

AN ORDINANCE TO REGULATE ALARM SYSTEMS IN THE TOWN OF NORWICH

1. AUTHORITY

1.1 This Ordinance is adopted under the provisions of Vermont Statutes Annotated 24 VSA §1971 and §2291(14), (15).

2. CIVIL ORDINANCE

2.1 A violation of this Ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. § 1974a and §1977 et seq. Any law enforcement officer of the Town of Norwich shall be authorized to issue municipal complaints pursuant to this Ordinance.

3. PURPOSE

3.1 Human error and mechanical malfunctions of alarms result in false alarms that emergency services respond to. This requires the unnecessary deployment of personnel and vehicles to non-emergency situations and causes unnecessary expenditure of public funds and risks to emergency responders.

3.2 This ordinance is to encourage responsible use of alarms, including proper maintenance of alarm equipment. The intent of this ordinance is to reduce the number of false alarms, conserve public resources, abate a public nuisance, and enhance the public health, safety, and welfare of the residents of the Town of Norwich.

4. DEFINITIONS.

4.1 For the purpose of this Ordinance, the following definitions will be applicable:

4.2 **Alarm Answering Service:** A telephone answering service which provides the service of receiving emergency signals from alarm systems and thereafter immediately notifying, by live voice or otherwise, the Dispatch Centers that dispatch the Police and Fire Departments.

4.3 **Alarm Installation:** The design, positioning, repair, alteration, maintenance, and operation of alarm systems causing a signal to be sounded in the event of a hazard, intrusion, or the occurrence of an event to which Police or Fire are expected to respond.

4.4 **Alarm System:** Any combination or assembly of equipment and/or electronic devices which, with or without human involvement, is reasonably calculated to notify Police or Fire officials and lead them to believe that there is a situation requiring their immediate attention and response.

4.5 **Alarm System User:** Any person who owns and/or operates an alarm system within the Town of Norwich, except for alarm systems on motor vehicles.

4.6 **False Alarm:** An activation of an alarm system (business or residential) to which Police or Fire respond and find no indication of a situation requiring their immediate attention (robbery,

burglary, attempted robbery or burglary, hazard, intrusion, smoke or heat detection, sprinkler system operation, or trouble alarms).

4.7 Key Lock Box: A small wall-mounted safe that holds building keys to allow entrance to the building by emergency response personnel.

4.8 Local Alarm: Any alarm system not connected to an answering service that is designed to activate an audible and/or visual signaling device at the premises or location where the alarm system is installed.

4.9 Manual Alarm: Any alarm system in which activation of the alarm is initiated by the direct action of the alarm user, his agents, or employees and which is installed with the purpose of eliciting a Police response to a robbery, burglary, or an attempted robbery or burglary, or Fire Department response for known fire or smoke investigations.

5. SECTION 5. ALARM SYSTEM STANDARDS

5.1 Any alarm system required by the Vermont Fire & Building Safety Code shall meet the requirements of the code and operated, maintained and inspected as required by the code.

5.2 Alarm Systems emitting an audible signal shall be manually or automatically shut off within thirty minutes after being activated. Failure to shut off an audible signal within thirty minutes after being activated shall result in the imposition of an Audible Alarm Signal penalty.

6. SECTION 6. KEY LOCK BOX

6.1 All buildings in the Town of Norwich having a Fire Alarm System installed after July 1, 2015 shall be equipped with a Key Lock Box containing a current set of keys capable of opening the building where the Alarm System is located. (This requirement may be waived by the Town Manager upon consultation with the Fire Chief or the Police Chief). No such requirement exists for premises protected by a burglar alarm.

6.2 No Key Lock Box system shall be used, operated, or maintained in the Town of Norwich that is not a KNOX BOX Rapid Entry System manufactured by the Knox Company.

6.3 All Key Lock Boxes shall be installed by the building owner in a location approved by the Norwich Fire Chief or his/her designee.

6.4 Failure to install and maintain a Key Lock Box System as required above shall result in the imposition of a Key Lock Box Violation penalty.

