

Sabattus, Maine – Code of Ordinances

ALARM SYSTEM ORDINANCE

Section 1. Purpose

The purpose of this ordinance is to encourage a reduction in the frequency of false alarms; to establish a service fee to compensate for the inappropriate use of municipal resources in response to false alarms; and to establish a list of responsible persons who will be responsible for each individual alarm located within the Town of Sabattus.

This ordinance is intended to provide the Town of Sabattus with rules and regulations to enhance public safety by promoting the control of fire hazards; regulating the use of structures, premises, and open areas; providing for the abatement of fire hazards; and setting forth the standards for compliance and achievement of these objectives.

Section 2. Definitions

For the purposes of this ordinance, the following words and terms, as used herein, shall have the meaning defined or explained as follows:

Alarm system - A system including any mechanism, equipment or device designed to automatically transmit a signal, message or warning from private premises, including telephonic alarm systems designed to operate automatically through the use of public telephone facilities to any Town of Sabattus Public Safety Agency; or monitored by other private or public agencies which in turn transmit a signal to any Town of Sabattus Public Safety Agency.

False Alarm - A false alarm shall be deemed to be an alarm caused by malfunctioning of an alarm system, employee or resident error, inappropriate alarm equipment installation, improperly monitored equipment or inappropriate use of an alarm.

Appropriate - With respect to a Chief or Department, means the Fire Department for fire or rescue alarms and the Police Department for alarms of unlawful entry, theft or other criminal activity.

Center - Means any Public Safety Communications Center of/for the Town of Sabattus.

Section 3. Permit required

No person shall install, operate, maintain, alter, or replace an Alarm system within the Town of Sabattus after July 1, 1997 without an effective permit therefore signed by the Chief of the appropriate department. (No permit fee will be required for pre-existing alarms registered with the Town prior to December 31, 1997). See Town of Sabattus Fee Schedule for current permit fee.

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Registration Form - The Public Safety Department will prepare and make available to the alarm subscriber annually a registration form that will require specific information necessary for a successful emergency response in the event of an alarm activation. The information contained on this form will include but may not be limited to: that regarding the location and owner of the property; the type of property and any remarkable or dangerous contents; the type of system installed; the installer name, address and phone number; the service company name, address and phone number and emergency notification information.

Section 4. Application procedure

Application for an Alarm system permit shall be made to the appropriate Department by the owner of the premises to be protected, upon forms prepared by the Town of Sabattus, signed by the applicant releasing and discharging the Town of Sabattus, it's officers, agents and employees, from any liability arising from the failure of such Alarm system to operate properly, or from any failure to respond to an alarm sent by each System or from any other act or omission by the Town, it's officers agents and employees excepting any knowing and intentional act or omission.

The application shall require the full name, telephone number and address of the owner of the premises to be protected and of at least two responsible persons within the Town who can respond within a reasonable time to reset or deactivate the system, and of the proposed installer who must have the capacity to maintain and service the Alarm system.

A commercial application shall also require a description of the principal use of the premises to be protected, a description of the proposed system and the location for its installation, and such other data as the Chiefs may reasonably require in order to assure the use of appropriate equipment and its proper installation. The appropriate Chief shall issue the permit with such conditions, as s/he deems reasonably necessary to assure the foregoing objectives. The Chiefs shall establish procedures and guidelines for processing such applications.

Section 5. Service fee

The service fee for each newly installed System shall be fixed and may be changed by order of the Board of Selectmen. Such fee shall apply to each alarm system connected to the same premise and to any dialer alarm system programmed to activate any Sabattus Public Safety Agency telephone.

Fees are listed in Town of Sabattus Fee Schedule.

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Section 6. Prohibited systems

No system shall be permitted that automatically transmits to a 911 or other local emergency telephone line. The numbers designated on the approved permit by the appropriate Chief shall be used. Each alarm shall be reported individually, and no system shall be permitted which uses a constant signal for one type of alarm and a pulsating signal for another.

