

## **Chapter 104. Alarm Systems**

[HISTORY: Adopted by the Legislative Council of the Town of Newtown 9-3-2008. Amendments noted where applicable.]

GENERAL REFERENCES

Noise — See Ch. [170](#).

### **§ 104-1. Purpose.**

#### **A.**

The purpose of this chapter is to encourage alarm users and alarm companies to properly use and maintain the operational effectiveness of alarm systems in order to improve the reliability of alarm systems and reduce or eliminate false alarms in Newtown.

#### **B.**

This chapter governs alarm systems intended to summon law enforcement responses, and requires registration, establishes fees, provides for penalties for violations, establishes a system of administration, and sets conditions for suspension of emergency response or revocation of registration.

### **§ 104-2. Definitions.**

For the purpose of this chapter, the following terms and phrases shall have the following meanings:

#### **ALARM ADMINISTRATOR**

Person or Persons designated by the First Selectman, who shall administer, control and review false alarm reduction efforts and administer the provisions of this chapter.

#### **ALARM DISPATCH REQUEST**

A notification to an emergency communications center that an alarm, either manual or automatic, has been activated at a particular alarm site.

#### **ALARM INSTALLATION COMPANY**

A person in the business of selling, providing, maintaining, servicing, repairing, altering, replacing, moving or installing an alarm system in an alarm site.

#### **ALARM REGISTRATION**

Authorization granted by the alarm administrator to an alarm user to operate an alarm system.

#### **ALARM SIGNAL**

A detectable signal; audible or visual, generated by an alarm system, to which law enforcement is requested to respond.

#### **ALARM SITE**

A single fixed premises or location served by an alarm system or systems. Each unit, if served by a separate alarm system in a multiunit building or complex, shall be considered a separate alarm site.

#### **ALARM SYSTEM**

A device or series of devices, including, but not limited to, hard-wired 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 law enforcement, 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. For the purposes of this ordinance "Alarm System" excludes smoke, fire and CO detectors.

ALARM USER

Any person who has contracted for monitoring, repair, installation or maintenance service from an alarm installation company or monitoring company for an alarm system, or who owns or operates an alarm system which is not monitored, maintained or repaired under contract.

ARMING STATION  
A device that allows control of an alarm system.

AUTOMATIC VOICE DIALER

Any electrical, electronic, mechanical, or other device capable of being programmed to send a prerecorded voice message, when activated, over a telephone line, radio or other communication system, to a law enforcement, public safety or emergency services agency requesting dispatch.

CANCELLATION

The process whereby response is terminated when a monitoring company (designated by the alarm user) for the alarm site notifies the emergency communications center representing the responding law enforcement agency or fire department units that there is not an existing situation at the alarm site requiring law enforcement agency or fire department response after an alarm dispatch request.

FALSE ALARM

An alarm dispatch request for a law enforcement agency response, when the responding law enforcement officer finds no evidence of a criminal offense or attempted criminal offense after having completed a timely investigation of the alarm site; or the activation of an alarm system through mechanical failure, malfunction, improper installation or negligence of the owner or lessee of an alarm system or of his employees or agents; or an alarm dispatch request for a fire department response when responding fire personnel find no evidence of a fire/smoke-related problem(s) after having completed a timely investigation of the alarm site. Notwithstanding the foregoing, a false alarm shall not include an alarm which can reasonable be determined to have been caused or activated by unusually violent conditions of nature nor does it include other extraordinary circumstances not reasonable subject to control by the alarm user.

HOLDUP ALARM

A silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress.

LOCAL ALARM SYSTEM

Any alarm system, which is not monitored, that annunciates an alarm only at the alarm site, and is not monitored by a remote monitoring facility, whether installed by an alarm company or user.

MONITORING

The process by which a monitoring company receives signals from an alarm system and relays an alarm dispatch request to the municipality for the purpose of summoning law enforcement or fire department personnel to the alarm site.

MONITORING COMPANY

A person in the business of providing monitoring services.

PANIC ALARM

An audible alarm system signal generated by the manual activation of a device intended to signal a life-threatening or emergency situation requiring law enforcement response.

