

## **Trumbull Municipal Code Sec. 14-12. - False alarm abatement.**

(1) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them, except where the context clearly indicates a different meaning:

*Alarm Administrator* means a person or persons designated by the Town to administer, control and review false alarm reduction efforts and administers the provisions of this section.

*Alarm company* means a person or a company engaged in selling, leasing, installing, servicing or monitoring alarm systems; this person shall be licensed in compliance with state laws.

*Alarm permit* means a permit issued by the Town allowing the operation of an alarm system within the Town.

*Alarm signal* means a detectable signal, audible or visual, generated by an alarm system, to which law enforcement is requested to respond.

*Alarm system* means any single device or assembly of equipment designed to signal the occurrence of an illegal or unauthorized entry or other activity requiring immediate attention and to which law enforcement is requested to respond, but does not include motor vehicle or boat alarms, fire alarms, domestic violence alarms, or alarms designed to elicit a medical response.

*Alarm user* means any person, corporation, partnership, proprietorship or any other entity owning, leasing or operating an alarm system, or on whose premises an alarm system is maintained for the protection of such premises.

*Alarm user awareness class* means a class conducted for the purpose of educating alarm users about the responsible use, operation, and maintenance of alarm systems and the problems created by false alarms.

*Authenticate* means 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 attempt 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 section, 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 before requesting law enforcement dispatch.

*Cancellation* means the process where response is terminated when the alarm company (designated by the alarm user) notifies the Trumbull Police Department that there is not an existing situation at the alarm site requiring police response after an alarm dispatch request. If cancellation occurs prior to police arriving at the scene, this is not a false alarm for the purpose of civil penalty, and no penalty will be assessed.

*False alarm* means the activation of an alarm system through mechanical or electronic failure, malfunction, improper installation, or the negligence of the alarm user, his/her employees or agents, and signals activated to summon law enforcement personnel unless law enforcement response was cancelled by the alarm user or his/her agent before law enforcement personnel arrive at the alarm location. An alarm is false within the meaning of this section when, upon inspection by the Trumbull Police Department, evidence indicates that no unauthorized entry, robbery, or other such crime was committed or attempted in or on the premises which would have activated a properly functioning alarm system. Notwithstanding the foregoing, a false alarm shall not include an alarm which can reasonably be determined to have been caused or activated by unusually violent conditions of nature nor does it include other extraordinary circumstances not reasonably subject to control by the alarm user.

*Local alarm* means an alarm system that emits a signal at an alarm site that is audible or visible from the exterior of a structure and is not monitored by a remote monitoring facility, whether installed by an alarm company or user.

*Permit year* means a 12-month period beginning on the day and month on which an alarm permit is issued.

*Runaway alarm* means an alarm system that produces repeated alarm signals that do not appear to be caused by separate human action. The Trumbull Police Department may in its discretion discontinue police responses to alarm signals from what appears to be a runaway alarm.

*SIA Control Panel Standard CP-01* means 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 false alarms. Control panels built and tested to this standard by a nationally recognized testing organization, will be marked to state: "Design evaluated in accordance with SIA CP-01 Control Panel Standard Features for False Alarm Reduction".

*Town* means the Town of Trumbull or its agent.

(2) *Alarm permit.*

(a) *Permit required.* No alarm user as defined in subsection (1) shall use an alarm system without first obtaining a permit for such alarm system from the Town. Each alarm permit shall be assigned a unique permit number, and the user shall provide the permit number to the alarm company.

(b) *Application.* The permit shall be requested on an application form provided by the Town. An alarm user has the duty to obtain an application from the Town.

(c) *Transfer of possession.* When the possession of the premises at which an alarm system is maintained is transferred, the alarm user obtaining possession of the property shall file an application for an alarm permit within sixty (60) days of obtaining possession of the property. Alarm permits are not transferable.

