

Rules and Regulations for Emergency Alarms

ARTICLE I

Definitions

For the purpose of these rules and regulations, the words and phrases used herein shall have the following meanings except in those instances where the context clearly indicates a different meaning.

- (a) The term “Alarm Central Station” shall mean the person or company to which remote alarm and supervisory signals devices are directed, where personnel are in attendance at all times to supervise the circuits and, upon receiving initial direct notice of the activation of an Alarm System initiates an Alarm Dispatch Request.
- (b) The term “Alarm Dispatch Request” shall mean notification to a Dispatcher that an Alarm System, either manual or automatic, has been activated at an alarm site, and a request for a response thereto from the Fire Department and/or the Police Department.
- (c) The terms “Alarm System” or “Emergency Alarm System” mean an assembly of equipment or devices or a single device such as a solid state unit which plugs directly into a 110-volt AC line, arranged to signal the presence of a hazard requiring urgent attention and to which the Police Department, or Fire Department, or both, are expected to respond. Such hazards include, but are not limited to, suspected or actual unauthorized intrusion into a premises or an attempted robbery at a premises, suspected or actual fire, carbon monoxide, and medical emergency.
- (d) The terms “Alarm User” or “Emergency Alarm User” mean any person or entity other than the Town of Weston having ownership or control of a premises on which an Alarm System is maintained within the town except for alarm systems on motor vehicles. Excluded from this definition and from the coverage of this by-law are persons who use alarm systems to alert or signal others within the premises in which the alarm system is located. If such a system, however, employs an audible signal emitting sounds or a flashing light or beacon designed to signal persons outside of the premises, such system shall be within the definition of “Alarm System” as that term is used in this by-law, and shall be subject to this by-law.
- (e) The term “Chief of Police” means the Chief of Police of the Town of Weston or his/her designated representative.
- (f) The term “Dispatcher” shall mean the individual or individuals in the Police Department or Fire Department to whom an Alarm Dispatch Request is made.
- (g) The term “Disturbance of the Peace” shall mean any interruption of the peace, quiet, and good order of a neighborhood or community, particularly by unnecessary and distracting noises.
- (h) The term “False Burglar Alarm” shall mean the activation of an Alarm System arranged to signal a criminal offense or the presence of a hazard other than heat,

carbon monoxide, smoke, fire, or medical emergency, but caused by negligence, mechanical failure, malfunction, improper installation, lack of proper maintenance, misuse by the Alarm User, or by a cause that cannot be determined.

- (i) The term “False Fire Alarm” shall mean the activation of an Alarm System arranged to signal the presence of heat, carbon monoxide, smoke, fire, or medical emergency, but caused by negligence, mechanical failure, malfunction, improper installation, lack of proper maintenance, misuse by the Alarm User, or any alarm activation thereof by a cause other than heat, carbon monoxide, smoke or fire.
- (j) The term “Fire Chief” means the Chief of the Fire Department of the Town of Weston or his/her designated representative
- (k) The term “Fire Department” shall mean the Town of Weston Fire Department or any authorized agent thereof.
- (l) The term “Master Box” shall mean an Emergency Alarm System device which connects a protected premises directly to the Town of Weston Fire Department.
- (m) The term “Police Department” shall mean the Town of Weston Police Department or any authorized agent thereof.

ARTICLE II

Control and Curtailment of Signals Emitted by Alarm System

Section 1 – Response to Alarm Activation

- (a) Every Alarm User shall submit to his Alarm Central Station the names and telephone numbers of at least two other persons who can be reached at any time, day or night, who are authorized to respond to an emergency signal transmitted by an Alarm System, and who can open the premises wherein the Alarm System is installed.
- (b) No interior inspection will be performed by the Fire Department as the result of a fire alarm activation other than for carbon monoxide or medical emergency in the absence of exterior evidence of a hazard unless access to the interior is provided by the Alarm User or occupant of the premises or persons designated by the Alarm User under paragraph (a) of this section, or alternatively, the Alarm User has purchased and installed at his own expense a lock box approved by the Fire Department and containing a key to the premises.
- (c) All Alarm Systems which use an audible horn or bell shall be equipped with a device which will shut off such horn or bell ten (10) minutes after activation of the Alarm System.
- (d) A police officer who responds to a False Burglar Alarm shall leave at the premises of the Alarm System a written report of such response, providing the date and time of the False Burglar Alarm and the response thereto.