PERSON

An individual, corporation, partnership, association, organization or similar entity.

RESPONDER or KEY HOLDER

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.

#### REGISTRATION YEAR

A registration year will consist of July 1<sup>st</sup> through June 30<sup>th</sup> of the following year. Registrations will initially be valid beginning on the day and month on which an alarm registration is issued, continuing through the subsequent June 30<sup>th</sup>.

#### RUNAWAY ALARM

An electronic security alarm system that produces repeated alarm signals that do not appear to be caused by separate human action.

#### SIA CONTROL PANEL STANDARD CP-01

The American National Standard Institute (ANSI) 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 incidents of false alarms. Control panels built and tested to this standard by Underwriters Laboratory (UL), or other nationally recognized testing organizations, will be marked to state: "Design evaluated in accordance with SIA CP-01 Control Panel Standard Features for False Alarm Reduction."

#### SUSPENSION OF RESPONSE

Law enforcement will not respond to an alarm dispatch request from the monitoring company or local alarm system activation. Exception: if a key holder arrives and finds evidence of a forced entry. (Note: At no time does the Town of Newtown or the Newtown Police Department wish any person to put himself or herself in harm's way.)

#### TAKEOVER

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.

#### VERIFY

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 law enforcement dispatch, in an attempt to avoid an unnecessary alarm dispatch request. For the purpose of this chapter, telephone verification shall require, as a minimum, that a second call be made to a different number if the first attempt fails to reach an alarm user who can properly identify himself or herself to determine whether an alarm signal is valid before requesting dispatch.

#### ZONE

A division of devices into which an alarm system is divided to indicate the general location from which an alarm system signal is transmitted.

### § 104-3. Registration required; application; fee; transferability; false statements.

#### A.

No alarm user shall operate, or cause to be operated, an alarm system at its alarm site without a valid alarm registration. If an alarm user has one or more alarm systems protecting two or more separate structures having different addresses and/or tenants, a separate registration shall be required for each structure and/or tenant.

(1)

The registration shall be requested on an application form provided by the Town of Newtown. An alarm user has the duty to obtain and complete an application available from the Police Department in person or on the Police Department website, and submit to the Alarm Administrator with the requested information on or before the application/renewal dead line.

B.

The fee for an alarm registration is set forth below and shall be paid by the alarm user. No refund of a registration or registration renewal fee will be made. The initial alarm registration fee must be submitted to the alarm administrator within five days after the alarm system installation or alarm system takeover. Fees for alarm registration in a given year shall be set forth below. The Alarm Registration Schedule is subject to change upon resolution by the Legislative Council, which may base such changes on recommendations to the Legislative Council from the office of the First Selectman. Current Schedule of registration fees shall be made available to the public at the Police Department or on the Police Department website.

(1)

Registration fee: \$25

(2)

Renewal fee: \$5

(3)

Late fee: \$25

(4)

Reinstatement fee: \$50.

C.

Upon receipt of a completed alarm registration application form and the alarm registration fee, the alarm administrator shall register the applicant unless the applicant has:

(1)

Failed to pay a fine assessed [104-8](#); or

(2)

Had an alarm registration for the alarm site suspended (suspension of service), and the violation causing the suspension has not been corrected.

D.

Each alarm registration application will provide the necessary information required to track dispatch requests and the results thereof as determined by the Alarm Administrator.

E.

Any false statement of a material fact made by an applicant for the purpose of obtaining an alarm registration shall be sufficient cause for refusal to issue a registration.

F.

Transfer and updates of an alarm registration.

(1)

An alarm registration cannot be transferred to another person or alarm site.

(2)

When the possession of the premises at which an alarm system is maintained is transferred, the person (user) obtaining possession of the property shall file an application for an alarm registration within 30 days of obtaining possession of the property.

(3)

Should information provided on the alarm registration application change, the alarm user shall provide correct information to the Alarm Administrator within 30 days of the change.

(4)

In addition, each year after the issuance of the registration, registration holders will receive from the Town of Newtown a form requesting updated information. The registration holder shall complete and return this form to the Town of Newtown whether or not any of the requested information has changed; failure to comply may result in a fine.

G.

All fines and fees owed by an applicant must be paid before an alarm registration may be issued or renewed.

**§ 104-4. Registration duration and annual renewal.**

Alarm registrations must be renewed annually. After the first year, and each year thereafter, the alarm administrator will issue notice of registration renewal, which must be completed and returned within 30 days.

**§ 104-5. Duties of alarm user.**

A.

An alarm user shall:

(1)

Maintain the alarm site and the alarm system in a manner that will minimize or eliminate false alarms;

(2)

Be accountable for a response to the alarm system's location when requested by the emergency communications center representing law enforcement personnel in order to:

(a)

Deactivate an alarm system;

(b)

Provide access to the alarm site; and/or

(3)

Not activate an alarm system for any reason other than an occurrence of an event that the alarm system was intended to report.

B.

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 10 minutes after being activated.

C.

An alarm user shall not use automatic voice dialers.

D.

All alarm users shall agree with their alarm installation company and/or monitoring company to go through an "acclimation period" for the first seven days after installation of an alarm system, during which time the alarm installation company and/or monitoring company will have no obligation to and will not respond to any alarm signal from the alarm site and will not make an alarm dispatch request to law enforcement, even if the alarm signal is the result of an actual alarm event, excluding panic, duress and holdup signals. The alarm administrator may grant an alarm user's request for an exemption from this waiting period based upon a determination that special circumstances substantiate the need for the exemption.

(3)

Be responsible that the alarm site is properly marked with the street name and street number at the roadside entrance and on the building itself. Markings will be a minimum of three-inch lettering in contrasting color to the background and clearly visible from the roadway.

(4)

Be responsible that access to the alarm site shall be free and clear of debris, snow, water, locked gates or fences, etc. allowing safe access to and within the site, including animals on the property to be secured.

(5)

The alarm user understands and accepts that law enforcement or fire department response may be influenced by factors including, but not limited to, the availability of units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels, etc.

**§ 104-6. Duties of alarm installation company and monitoring company.**

A.

Provide current name, address and telephone number of the user or a designee, who can be called in an emergency, 24 hours a day; and contact a key holder or other emergency contact who will respond immediately.

B.

Alarm installation companies shall, on new installations, use only alarm control panels which meet ANSI/SIA Control Panel Standard CP-01.

C.

An alarm installation company shall not use automatic voice dialers.

D.

The monitoring company shall provide a set of written operating instructions for the alarm system, including written guidelines on how to avoid false alarms, has been left with the applicant by the alarm installation company;

E.

The monitoring company shall not make an alarm dispatch request of a law enforcement agency in response to a burglar alarm signal, excluding panic, duress and holdup signals, during the first seven days following an alarm system installation. The alarm administrator may grant an alarm user's request for an exemption from this waiting period based upon a determination that special circumstances substantiate the need for the exemption.

F.

A monitoring company shall:

(1)

Attempt to verify, by calling the alarm site and/or alarm user by telephone, to determine whether an alarm signal is valid before requesting dispatch. Telephone verification shall require, as a minimum, that a second call be made to a different number, if the first attempt fails to reach an alarm user who can properly identify themselves to attempt to determine whether an alarm signal is valid, EXCEPT in the case of a panic robbery-in-progress alarm, or in cases where a crime-in-progress has been verified by video and/or audible means.

(2)

Communicate any available information (north, south, front, back, floor, etc.) about the location on all alarm signals related to the alarm dispatch request;

(3)

Communicate the type of alarm activation (silent or audible, interior or perimeter);

(4)

After an alarm dispatch request, promptly advise the law enforcement agency if the monitoring company knows that the alarm user or the responder is on the way to the alarm site;

**§ 104-7. Duties and authority of alarm administrator.****A.**

The alarm administrator shall establish a procedure to record such information on alarm dispatch requests necessary to registration the alarm administrator to maintain records, including, but not limited to, the information listed below:

**(2)**

Identification of the alarm site;

**(3)**

Date and time alarm dispatch request was received, including the name of the monitoring company and the monitoring operator's name or number;

**(4)**

Date and time of law enforcement officer arrival at the alarm site;

**(5)**

Weather conditions if applicable to the expected response;

**(6)**

Name of alarm user's representative at alarm site, if any;

**(7)**

Cause of alarm signal, if known.