Section 7. Use regulated

No commercial alarm system shall be placed in operation until its location; equipment and installation have been finally approved by the appropriate Chief as conforming to the terms of the permit and the provisions of this ordinance. Thereafter the appropriate Chief may inspect, or cause the inspection by a qualified person of, any commercial alarm system to determine that its condition, location and use comply with its permit and this ordinance, and to assure that it will not interfere with the operation of the Agency; access shall be permitted during all reasonable hours for such purpose. Any deficiency noted shall be reported to, and promptly corrected by, the owner. Information concerning any alarm system shall be maintained confidentially, and release of any such information by any person to one not concerned with the maintenance or operation thereof, or the enforcement of this ordinance, shall constitute a violation of this ordinance. Physical inspection shall not be required for private residential alarm systems.

1. The Fire Chief shall have authority, along with the Code Enforcement Officer, to inspect premises related to compliance with fire prevention and protection codes adopted by the State Commissioner of Public Safety and/or incorporated into the Maine Uniform Building and Energy Code (MUBEC). All decisions related to permits applied for under the Town of Sabattus Zoning Ordinance and MUBEC, as incorporated therein, shall be made by the Code Enforcement Officer and may be appealed in accordance with the Town of Sabattus Zoning Ordinance.

2. The Fire Chief shall have authority, along with the Code Enforcement Officer, to enforce state fire protection rules and the Maine Uniform Building and Energy Code in accordance with 25 M.R.S.A Section 2361.

Section 8. Alarm response

The property owner or his designated agent, as kept on file at the Agency, shall respond to each alarm at the request of the appropriate Department for the purpose of securing the premises and deactivating any audible signal.

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Section 9. False alarms

Any owners of an alarm system whose system causes the transmittal of a false alarm more than two (2) times in a six month period, after a 30-day start-up period for new installations, shall pay a fee in the amount established in Town of Sabattus Fee Schedule for each instance. The appropriate Chief shall give suitable written warning to any permit holder, or to his designated agent, whose alarm sends a second non-emergency alarm in any fiscal year.

Non-emergency alarms shall include, but shall not be limited to, false alarms caused by malfunctioning equipment, accidental or negligent activation of the alarm, or improperly monitored equipment.

In the event an alarm is activated as a result of a natural or unnatural event beyond the property owner's control (i.e., disruption of electrical service due to a storm, motor vehicle accident, and the like), no fee or warning shall be imposed.

Section 10. Permit revocation

The appropriate Chief may revoke the permit for any alarm system in the event that:

- A. Payment of any penalty fee is not made within thirty (30) days after the due date,
- B. Any deficiency reported to the owner is not corrected within a reasonable time,
- C. Such Alarm system persistently causes an excessive number of non-emergency alarms or otherwise persistently interferes with the orderly operation of the Agency,
- D. The owner refuses reasonable access for inspection of such system,
- E. Such System is placed in operation without final approval by the appropriate Chief, or,
- F. Any data provided in the application of such System is found to have been falsified willfully or through negligence of the applicant.

Such revocation shall not be effective until the appropriate Chief has given the permit holder or his designated agent actual notice of the reason therefore and reasonable opportunity to justify the same. In the event that an alarm has been deactivated after appropriate notice, the Town of Sabattus, its officers, agents and employees, are released and discharged from any and all liability arising during this time period.

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Section 11. Appeal

In the event of the refusal to issue or the revocation of any permit hereunder, the permit holder may appeal to the Board of Selectmen within ten (10) business days after actual notice of such decision is given to the permit holder or his designated agent. The Board of Selectmen may affirm, modify or rescind such decision, and their action thereon shall be final and conclusive without right or further appeal.

Section 12. Civil violation

In addition to the foregoing grounds for revocation of a permit, the following events shall each constitute a civil violation, punishable in proceedings before the District Court by a fine as outlined in Town of Sabattus Fee Schedule:

- A. The installing, operation, maintenance, alteration or replacement of an Alarm system in the absence of an effective permit therefore signed by the Chief of the appropriate Department;
- B. The willful or negligent falsification of any data provided in an application for an Alarm system;
- C. The release of any information concerning any Alarm system to one not concerned with the maintenance or operation thereon or with the enforcement of this ordinance.

Accepted:

Original Adoption:

Revision Dates:
