

## CHAPTER 4

### Alarm Systems

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#### § 4180. Definitions and word usage

(a) When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(b) For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein.

(1) 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 a predetermined inimical event to which police are expected to respond.

(2) Alarm system - Any combination or assembly of electronic devices or a single device at a premise or location, designed to transmit to Rutland City dispatch, either directly or through an intermediary, a warning signaling a hazard, intrusion or fire to which police or fire are expected to respond. In this chapter, the term "alarm system" shall apply to all electronic security systems, fire alarm systems, services and alarms defined herein by which police or fire are notified and expected to respond.

(3) Alarm user - Any person who owns and/or operates an alarm system within the City of Rutland, except for alarm systems on motor vehicles.

(4) Answering service - A telephone answering service which provides the service of receiving emergency signals from alarm systems and thereafter immediately relaying the message by live voice to the communications center of the City of Rutland.

(5) Central alarm station - Any facility which is privately owned that owns or leases alarm systems, which facility is staffed by employees who receive, record or validate alarm signals and relay information about such signals to Rutland City dispatch of a predetermined inimical event.

(6) Direct alarm - Any alarm system which is directly connected to the alarm processing unit of the City of Rutland.

(7) False alarm - Any activation of an alarm system to which police or fire respond where an emergency situation does not exist. Such terminology does not include alarms caused by electrical storms, floods, hurricanes or other violent events of nature.

(8) Local alarm - Any alarm system not connected to the City of Rutland alarm monitoring facility or to a private central alarm station or answering service that is designed to activate an audible and/or visual signaling device at the premises or location within which the alarm system is installed.

(9) Manual alarm - Any alarm system in which activation of the alarm is initiated by the direct action of the public, alarm user, their agents or employees and is installed with the purpose of eliciting a response to an emergency situation.

(10) Person - Any natural person, corporation, unincorporated association or other legal entity.

#### § 4181. Regulations

(a) Every alarm user shall provide to the City of Rutland the names and telephone numbers of at least two (2) persons, in addition to the alarm user, who can be reached at any time, day or night, and who are authorized to respond to an emergency signal transmitted by an alarm system.

(b) No alarm system directly connected to the City of Rutland alarm monitoring facility shall be tested, worked on or demonstrated without first notifying the City of Rutland.

(c) Within six (6) months from the effective date of this ordinance, all alarm systems which use an audible horn, siren or other audible device shall be equipped with a device which will terminate such horn, siren or bell or other audible device within fifteen (15) minutes after activation of the alarm system.

(d) A permit number used to identify the origin of the alarm signal shall be assigned by the City of Rutland and applied to the alarm permit at the time of issuance.

(e) No automatic dial alarms. No alarm system shall automatically select a telephone line connected to the City of Rutland alarm monitoring facility which reproduces a prerecorded voice message or coded signal indicating the existence of the emergency situation that the alarm system is designed to detect. No person shall have a self-dialing telephone alarm system connected to his/her telephone which automatically calls the City of Rutland alarm monitoring facility.

(f) All fire alarm systems shall comply with the BOCA Fire Prevention Code, 1987 Edition, together with all 1988 amendments and cumulative supplements hereafter, and the NFPA 101 Life Safety Code, 1988 Edition.

(g) Plans for alarm systems directly connected to the city shall be submitted to the fire or police department for approval prior to any work being done. The city shall have up to ten (10) working days to review plans and issue a permit for the system.

(h) Fire alarm system plans shall include the floor plan with device locations, the wiring riser diagram, the complete equipment list and specifications, and the type of occupancy, usual hazards, or unusual building features.

§ 4182. Permit required; application procedure

(a) Permit required. No person shall operate or have installed an alarm system within the City of Rutland without first acquiring a permit from the city.

(b) Existing alarm systems. Users of alarm systems presently operating shall conform to this ordinance prior to continued operation thereof. The chief of police, fire chief or their designee shall formulate a reasonable period of time not to exceed six (6) months within which users may be expected to comply with established requirements.

(c) Permit application requirements. Upon application to him/her, the chief of police, fire chief or their designee is hereby authorized to issue a permit to an applicant to have installed and to operate within the City of Rutland an alarm system, subject to the following provisions:

(1) Alarm user permit application and installation forms are available at the police or fire department. Alarm users will complete the application form and return it, together with the installation form (to be completed by the installer performing the installation), to the police or fire department before an alarm permit may be issued.

