH REQUEST: A notification to the police or fire department that an alarm, either manual or automatic, has been activated at a particular Alarm Site.

ALARM SITE: A single premise or location served by an Alarm System or systems. Each tenancy, if served by a separate Alarm System in a multi-tenant building or complex, shall be considered a separate Alarm Site.

ALARM SYSTEMS: An alarm device or services of devices, including, but not limited to, systems interconnected with radio frequency signals, which are designed to detect smoke, heat, and dangerous carbon monoxide levels and also detect entry and discourage crime, by emitting or transmitting a remote or local audible, visual or electronic signal indicating an alarm condition, and automatically dialing the alarm monitoring business, which contact the police or fire department to alert that an emergency exists or that the services of that department are needed. Alarm System does not include:

- a. An alarm installed on a vehicle unless the vehicle is permanently located at the site; or
- b. An alarm designated to alert only the inhabitants of a premise that does not have a sound device which can be heard on the exterior of the Alarm Site.

ALARM SYSTEM USER: Any person, firm, partnership, cooperation or other entity which uses an Alarm System at its Alarm Site.

CHIEF: The chief of police of the Town or the Chief's authorized representative.

CONVERSION: The transaction or process by which one Alarm Business begins Monitoring of an Alarm System previously monitored by another Alarm Business.

FALSE ALARM DISPATCH: An Alarm Dispatch Request to the police or fire department, when the responding officer finds no evidence of a criminal offense or attempted criminal offense or fire/medical emergency after having completed a timely investigation of the Alarm Site. An Alarm Dispatch Request which is canceled by the Alarm Business or the Alarm User PRIOR to the dispatch of the responding department shall not be considered a False Alarm Dispatch.

PERSON: An individual, corporation, partnership, association, organization or other legal entity.

TAKEOVER: The transaction or process by which an Alarm User takes over control of an existing Alarm System which was previously controlled by another.

VERIFY: An attempt by the Alarm Business, or its representative, to contact the Alarm Site by telephone or other electronic means, whether or not actual contact with a Person is made, before requesting a police dispatch, in an attempt to avoid an unnecessary Alarm Dispatch Request.

Section 3. Permit Requirements.

1. No Alarm User shall operate, or cause to be operated, an Alarm System without a valid permit issued in accordance with this bylaw. A separate permit is required for each Alarm Site.
2. The annual fee for a permit or permit renewal for an Alarm Site shall be \$25.00. The annual fee shall not be refunded or pro rated. The permit shall be valid for a calendar year. It is the responsibility of the Alarm User to submit a renewal application prior to the expiration date.
3. The form of the application for issuance of a new permit shall be prescribed by the Alarm System Administrator and shall include the following information:
 - a. The name, address, and telephone number(s) of the person who will be the permit holder and be responsible for the proper maintenance and operation of the Alarm System and the payment of fees assessed under this bylaw.
 - b. Signed certification from the Alarm User and the Alarm Business stating: (i) the date of installation and copy of building permit, Conversion or Takeover of the Alarm System, whichever is applicable;(ii) the name, address, and phone number of the Alarm Business performing the Alarm System installation, Conversion or Alarm System takeover and responsible for providing repair service to the Alarm System ;(iii) the name, address, and phone number of the Alarm Business monitoring the Alarm System if different from the installing Alarm Business;(iv) that a set of written operating instructions for the Alarm System, including written guidelines on how to avoid false alarm, have been left with the Alarm User; and(v) that the Alarm Business has trained the Alarm User in proper use of the Alarm System, including instructions on how to avoid false alarms.

- c. Any false statements of a material matter made by an applicant for the purpose of obtaining an alarm permit shall be sufficient cause for refusal to issue a permit.
 - d. An Alarm Permit can not be transferred to another person. An Alarm User shall inform the Alarm System Administrator of any change that alters any information listed on the permit application within five (5) business days of such change.
4. An application for an Alarm Permit, submitted with the permit fee, shall be processed in a timely fashion by the Alarm System Administrator. The application shall be denied if the applicant has failed to pay any assessed fine for violating this bylaw, or if the applicant has had an Alarm Permit for the Alarm Site suspended or revoked and the violation causing the suspension or revocation has not been corrected, or if the Alarm System does not comply with the standards required by this bylaw, or if the applicant knowingly made any false, misleading or fraudulent statement of a material fact in the application for a permit.
5. All new Alarm System Users of emergency medical or fire alarm systems shall equip the alarmed premises with an approved Knox-Box of sufficient size to hold all pertinent data and provide the Fire Department access to the facility. All Knox-Boxes are to have a red locator centered over them and shall contain a complete set of access keys and a typewritten laminated list of emergency contacts and alarm code. Existing Alarm Systems Users shall install Knox-Boxes within 6 months of the passage of this by-law.

Section 4. Alarm System Operation and Maintenance

1. An Alarm System User shall:
 - a. Maintain the Alarm Site and the Alarm System in a manner that will minimize or eliminate False Alarm Dispatches, and
 - b. Make every reasonable effort to respond or cause a representative to respond to the Alarm Site within ½ hour when notified by the Town to deactivate a malfunctioning Alarm System, to provide access to the Alarm Site, or to provide security for the Alarm Site and
 - c. Not manually activate an alarm for any reason other than an occurrence of an event that the Alarm System was intended to report.
2. An Alarm System 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 fifteen (15) minutes after being activated.
3. An Alarm User shall maintain at each Alarm Site a set of written operating instructions for each Alarm System.
4. If the Alarm System Administrator has reason to believe that an Alarm System is not being used or maintained in a manner that ensures proper operation and suppresses false alarm dispatches, they may require a conference with an Alarm User and the Alarm Business responsible for the repair of the Alarm System to review the circumstances of each false alarm.