**B.**

The alarm administrator shall establish and implement 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 or response to the false alarm;

**(2)**

The identification number of the responding law enforcement 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.

**C.**

The alarm administrator may require a conference with an alarm user and/or 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.

**D.**

The alarm administrator may require an alarm user to remove a holdup alarm that is a single-action, nonrecessed button, if a false holdup alarm has occurred.

**§ 104-8. Fines.****A.**

An alarm user shall be subject to fines, depending on the number of false alarms within a registration year. Any and all fines not paid in full within 30 days of billing could place the alarm site on a "suspension of response" status. If an alarm user is placed on suspension of response status, once an account is paid in full, the account will be returned to "full response" status. Enforcement of this chapter may be by civil action as provided under municipal law. The following shall be the penalties and fees assessed with this chapter:

**(1)**

Fines for false alarms in a given registration year shall be set forth in the table below. The False Alarm Fine Schedule is subject to change upon resolution by the Legislative Council, which may base such changes on recommendations to the Legislative Council from the office of the First Selectman. Current Schedule of Fines shall be made available to the public at the Police Department.

False Alarm in a given year	Fine (in dollars)
1st	0
2 <sup>nd</sup>	25
3 <sup>rd</sup>	50
4 <sup>th</sup>	50
5 <sup>th</sup>	100
6 <sup>th</sup>	100
7 <sup>th</sup>	100
8 <sup>th</sup>	200
9 <sup>th</sup>	200
10 <sup>th</sup>	250
11 <sup>th</sup>	250
12 <sup>th</sup> and beyond	250

B.

In addition, any person operating an unregistered alarm system will be subject to a fine for each false alarm in addition to any other fines. The alarm administrator may waive this additional fine for an unregistered system if the alarm user submits an application for alarm registration within 10 days after notification of such violation.

(1)

Operation of an unregistered alarm: \$100.

(2)

False alarm caused by an on-site employee: \$50

C.

If cancellation occurs prior to law enforcement arriving at the scene, this is not a false alarm for the purpose of fines, and no fines will be assessed.

D.

The responding officer has the flexibility to determine if the alarm was caused by circumstances outside the alarm users' control and to report a no fault alarm to the alarm administrator. G.

Notice of the right of appeal under this chapter will be included with any fines.

E.

No fees, fines or penalties shall be charged for alarm systems installed in buildings occupied by the Town of Newtown, including the Board of Education, State of Connecticut or the United States of America. Municipal volunteer organizations, which provide emergency services to the Town of Newtown, shall also be exempt from fines, fees and penalties. All Newtown departments and agencies, including the Board of Education, shall be exempt from fines, fees and penalties imposed as a result of false alarms.

F.

All Newtown departments and agencies, including the Board of Education, shall be responsible for adhering to the registration requirements of this chapter. In addition, all Newtown departments and agencies, including the Board of Education, shall be responsible for taking corrective action on false alarms and shall work in cooperation with the alarm administrator in reducing unnecessary false alarms to Town-owned buildings or buildings occupied by Town agencies and departments.



G.

All fees, fines and penalties imposed under this chapter may be issued through invoice or citation.

§ 104-9. Notification.A.

The alarm administrator shall notify the alarm user in writing after each false alarm. The notification shall include the date and time of the response and the amount of the fine for the false alarm, if applicable.

B.

The alarm administrator will notify the alarm user in writing after alarm response has been suspended, the exception being responses to duress, holdup and panic alarms. This notice of suspension will also include the amount of the fine for each false alarm and a description of the appeals procedure available to the alarm user.

§ 104-10. Suspension of response.A.

