

Article 0807-6.5: REGULATION OF PRIVATE ALARM SYSTEMS

AUTHORITY: 24 VSA, § 2291, (14), (15)

- A. Statement of Purpose
- B. Definitions
- C. Prohibited Alarms
- D. False Alarm Procedures, Service Charges, Fees and Collections
- E. Registration of Alarm Systems
- F. Audible On-Site Alarms
- G. Exception
- H. Exemption
- I. Enforcement
- J. Liability of Town
- K. Severability

The Selectboard of the Town of Morristown hereby ordain:

A. Statement of Purpose:

This ordinance is enacted to encourage responsible use by those protected by automatic electronic alarm systems. Responsible use included maintaining equipment so that it is not susceptible to false alarms by system failure. A power outage does not constitute a system failure.

B. Definitions:

1. "Alarm System" shall mean any mechanism or device that is used in a building or premises for the detection of burglary, unauthorized entry, any other criminal activity or fire and which is designed to transmit to any receiving station a signal, message, warning, or other indication of an occurrence requiring a police and/or fire department response.
2. "Alarm System User" shall mean any person, partnership, firm, association, cooperation, corporation, or any other entity in control of any building, structure, premises, or facility wherein an alarm system is installed, operated, or maintained.
3. "Chief" shall mean either the Chief of the Morristown Police Department or the Chief of the Morristown Fire Department.
4. "False Alarm" shall mean any alarm signal eliciting a response by police

and/or fire personnel when the situation requiring such a response does not in fact exist. An alarm signal caused by violent conditions of nature or other extraordinary circumstances beyond the control of the User does not constitute a false alarm.

5. "On-Site Alarm System" shall mean any mechanism or device which, when activated, causes an audible or visual signal to be activated only in or on the premises wherein the system is installed, operated, and/or maintained.
6. "Department" shall mean the Morristown Police Department or the Morristown Fire Department, as appropriate, or any other agency providing public safety services to the Town of Morristown.

C. Prohibited Alarms:

1. It is unlawful to install, operate, or maintain an alarm system that transmits via telephone line directly to the police or fire station a pre-recorded message requesting a response by either of those departments.
2. All those alarms of this nature that were in place on July 3, 1995 shall be exempt from this prohibition, except that no such alarm may be replaced or repaired if it fails.

D. False Alarm Procedure, Service Charges, Fees and Collection:

1. An alarm system user shall be responsible for all false alarms generated by his/her system or devices.
2. The Chief, or designee from the Department affected, shall charge and collect from the alarm system user the following fees for false alarms:
 - a. Each alarm user shall be entitled to one (1) false alarm during a six (6) month period, without being assessed a service fee.
 - b. Six month periods shall begin on January 1 and July 1 of each year.
 - c. Police Department: Second false alarm within the six months shall result in a charge of twenty-five dollars (\$25). Third and subsequent false alarms within the same six months shall result in charge of forty dollars (\$40) each.
 - d. Fire Department: Second false alarm within the six months shall result in a charge of one hundred dollars (\$100). Third and subsequent false alarms within the six months shall result in a charge of two hundred dollars (\$200) each.

3. Appeals: The User shall have the right to appeal to the Chief as to any matter relating to fees and charges. The Chief's decision may be appealed to the Morristown Selectmen, whose decision is final.
4. Payment of Fees and Charges: All fees must be paid within ten (10) days of receipt of notice.

E. Registration of Alarm Systems:

1. Any alarm system user who owns, operates, or maintains an alarm system within the Town of Morristown shall provide to the Chief of each Department, or his/her designee, written information which contains the names, addresses and telephone numbers of the alarm system and at least three (3) persons who can be notified to install, repair or service the alarm system and secure the premises during any hour of the day or night that the alarm might be activated. The alarm system user shall also provide, in writing, full directions to the premises and all other pertinent information regarding the premises. The alarm system user shall promptly notify the Chief, in writing, of any changes in this information. In the event that the alarm system user has contracted with a local service that responds to the scene and takes responsibility for the repair or service of the alarm system, the requirement to designate three persons to respond shall be waived.

F. Audible on-Site Alarms:

Audible on-site alarms, which may be heard in any public place shall be equipped and maintained to shut off automatically no longer than sixty (60) minutes after being activated. All alarms that are not in conformance with this section on the effective date of this ordinance must come into conformance no later than one (1) year after that date.

G. Exception:

Any building owned by the Town of Morristown, the Village of Morrisville, or the Town of Morristown School District shall be exempt from any fees or charges.

H. Exemption:

Under special circumstances, fees assessed under this ordinance may be waived or abated by the Selectboard.

I. Enforcement:

1. Any alarm system user violating any of the provisions of this ordinance, including the failure to pay the service fees designated herein, shall be subject to a fine not to exceed one hundred dollars (\$100) per violation.
2. The Town of Morristown may proceed by a suit in a court of competent jurisdiction to collect the service charge after demand has been made by the Town and the payment thereof has not been remitted.

J. Liability of Town:

The Town's regulation of alarm systems shall not constitute acceptance by the Town of Morristown of any liability to maintain any equipment, to answer alarms, or to take any other action in connection therewith.

K. Severability:

If any section, subsection, or any part thereof, is for any reason held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof.

This ordinance was adopted on July 3, 1995 at a duly warned Selectboard Meeting at the Village Garage on Maple Street in Morrisville. It was posted in the Morristown Town Clerk's Office, the Morristown Post Office, Morrisville Water & Light Department, Palmer's Inc. and the Price Chopper Supermarket. Notice of this ordinance was published in the News & Citizen, the official Town newspaper, the week of July 9, 1995. It will take effect on September 1, 1995 unless a petition signed by at least five percent of the voters of the Town of Morristown is filed with the Town Clerk by August 17, 1995 asking for a vote to disapprove the ordinance. If a petition is received, the Town of Morristown Selectboard will warn a special meeting and the voters may vote on that question.