(2) Alarm users are responsible for notifying the police or fire department of any anticipated changes in the design, purpose or termination of any alarm system described in the original application for permit. The standard installation form may be used for this purpose and must be filed with the police or fire department prior to any change taking place.

(d) Any person who shall violate a provision of this section shall be subject to a civil penalty of not less than \$100 nor more than \$500. Each Day that said violation occurs shall be considered a separate offense.

§ 4183. Issuance of permit

(a) The chief of police, fire chief or their designee shall determine whether permit and installation applications conform to the requirements of this ordinance.

(b) The chief of police, fire chief or their designee, upon receipt of the permit fee required and upon compliance by the applicant with this ordinance, shall issue a permit to have installed and/or to operate the proposed alarm system.

(c) Alarm users to whom a permit has been issued shall keep said permit within the protected premises/location for which the permit was issued. Any alarm permit issued under this ordinance shall be made available for inspection upon demand of any authorized Rutland City representative.

§ 4184. Types of permit; fees; exemptions

(a) A residential permit shall include all private dwellings, summer (vacation) residences, individual apartments, rental property or condominium units occupied by the applicant, for which the applicant shall pay the City of Rutland a permit fee of twenty-five dollars (\$25.00).

(b) A commercial permit shall include all businesses, corporations, or unincorporated associations, for which the applicant will pay to the City of Rutland a permit fee of seventy-five dollars (\$75.00).

(c) A separate commercial permit shall be required for each alarm system owned or leased by a business, corporation, incorporated association or other legal entity which exists at a separate premises/location.

(d) A new permit shall be required upon the change of ownership or upon a new installation of an alarm system.

(e) All alarms directly connected to the city will pay an annual fee of one hundred fifty dollars (\$150.00). The fee will be billed by the city treasurer's office. If not paid within thirty (30) days it will become a general bill of the city and collected like all general bills. **Any fees collected pursuant to this subsection shall be deposited into the fire equipment fund.** (Amended 2-10-2017)

(f) All federal, state, county, local government and other agencies as approved by the board of aldermen shall be exempt from permit fees and service charges. However, they shall comply with all other requests of the chief of police or his/her designee as shall concern the operation of their alarm systems.

(g) All persons sixty-five (65) years of age or older who are the principal occupants of the private residence listed on the permit application shall be exempt from permit fees but shall comply with all other requirements of this ordinance.

§ 4185. Excessive false alarms

(a) Excessive false alarms shall mean more than two (2) false alarms from the same alarm system within a calendar year.

(b) Any alarm user having an alarm system on his/her premises/location who fails to obtain an alarm user's permit shall be charged twenty-five dollars (\$25.00) for each alarm that the police or fire respond to.

(c) Any alarm user having an alarm system on his/her premises/location and any user of alarm services or equipment designed and installed with the intent of eliciting a police or fire response shall pay to the City of Rutland a charge for each and every false alarm to which the police or fire respond in each calendar year as follows:

(1) After two (2) false alarms in a calendar year, where such false alarms result in a response by the police or fire department, the alarm user shall be assessed a service charge of fifty dollars (\$50.00) for the first excessive false alarm, one hundred dollars (\$100.00) for the second excessive false alarm and an additional one hundred dollars (\$100.00) for each excessive false alarm thereafter.

(2) Any person, firm, or corporation who fails to pay false-alarm service charges within thirty (30) calendar days from the date of receipt shall be subject to a civil penalty of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) for each violation in addition to the service charge assessed. Each day of such violation of this provision shall be deemed a separate offense.

§ 4186. Limitation on liability of city

(a) The City of Rutland shall take every reasonable precaution to assure that the alarm signals and prerecorded alarm messages received by the City of Rutland are given appropriate attention and are acted upon with dispatch. Nevertheless, the city shall not be liable for any defects in operation of alarm devices, for any failure or neglect to respond appropriately upon receipt of an alarm from such a defective system nor for failure or neglect of any person in connection with the installation and operation of alarm systems or their components or the transmission of alarm signals and messages. In the event that the city finds it necessary to require users to cease transmitting signals from alarm systems not conforming to this chapter or act to prevent the sounding of false alarms, the city shall not be held liable for such action.

(b) The provisions of subsection (a) will be prominently displayed on all permits.