(d) *Reporting updated information.* Whenever the information provided on the alarm permit application changes, the alarm user shall provide correct information to the Town within sixty (60) days of the change. In addition, each year after the issuance of the permit, permit holders will receive from the Town a form requesting updated information. The permit holder shall complete and return this form to the Town when any of the requested information has changed; failure to comply will constitute a violation and may result in a civil penalty.

(e) *Multiple alarm systems.* If an alarm user has one (1) or more alarm systems protecting two (2) or more separate structures having different addresses and/or tenants, a separate permit shall be required for each structure and/or tenant.

(f) *Confidentiality of records.* Any and all records prepared, created and kept by the Town of Trumbull in compliance with the requirements of this section, shall be confidential and exempt from disclosure under the provisions of the Freedom of Information Act under section 1-210 of the General Statutes, including, but not limited to section 1-210(b)(19).

(3) *Duties of the alarm user.*

(a) Maintain the premises and the alarm system in a method that will reduce or eliminate false alarms; and

(b) Provide the alarm company the permit number, (the number must be provided to the communications center by the alarm company to ensure dispatch);

(c) Must respond or cause a representative to respond to the alarm system's location and/or deactivate a malfunctioning alarm within thirty (30) minutes when notified by the police department directly or via the user's monitoring service;

(d) Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report or to perform routine maintenance as prescribed by alarm system provider;

(e) An alarm user must obtain a new permit and pay any associated fees if there is a change in address or ownership of a business or residence.

*(4) Duties of the alarm company.*

(a) Any person engaged in the alarm business in the Town shall comply with the following:

1. Obtain and maintain the required state license(s).

2. Be able to provide name, address, and telephone number of the alarm user or a designee, who can be called in an emergency or to effect repairs twenty-four (24) hours a day.

3. Be able to provide the most current contact information for the alarm user.

(b) Ninety (90) days after enactment of this section the alarm installation companies shall, on all new and upgraded installations, use only alarm control panel(s) which meet SIA Control Panel Standard CP-01.

(c) Prior to activation of the alarm system, the alarm company must provide instructions explaining the proper operation of the alarm system to the alarm user.

(d) Provide written information of how to obtain service from the alarm company for the alarm system.

(e) An alarm company performing monitoring services shall:

1. Attempt to authenticate, 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 or robbery-in-progress alarm, or in cases where a crime-in-progress has been authenticated and confirmed by video and/or audible means.

2. Provide alarm user registration number to the communications center to facilitate dispatch and/or cancellations.

3. Communicate any available information about the alarm.

4. Communicate a cancellation to the law enforcement communications center as soon as possible following a determination that response is unnecessary.

*(5) Prohibited acts.*

(a)It shall be unlawful to activate an alarm system for the purpose of summoning law enforcement when no burglary, robbery, or other crime dangerous to life or property is being committed or attempted on the premises, or otherwise to cause a false alarm.

(b)It shall be unlawful to install, maintain, or use an audible alarm system which can sound continually for more than ten (10) minutes and is deemed to be a runaway alarm as defined under subsection (1) entitled "definitions."

(6)*Enforcement of provisions.* After January 1, 2013, the following enforcement provisions shall apply to this section:

(a)*Failure to register.* Any alarm user as defined in subsection (1) herein, who fails to register their alarm system, will be charged one hundred dollars (\$100.00) for each year said alarm system is not registered. If an alarm user is notified of a failure to register, then in addition to the one hundred dollar (\$100.00) charge provided for herein, the alarm user shall pay fifty dollars (\$50.00) for each false alarm until the alarm system is registered in accordance with the provisions of this section.

(b)*Excessive false alarms.* It is hereby found and determined that three (3) or more false alarms within a permit year from the date of the first violation is excessive, constitutes a public nuisance, and shall be unlawful. Costs for excessive false alarms may be assessed against an alarm user as follows:

Third, fourth, fifth violation .....\$100.00

Sixth, seventh, eighth violation .....\$125.00

Ninth and subsequent violations .....\$150.00

(c)*Cancellation.* If cancellation occurs prior to law enforcement arriving at the scene, this is not a false alarm and no fee will be assessed.