Section 5 Monitoring Procedures

1. An Alarm Business performing monitoring service shall:

- a. Report alarm signals by using telephone numbers designated by the Police and Fire Chiefs
 - b. Attempt to verify every alarm signal, except a duress, hold up or fire or medical alarm activation, before requesting a police or fire response to an alarm signal;
 - c. Communicate Alarm Dispatch Requests to the town in a manner and form determined by the Alarm System Administrator;
 - d. Communicate verified cancelations of Alarm Dispatch Requests to the town in a manner and form determined by the Alarm System Administrator;
 - e. Maintain for a period of at least one year following request for police or fire dispatch to an Alarm Site, records relating to the dispatch. Records must include the name, address and phone number of the Alarm User, the Alarm System zone(s) or point(s) activated, the time of the request for police or fire dispatch and evidence that an attempt to verify was made to the Alarm Site prior to the request for police dispatch, and provide the Alarm System Administrator with copies of such records upon request.
2. The Alarm System Administer shall:
- a. Designate a manner, form and telephone numbers for the communication of Alarm Dispatch Requests;
 - b. Develop a procedure to accept verified cancellation of Alarm Dispatch Requests;
 - c. Promulgate such regulations as may be necessary or required to implement this bylaw.

Section 6. Fines

1. An Alarm user shall be subject to fines, warnings and revocation of permit depending on the number of False Alarm Dispatches emitted from an Alarm System within a twelve month period based on the following schedule:

Number of False Alarm Dispatches	Action(s) taken for Police or Fire	Fine
1	Warning	None
2	Fine	\$50/200
3	Fine	\$100/300
4	Suspension	\$100/300
5	Revocation	\$100/300

2. Any person operating an Alarm System without a permit issued in accordance with this by-law shall be subject an additional fine of 100/300

3. An Alarm Dispatch Request caused by an actual detection of smoke, heat, or dangerous carbon monoxide levels or caused by an actual criminal offense, or evidence of a criminal attempt or resulting solely from power outages or extreme weather conditions shall not be counted as a false Alarm Dispatch. This determination shall be made by the police or fire chief or the senior officer at the Alarm Site.

4. The Alarm System Administrator may reinstate suspended permit upon receipt of acceptable evidence that the cause has been addressed and appropriate corrective action has been taken.

5. A person whose alarm permit has been revoked may be issued a new permit if the person:
 - a. Submits an updated application and pays a \$25 permit fee, and
 - b. Pays, or otherwise resolves all outstanding fines and
 - c. Submits a certification from an Alarm Business stating that the Alarm System has been inspected and repaired (if necessary) by the Alarm Business and is in working order.

Section 7. Revocation, Suspension or Loss of Permit

1. In addition to suspension or revocation pursuant to Section 6, the Alarm System Administrator may suspend or revoke an alarm permit if it is determined that:
 - a. there is a false statement of a material matter in the application for a permit;
 - b. the permit holder has failed to make timely payment of a fine assessed under Section 6, or
2. A person commits an offense if he operates an Alarm System during the period in which his permit is suspended or revoked.
3. Unless there is separate indication that there is a crime in progress, the Chief of Police or officer –in –charge may refuse police response to an Alarm Dispatch Request at an Alarm Site for which the alarm permit is revoked.
4. If an alarm permit is reinstated pursuant to Section 6, part 5, the Alarm System Administrator may revoke the alarm permit if it is determined, later, that any of the requirements were not met.
5. If (5) five false alarms are recorded from a fire or emergency medical alarm, the Fire Chief shall determine the extent of repairs and order the system repaired or replaced within fifteen (15) days from the date of his or her order..

Section 8. Appeals

1. If the Alarm System Administrator denies the issuance or renewal of a permit, or suspends, or revokes a permit, he or she shall send written notice of such action and a statement of the right to an appeal to the Alarm User and Alarm Business.

The Alarm User may appeal the decision of the Alarm Administrator to the Select board by filing a written request for a review setting forth the reasons for the appeal within ten (10) days after receipt of the notice from the Alarm System Administrator. An Alarm Business may submit the request for review on behalf of an Alarm User.

Filing of a request for appeal shall stay the action by the Alarm Administrator suspending or revoking a permit until the Select board has completed its review. If a request for appeal is not made within the ten (10) day period, the action of the Alarm System Administrator shall be final.

- a. The Select board shall conduct a hearing and consider the evidence by any interested Person(s). The Board will render a written decision within (30) days after the request for an appeal hearing is filed. The Board shall affirm, reverse, or modify the action of the Alarm System Administrator. The decision of the Board shall be final.

Section 9. General Provisions

1. Except as otherwise required by law, the information furnished and secured pursuant to this bylaw shall be confidential in character and shall not be subject to the public inspection and shall be kept so that the contents thereof shall not be known except to persons charged with the administration of this bylaw.
2. The United States Government, the Commonwealth of Massachusetts, counties, municipal corporations, departments thereof and other governmental entities are exempt from fees required by this bylaw, but must still file an application for a permit.
3. The provisions of this bylaw are separable, and if any article, section or subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.
4. Fire Department shall make entry by Knox Box, or any other means necessary, to determine the nature of the alarm.