7. FALSE ALARMS

7.1 Upon written notice following any False Alarm, the Fire Chief or the Police Chief, may order that an Alarm System User file a written report within seven days indicating that the Alarm System has been inspected and repaired by a technically qualified person. Failure to obtain the

necessary inspection or to file said written report within the prescribed time shall result in the imposition of a Failure to Report penalty.

8. PENALTIES.

8.1 No penalty shall be imposed against an Alarm System User for the first False Alarm within a twelve-month period. No penalty shall be imposed against an Alarm System User for the second False Alarm within a twelve-month period if, following a first False Alarm, the Alarm System User has submitted a written report in conformance with Section 7. If such a report has not been submitted, the following shall apply:

8.2 The penalty for the second and subsequent offenses for a False Alarm, from a registered alarm system, requiring response by Norwich Fire Department within a twelve-month period shall be \$600.00. The waiver fee shall be established at \$400.00 for the second offense and \$500.00 for the third and subsequent offenses during a twelve-month period.

8.3 The penalty for the second and subsequent offenses for a False Alarm requiring response by the Norwich Police Department within a within a twelve-month period shall be \$250.00. The waiver fee shall be established at \$150.00 for the second offense and \$200.00 for the third and subsequent offenses during a twelve-month period.

8.4 Audible Alarm Signals

8.4.1 The penalty for the first offense for any audible alarm signal that sounds for more than thirty minutes after activation within a twelve month period shall be \$200.00 and the penalty for the second and subsequent offenses shall be \$300.00 for each offense. The waiver fee shall be established at \$100.00 for the first offense and \$150.00 for the second and subsequent offenses.

8.5 Key Lock Box Violation

The penalty for the first offense for a Key Lock Box Violation shall be \$200.00 and the penalty for the second and subsequent offenses shall be \$300.00 for each offense. The waiver fee shall be established at \$100.00 for the first offense and \$200.00 for the second and subsequent offenses

9. PERMISSIBLE FALSE EMERGENCY ALARM ACTIVATION CALLS.

9.1 The owner of any premises served by an alarm system will not be penalized for an emergency alarm call that occurs for the following reasons:

9.1.1 Natural disaster/act of nature (lightning, hurricane, flood, tornado, etc.).

9.1.2 Power outage.

9.1.3 An actual situation which determines that the alarm was set off by some type of criminal activity or actual fire.

9.1.4 Testing purposes in which the alarm is activated by the alarm holder and/or maintenance company, as long as the holder or company has previously notified the Police or Fire Department that the system is being tested; notification of the test after activation will be considered a false alarm under the definition of this Ordinance and will be charged accordingly.

10. TOWN BUILDINGS.

10.1 All Town owned or maintained buildings will be exempt from the service charges.

11. 6. ADMINISTRATION.

11.1 It will be the responsibility of the Police Chief or his/her designee to research, document, maintain, and recommend to the Town Manager billing for false alarms in conformance with this Ordinance that elicits a police response.

11.2 It will be the responsibility of the Fire Chief or his/her designee to research, document, maintain, and recommend to the Town Manager billing for false alarms in conformance with this Ordinance that elicits a fire, including emergency medical services, response.

12. WAIVER.

12.1 The Town Manager may waive the imposition of any fine outlined within this Ordinance for good and sufficient reason.

13. SECTION 10. LIABILITY

13.1 The Town's regulation of Alarm Systems and Key Lock Boxes shall not constitute acceptance by the Town of Norwich for any liability to maintain any equipment, to answer alarms, or to take any action in connection therewith.

14. REPLACEMENT

14.1 This Ordinance supersedes all existing ordinances to regulate false alarms.

15. OTHER LAWS.

15.1 This Ordinance is in addition to all other Ordinances of the Town and all applicable laws of the State of Vermont.

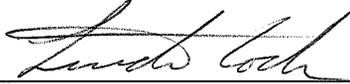
16. SEVERABILITY

16.1 If any section of this Ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance.

17. EFFECTIVE DATE.

17.1 This Ordinance shall become effective 60 days after its adoption by the Town of Norwich Selectboard. If a petition is filed under 24 V.S.A. § 1973, that Statute shall govern the taking effect of this Ordinance.

ADOPTED by the Norwich Selectboard on June 10, 2015.



Selectboard Chair

Effective Date: 8/10/15