

## TOWN OF CHICHESTER FALSE ALARM ORDINANCE

### Purpose.

A. Chichester Police and Fire Departments have the responsibility in assuring that emergency alarm calls are answered as promptly and safely as possible. Persons or businesses that have alarm systems place a great deal of confidence in the Departments that any trouble arising at their home or place of business will be handled professionally and efficiently.

B. False alarms can negatively impact the efficiency and safety of these types of calls for service. Numerous false alarms can lead to complacency on the part of the responding officers & fire department members and may put persons found on the premises (at the time of the false alarm) in a precarious situation.

C. The alarm holder, in conjunction with the Police and Fire Departments, have a responsibility to maintain and ensure their alarm system is working properly. Through this Ordinance, the Town of Chichester hopes to address this situation in a manner that will be beneficial to the Police and Fire Departments as well as the community as a whole.

### Definitions.

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

**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 Communications Center of the Police and Fire Departments.

**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 are expected to respond.

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

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

**Direct Dial Tape System:** An alarm system which automatically selects a telephone line connected to the Police Department and reproduces a prerecorded voice message or coded signal indicating the existence of an emergency situation that the alarm system is designed to detect.

**False Alarm:** An activation of an alarm system (business or residential) to which police respond and find no indication of a situation requiring their immediate attention (including, but not limited to, robbery, burglary, attempted robbery or burglary, hazard, intrusion, smoke or heat detection, sprinkler system operation, or trouble alarms).

**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.

**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.

### Registration required:

It shall be the responsibility of the business or homeowner to register their alarm with the police & fire departments.

### Service Charge.

A. The owner of any premises served by an alarm system will be obligated to pay a service charge to the Town of Chichester for all false emergency alarm calls to that premises in excess of the number of such calls permitted by this article.

This service charge shall be calculated as follows:

(1) Police:

- (a) Four through six false alarm calls per calendar year: \$25 per call.
- (b) Six or more calls per calendar year: \$50 per call.

(2) Fire:

- (a) Fourth false alarm per calendar year: \$100
- (b) Fifth false alarm: \$100 plus the cost of responding Fire Department apparatus & members.
- (c) Six or greater: \$200 plus the cost of responding Fire Department apparatus & members.

(B) Said service charge is to be paid within 30 days of billing with payment being made to the Town of Chichester, New Hampshire and submitted to:

(1) Chichester Police Department, 54 Main Street, Chichester, New Hampshire 03258,  
ATTN: Records Clerk.

(2) Chichester Fire Department, 22 Main Street, Chichester, New Hampshire 03258,  
ATTN: Fire Chief.

#### **Permissible False Emergency Alarm Activation Calls.**

A. The owner of any premises served by an alarm system will be permitted the following number of false emergency alarm calls per calendar year prior to the imposition of a service charge:

- (1) False emergency alarm calls to the Police Department: three calls per calendar year.
- (2) False emergency calls to the Fire Department: three calls per calendar year.

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

- (1) Natural disaster/act of nature (lightening, hurricane, flood, tornado, etc.).
- (2) Power outage.
- (3) An actual situation which determines the alarm was set off by some type of criminal activity or actual fire.
- (4) For testing purposes in which the alarm is activated by the alarm holder and/or maintenance company, as long as said holder or company has notified the Police or Fire Department prior to the system being tested; notification of the test after activation will be considered a false alarm under the definition of this article and will be charged accordingly.

#### **Alarm System Maintenance.**

Any residence or business maintaining an alarm system located wholly or in part within the Town of Chichester, will be subject to the following provisions:

- A. Such alarm systems will be maintained in strict conformance to any operating standards that may be, from time to time, promulgated by the Town who has jurisdiction over the premises in which the alarm system is regulated.
- B. All alarm systems will be maintained in conformance with industry and/or manufacturer standards and all local, state, and federal permits and requirements must be met.

#### **Town and Government Buildings.**

All town, state, county, federal and/or government owned or maintained buildings will be exempt from the service charges, fees, and permit requirements imposed in this ordinance. These buildings include, but are not limited to, the Chichester Town Hall, The Chichester Public Library, The Chichester Historical Society, and all school buildings. However, these institutions will comply with all other aspects of this ordinance concerning the operation and maintenance of their alarm systems.

#### **Prohibited Systems.**

The use of direct dialer tape alarm systems, which automatically engage available telephone lines, is prohibited within the Town of Chichester.

#### **Administration.**

A. It will be the responsibility of the Records Clerk of the Police and Fire Departments, respectively, to research, document, maintain, and bill for false alarms in conformance with this article. The Records Clerk will also be responsible for maintaining records of accounts receivable and accounts payable to ensure that the fines imposed are paid in full by the due date specified.

B. It will be the responsibility of the Police and Fire Chiefs to send a warning letter to any resident or business who has accrued the maximum allowable false alarm calls for service. This letter will notify the property owner of this article and of the fact that the property owner will be charged a fee after the next call for service in which the alarm is found to be false in accordance with this Ordinance.

C. A copy of this ordinance will be given, by the Town of Chichester Building Inspector, to any new business owners who apply to operate a business within the Town of Chichester and to new residents seeking to build a new home.

#### **Waiver.**

The Police Chief or Fire Chief may waive the imposition of any fine outlines within this article for good and sufficient reason.

#### **Limitation of Liability.**

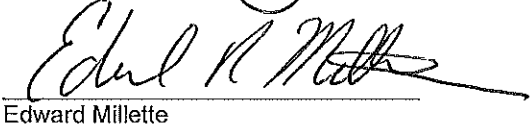
The Police and Fire Departments of the Town of Chichester will make every reasonable effort to ensure that all alarm activations received by the Department are given appropriate attention and are acted upon when dispatched. Nevertheless, the Police and Fire Departments and the Town will not be liable for any defects in the operation of alarm devices, for any failure, or neglect to respond appropriately upon receipt of an alarm from such a defective system, nor failure or neglect of any person in connection with the installation and/or operation of alarm systems or their components. In the event that these Departments find it, necessary to act to prevent the sounding of false alarms, neither the Police or Fire Department nor the Town will be held liable for such action.

If any Section or part of a section or paragraph of this ordinance is declared invalid or unconstitutional, it shall not be held to invalidate, or impair the validity, force or effect of any other sections, or part of a section or paragraph of this ordinance.

EFFECTIVE DATE:

This Ordinance may take effect upon approval by the Board of Selectmen.

  
Richard Bouchard, Chair

  
Edward Millette

  
Stephen MacCleery