

## ORDINANCE #31

### AN ORDINANCE RELATING TO ALARM SYSTEMS

#### Article I

#### Title, Purpose and Definitions

##### SECTION 101. TITLE

This Ordinance shall be known and may be cited as the "Alarm Systems Ordinance of the Town of Winthrop, Maine."

##### SECTION 102. PURPOSE

The purpose of this Ordinance is to establish appropriate guidelines for the installation of alarm systems for notification of the Town of Winthrop's Police Department.

##### SECTION 103. DEFINITIONS

For the purpose of this Ordinance, certain words or terms used herein shall be interpreted or defined as follows:

##### Alarm System:

A system including any mechanism, equipment or device designed to automatically transmit or cause the transmission of a signal, message or warning from a private facility to any of the Town's public alarm systems or to the Communications Center, or to cause the activation of an audible device whose purpose or result is to obtain emergency response by the Winthrop Police Department.

##### Permanently Connected Alarm System:

An alarm system which transmits a signal to the Communications Center or other location by means of a wire or cable connection or radio equipment which is used only or primarily for that purpose.

##### Telephonic Alarm System or "Dialer":

An alarm system which operates automatically through the use of public telephone facilities to connect to a telephone with the Communications Center or other location, said line to be a separate telephone line and to be maintained and be paid for by installer.

Audible Alarm System

An alarm system which causes an audible signal to sound at or near the alarm premises, for the purpose of obtaining emergency response by the Police Department.

Non-Emergency Alarms:

Signals transmitted by an alarm system as a result of human error or equipment malfunction.

ARTICLE II

PERMITS

SECTION 201.

No person shall operate or maintain an alarm system as defined in Article I without first obtaining a permit.

SECTION 202.

The Town Manager shall be authorized to institute such guidelines as he deems desirable for determining the installation procedures for alarm systems.

SECTION 203.

Applications for permits to install, maintain, or operate an alarm system shall be filed with the Town Manager, or his designee, on forms supplied by the Town. Said application shall set forth the name, address, and telephone number of both the installer of the system and the person or business on whose premises the system will be installed, as well as a description of the system and the location where it is proposed to be installed. The application shall also set forth the name, address and telephone number of at least two individuals who have keys or access to the premises and/or alarm equipment. Permits shall be renewed annually on the same form as is used for the original application, and the person applying for renewal shall indicate thereon any changes in the information already supplied.

The application fee shall be fifteen dollars (\$15.00) and the renewal fee for such permit shall be five dollars (\$5.00).

There shall be no application fee or renewal fee for a permit for an audible alarm system.

## SECTION 204.

1. The Town Manager shall approve such application if he finds that said alarm system will not interfere with the orderly conduct of Town business and that the person installing the system maintains an adequate service organization to repair, maintain or otherwise service alarm systems sold, leased or installed by him.
2. The Town Manager may impose other reasonable conditions on the exercise of said permits and shall retain final authority to decide the reasonableness of any other conditions.
3. The Town Manager, or his designee, shall demand any malfunctioning system to be inspected by the system installer, any alarm system on premise where it is intended to function prior to issuance of any permit for operation of such system, and he may inspect or cause an inspection, by the system installer or individuals qualified in alarm systems installation, of such system at anytime after the issuance of a permit to determine whether it is being used in conformity with the terms of the permit and the provisions of this Ordinance.
4. No person shall install, operate, or maintain a telephonic alarm system which automatically transmits or causes transmission of a signal, message or warning to the Town's Communications Center telephone lines, except to such telephone number or numbers as designated by the permit issued under the provisions of this Ordinance. The Town Manager may refuse to issue a permit for such system if in his opinion the existing telephone capacity of the Communications Center is not sufficient to accomodate the new system. No more than six such permits will be issued for each available incoming telephone line at the Communications Center or other reception point. Furthermore, no such system shall be designed or adjusted to make more than two (2) calls per incident to the Communications Center.
5. The Town Manager may revoke any permit issued pursuant to the provisions of this Ordinance, after giving written notice to the permit holder and an opportunity for the permit holder to be heard, if he determines that the alarm system installed pursuant to said permit has been installed, maintained or operated in violation to the provisions of this Ordinance, or of any term or condition of said permit, or for failure to pay any fee specified in Article II.



### ARTICLE III

#### TRANSMISSION OF NON-EMERGENCY ALARMS

##### SECTION 301.

Any permit holder whose system causes the transmission of a non-emergency alarm more than twelve (12) times in any one calendar year, other than testings, shall pay a fine as described in Section 401 for each instance of a non-emergency alarm in excess of twelve (12) such alarms in one calendar year. Multiple alarms in any 24-hour period which are transmitted as a result of the same malfunction may, at the discretion of the Chief of Police, be treated as a single non-emergency transmission.

Any permit holder whose system causes the transmission of two or more non-emergency alarms within a twenty-four hour period, weekends excluded, shall, upon request, immediately obtain competent service or disconnect the system and shall not reconnect it until it has been inspected in accordance with Section 204.3 of this Ordinance.

##### SECTION 303.

If after reasonable effort the Town is unable to locate and notify the permit holder or installer of a system which has transmitted two or more non-emergency alarms within a twenty-four hour period, weekends excluded, the Town shall have the right to disconnect the system from the Communications Center without prior notice to the permit holder. The Town shall make a reasonable effort to notify the permit holder by mail of any action taken under this section.

##### SECTION 304.

Upon receipt of an alarm message or signal from an alarm system for which a permit has been issued under this Ordinance, and subject to the availability of manpower and equipment, the Town will dispatch representatives of the Police Department to the alarm location to take appropriate action. If the premises in which the alarm system is installed appear to be secure and there is no evidence to indicate that there is an emergency situation requiring the presence or action of the Police Department, the Town's obligation to the permit holder shall have been discharged upon the completion of one telephone call to the permit holder, the system installer, or of the individuals named on the permit application, or whichever is appropriate as required in Section 203 of this Ordinance.

ARTICLE IV  
FINES AND PENALTIES

SECTION 401. Fines

Subsequent Non-Emergency Burglary Alarms:

1st.....	\$10.00
2nd.....	\$15.00
3rd.....	\$20.00
4th and subsequent.....	\$25.00

Fire Alarms.....\$100.00

SECTION 402. Penalty

Whoever violates any of the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars (\$100.00).

ARTICLE V  
SAVINGS CLAUSE

SECTION 501.

The invalidity of any provision of this Ordinance shall not affect the validity of any other provision.

ARTICLE VI  
EFFECTIVE DATE

SECTION 601.

This Ordinance shall take effect thirty (30) days after its adoption.

SECTION 602.

The application fees required by Section 203 shall be waived for all permits issued prior to the effective date of this Ordinance.

SECTION 603.

Permit applications for existing alarm systems must be filed within thirty (30) days after the effective date of this Ordinance.

Adopted: August 4, 1980