

Chapter 113 of Town Code: ALARMS

[HISTORY: Adopted by the Town Board of the Town of Guilderland 3-6-1984 by L.L. No. 4-1984 (Subpart 18 of the 1974 Code). Amendments noted where applicable.]

Section 113-1 Title.

This chapter shall be known and may be cited as the "Emergency Alarm System Law of the Town of Guilderland."

Section 113-2 Purpose.

This chapter is to promote the health, safety and general welfare of the people of the Town of Guilderland, New York, including the protection of the property of the town and its inhabitants, by imposing regulations on the sales, installation and maintenance of burglar, fire and other alarms in the Town of Guilderland.

Section 113-3 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ALARM SUPPLIER — Any person or party who manufactures, constructs, supplies, installs, maintains or otherwise prepares emergency alarms to be installed anywhere in the Town of Guilderland.

EMERGENCY ALARM — Any alarm system designed to send a signal, recorded or otherwise, which terminates in any manner at the Police Department of the Town of Guilderland, or any alarm system designed to emit an audible exterior signal at the scene of the installation.

FALSE ALARM — A signal emitted by an emergency alarm, which signal results in an actual communication to or with the Police Department, which communication falsely indicates that there is or has been a fire, burglary, intrusion or other emergency at a premises in the Town of Guilderland. A false alarm does not include signals emitted by an emergency alarm caused by or as a result of circumstances such as storms or acts of God beyond the control of the emergency alarm user. [Added 2-14-1989 by L.L. No. 1-1989]

Section 113-4 License required; installation of alarms; fees; penalties.

- A. No alarm supplier shall be permitted to do business in the Town of Guilderland without first being licensed to do so by said town.
- B. The annual fee for such alarm supplier license shall be as set by resolution of the Town Board from time to time.
- C. Prior to installation of any emergency alarm in the Town of Guilderland, an application shall be submitted to and approved by the Chief of Police of the Town of Guilderland or his designee. A

one-time fee as set by resolution of the Town Board from time to time shall accompany the application.

- D. Each and every subscriber or dealer shall furnish the Police Department of the Town of Guilderland with sufficient information to allow completion of the Emergency Card For Premises Which Has an Alarm System.
- E. Any person or persons, associations or corporations failing to submit the application required in Subsection C herein and obtaining the required approval thereof is guilty of a violation and shall, upon conviction thereof, be subject to a penalty as set forth in Chapter 1, General Provisions, Article III. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

Section 113-5 Fees. Editor's Note: See Ch. A285, Fees.

- A. An annual fee as set by resolution of the Town Board from time to time shall be charged by the Town of Guilderland for each and every alarm system which terminates directly at the Police Department, either at a module in the alarm board or, in the case of a dialer, to a number assigned for the dialer by the Police Department.
- B. The fee required herein shall be paid annually, in advance, on or before January 1 of each year. Any system for which the Town of Guilderland has not received the annual fee on or before January 20 of the applicable year shall be disconnected at the Police Department terminal and a penalty fee as set by resolution of the Town Board from time to time, plus the yearly fee, shall be due before the terminal will be reconnected.

Section 113-6 Maintenance.

Each and every emergency alarm in the Town of Guilderland shall be properly maintained by personnel licensed by the town pursuant to § 113-4 of this chapter.

Section 113-7 Rules and regulations; violations.

The Chief of Police shall have the authority to promulgate rules and regulations governing the operations, testing and maintenance of each alarm system. The penalty for violation of said rules and regulations shall be suspension or revocation of the applicant's license.

Section 113-8 False alarms; penalties; revocation of license; notice. [Amended 2-14-1989 by L.L. No. 1-1989]

- A. Penalties as set forth herein may be imposed against the person, corporation or other entity which emits a false alarm.
- B. The penalties for false alarms which may be imposed against any person, corporation or other entity for the occurrence of false alarms caused by such emergency alarm user's or subscriber's emergency alarm are as follows:
 - (1) A civil fine not exceeding \$50 for the first such false alarm.
 - (2) A civil fine not exceeding \$100 for the second such false alarm committed within the same calendar year.
 - (3) A civil fine not exceeding \$250 for the third and subsequent false alarms committed within the same calendar year.
- C. The Chief of Police may revoke a license issued pursuant to this chapter upon the occurrence of the fourth false alarm within the same calendar year. Editor's Note: Amended at time of adoption

of Code (see Ch. 1, General Provisions, Art. I).

- D. The intentional transmission of a false alarm shall be punishable under the New York State Penal Law.
- E. A notice of violation hereunder may be served upon such violator by personal service upon the owner, manager or person in control of the premises and may be served by any police officer or employee of the Town of Guilderland.

Section 113-9 Reversing relay.

Each and every emergency alarm system which terminates in a module at the Police Department must be electrically wired at a reversing relay at the subscriber's residence or place of business.

Section 113-10 Time out timer.

Each and every alarm system which is audible at the scene of the alarm shall be installed with a timer which will discontinue the signal after a length of time to be determined by the Chief of Police of the Town of Guilderland in accordance with the delegation of power contained in § 113-7 herein.

Section 113-11 Tape and digital dialer alarms.

- A. Each and every dialer alarm, whether tape, digital or otherwise, which shall terminate at the Police Department shall terminate at said Police Department only at the number assigned to said alarm by the Police Department.
- B. Tape dialer alarms shall also be programmed to dial the subscriber or a representative of the subscriber.
- C. Any new installation of a dialer which shall terminate at the Police Department must be of the digital type, which sends a signal rather than a voice, and must be compatible with the receiving equipment which has been installed at the Police Department.
- D. Any change of ownership or replacement of an emergency alarm installation shall be considered a new installation and shall mandate that if a dialer be installed at that location, it must be a digital dialer.
- E. In order to encourage present users of tape dialers to convert to digital dialers, the Town of Guilderland may waive one year's license fee to any applicant who replaces the present tape dialer with a digital dialer.

Section 113-12 Liability; response to false alarms.

- A. The Town of Guilderland shall not be liable for any defects in operation of emergency alarm systems, nor any failure to respond appropriately, nor for any erroneous response, nor for the failure or defect of any licensee pursuant to the provisions of this chapter with respect to the installation, operation or maintenance of equipment, the transmission of alarm signals or messages, or the relaying of such signals or messages.
- B. In the event that the town finds it necessary to disconnect a module or signaling device, the town shall incur no liability therefrom.
- C. In the case of apparent false alarms received, it is mandated that a representative of the subscriber respond to the scene to verify the security of the premises.