The Alarm Administrator may suspend law enforcement response to an alarm site by revoking the alarm registration, subject to § 132-10, Subsections A and B, if it is determined that:

(1)

The alarm user has 10 or more false alarms in a twelve-month-calendar-year period; or

(2)

There is a statement of a material fact known to be false in the application for a registration; or

(3)

The alarm user has failed to make timely payment of a fine assessed under § 104-8 or fee assessed under § 104-4.

B.

A person commits an offense if he/she operates an alarm system during the period in which the alarm registration is revoked and is subject to enforcement and penalties set in §§ 104-8 and 104-13.

C.

Before any suspension of response is put in place by the Alarm Administrator, a hearing will be held before the Police Commission. The alarm administrator shall send written notice of the intended action to suspend response and the date for the hearing to either the affected applicant or alarm user. The appropriate party will be provided at least 30 days' notice of the hearing date. A decision will be made by the Police Commission no later than 30 days following the hearing. If the Police Commission approves suspension of response, it will go into effect upon written notification of this decision by registered mail to either the affected applicant or alarm user. Suspension of response will end when the alarm administrator informs the Police Commission that the party in question has taken action to conform to the requirements of this chapter.

D.

If it is found at the hearing that suspension of response to an alarm is warranted, until the party in question has taken action to conform to the requirements of this chapter, the following actions may take place:

(1)

Unless there is separate indication that there is a crime in progress, the Chief of Police or their designee will refuse law enforcement response to an alarm dispatch request at an alarm site for which the alarm registration is suspended.

(2)

In addition to the sanctions outlined in Subsection A, a shift supervisor may temporarily suspend the response of law enforcement personnel to a burglar/intruder alarm dispatch request if, in the opinion of the Police Chief or their designee, the frequency and timing of alarm dispatch requests to the same alarm site indicates that the alarm dispatch request is another false alarm. (e.g., three alarm dispatch requests within a one-hour period of time).

E.

If the alarm registration is reinstated pursuant to § 104-11, the Chief of Police may again suspend law enforcement response to the alarm site by again revoking the alarm registration, if it is determined that two false alarms have occurred within 30 days after the reinstatement date. Before suspension of response can take place, the procedure for a hearing detailed in Subsection C will be followed.

**§ 104-11. Reinstatement.**

A.

An alarm administrator shall reinstate a suspended alarm response should the alarm user meet the alarm administrators requirements for reinstatement which may include;

(1)

Submits a new application and pays a reinstatement fee;

(2)

Pays, or otherwise resolves, all outstanding citations and fines; and

(3)

Submits a certification from an alarm installation company stating that the alarm system has been inspected and repaired (if necessary) by the alarm installation company.

(4)

Proof that an employee of the alarm installation company or monitoring company caused the false alarm;

(5)

Upgrade of the alarm control panel to meet AISC/SIA Control Panel Standard CP-01;

(6)

A written statement from an independent inspector approved by the Alarm Administrator that the alarm system has been inspected and is in good working order;

**§ 104-13. Confidentiality.**

In the interest of public safety, all information contained in and gathered through the alarm registration applications and applications for appeals shall be held in confidence by all employees or representatives of the municipality and by any third-party administrator or employees of a third-party administrator with access to such information.

**§ 104-14. Government immunity.**

An alarm registration is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of a 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 or fire department response may be influenced by factors such as the availability of units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and prior response history.

**§ 104-15. Citations.**

Each violation of this chapter can be considered an infraction and enforceable by citation at the discretion of the alarm administrator. Notwithstanding any language above to the contrary, the maximum fine for all citations issued as infractions under this chapter shall be \$100. Any person fined with a citation under this chapter may appeal that fine to the Town hearing officer following all procedures established for appeals by the Town hearing officer. All fines imposed with a citation will be payable to the Town of Newtown.

**§ 104-16. Appeals procedure.**

**A.**

If a person who is issued a citation does not make an uncontested payment of the fine(s), penalties, costs, or fees due for noncompliance as specified by the citation, to the Town, he or she shall adhere to the procedure in the "Code of the Town of Newtown" § [132-10](#), Appeals procedure, Subsections [B](#) through [E](#).