(d)*Multiple activations.* Multiple activations within a twenty-four-hour period may be considered as one (1) false alarm for the purpose of charged fees.

(e)*Payment of fees.* Fees shall be paid within thirty (30) days from the date of the invoice.

(f)*Failure to pay fine.* Any person who fails to pay a fine assessed against them within (30) days from the date of the invoice shall be charged a penalty of one and one-half (1½) percent interest per month together with costs of collection including attorney's fees.

(g)*Alarm awareness class.* Any alarm user who attends the alarm awareness class as referenced in subsection (1) entitled "definitions" will be entitled to have their first false alarm violation fully dismissed and this violation will not be counted for purposes of assessing violations under subsection (6)(b).

(h)*Violations of municipal ordinance.* Any violation of this section which is not specifically addressed under the provisions set forth herein shall be determined under and according to the provisions of section 7-148 et seq. of the General Statutes, entitled "Municipal Powers."

(7)*Appeals process.* Assessments of civil penalty(ies) and other enforcement decisions made under this section may be appealed by filing a written notice of appeal with the Trumbull Police Department within ten (10) days after the date of notification of the assessment of civil fees or other enforcement decision. The failure to give notice of appeal within this time period shall constitute a waiver of the right to contest the assessment of

penalty(ies) or other enforcement decision. Appeals shall be decided through an administrative process established by the Town in accordance with section 7-152c of the General Statutes.

(8)*Confidentiality.* In the interest of public safety, all information contained in and gathered through the alarm registration applications, no response records, applications for appeals and any other alarm records shall be held in confidence by all employees and/or representatives of the Town.

(9)*Governmental immunity and disclaimer.* The provisions of this section do not create a contract, duty or obligation, either expressed, special or implied, upon the Town of Trumbull, Town of Trumbull Police Department, its departments, officers, agents and employees to act and/or respond to any alarm and the doctrine of governmental immunity is retained by the Town of Trumbull, Town of Trumbull Police Department, their departments, officers, agents and employees. By applying for an alarm registration/permit the alarm user acknowledges and agrees that the Town of Trumbull and Town of Trumbull Police Department, their departments, officers, agents and employees have not and do not intend to create any type of special relationship and it is further acknowledged and understood that any response to any alarm by the Town of Trumbull, Town of Trumbull Police Department, their departments, officers, agents and employees may be influenced by factors such as the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and prior response history and other factors.

Further, except as expressly provided herein, the Town of Trumbull, Town of Trumbull Police Department and its departments, officers, agents and employees shall be under no obligation whatsoever concerning the adequacy, operation or maintenance of any alarm system or of the alarm monitoring facilities. No liability whatsoever is assumed for the failure of such alarm systems or monitoring facilities or for failure to respond to alarms or for any other act or omission in connection with such alarm systems. Each alarm user shall be deemed to agree to hold and save harmless and indemnify the Town of Trumbull, Town of Trumbull Police Department, their departments, officers, agents and employees from liability in connection with the user's alarm device.

(10)*Severability.* The provisions of this section are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or that the application of any part of the provision to any person or circumstance is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.

(11)*Exceptions.*

(a)The provisions of this section shall not apply to alarm devices owned and operated by the Town of Trumbull or one (1) of its departments or agencies including the Board of Education, the State of Connecticut or the United States of America, nor to alarm devices installed in motor vehicles or boats, unless said motor vehicles or boats are used as dwellings or businesses.

(b)The department head having control over the building owned by the Town of Trumbull or one (1) of its agencies, the State of Connecticut or the United States Government shall receive notification of false alarms so that corrective measures may be taken to avoid future unnecessary dispatches.

(Res. No. TC24-48, 8-9-12)

**Editor's note—**

The provisions of this section shall take effect on January 1, 2013.