- (e) A firefighter who responds to a False Fire Alarm shall leave at the premises of the Alarm System a written report of such response, providing the date and time of the False Fire Alarm and the response thereto.

Section 2 –Discontinuance of Alarm Signals

- (a) Any Alarm System emitting a continuous uninterrupted signal for more than one (1) hour which cannot be shut off or otherwise curtailed due to the absence or unavailability of the Alarm User or those persons designated by him under paragraph (a) of Section 1 of this Article, and which interrupts the peace, comfort or repose of a neighborhood or inhabitants of the area where the alarm system is located shall constitute a Disturbance of the Peace. Upon receiving complaints regarding such a continuous and uninterrupted signal, the Chief of Police or his designee shall endeavor to contact the Alarm User, or members of the Alarm User family, or those persons designated by the Alarm User under paragraph (a) of this section in an effort to abate the disturbance. The Chief of Police shall cause to be recorded the names and addresses of all complainants and the time each complaint was made.
- (b) In the event that contact cannot be made with the Alarm User, or members of the Alarm User’s family, or those other persons designated by the Alarm User under paragraph (a) of Section 1 of this Article, or if the aforesaid persons cannot or will not curtail the audible signal being emitted by the alarm system, and if the Chief of Police is otherwise unable to abate the nuisance, he may direct a police officer or a qualified alarm technician to enter upon the property outside the home or building in which the Alarm System is located and take any reasonable action necessary to abate the nuisance.
- (c) If entry upon property outside the home or building in which the Alarm System is located is made in accordance with this section, the person so entering upon such property 1) shall not conduct, engage in or undertake any search, seizure, inspection or investigation while he is upon the property; 2) shall not cause any unnecessary damage to the Alarm System or to any part of the home or building; and 3) shall leave the property immediately after the audible signal has ceased. After an entry upon property has been made in accordance with this section, the Chief of Police shall have the property secured, if necessary. The reasonable costs and expenses of abating disturbance in accordance with this section may be assessed to the Alarm User.
- (d) Within ten (10) days after abatement of a disturbance in accordance with this section, the Alarm User may request a hearing before the Board of Selectmen and may present evidence showing that the signal emitted by his Alarm System did not constitute a Disturbance of the Peace at the time of the abatement; that unnecessary damage was caused to his property in the course of the abatement; that the costs of the abatement should not be assessed to him; or that the requirements of this section were not fulfilled. The Board of Selectmen shall hear all interested parties and may in its discretion, reimburse the Alarm User for the repairs to his property necessitated by the abatement, or excuse the Alarm User from paying the costs of the abatement.

Section 3 – Tests of Alarms

- (a) Tests of any Burglar Alarm System may be conducted with the express permission of the Chief of Police, having first been applied for and received.
- (b) Tests of any Fire Alarm System may be conducted with the express permission of the Fire Chief, having first been applied for and received.
- (c) An unauthorized test of an Alarm System constitutes a False Fire Alarm if the Alarm System undergoing test is arranged to signal the presence of heat, carbon monoxide, smoke or fire if such test results in an Alarm Dispatch Request; an unauthorized test of an Alarm System arranged to signal the presence of any other hazard constitutes a False Burglar Alarm if such test results in an Alarm Dispatch Request.

ARTICLE III

False Alarm Cost Assessment Schedule

Fees for False Alarms responded to by the Police Department and/or the Fire Department shall be assessed against the Alarm User as follows:

- (a) For the third and fourth False Fire Alarms from an Alarm System occurring within a twelve (12) month period beginning at midnight on the date of the first False Alarm, the Alarm User shall be responsible to pay to the Town the sum of one hundred dollars (\$100).
- (b) For each False Fire Alarm from an Alarm System in excess of four (4) False Fire Alarms occurring within a twelve (12) month period beginning at midnight on the date of the first False Fire Alarm, the Alarm User shall be responsible to pay to the Town the sum of five hundred dollars (\$500).
- (c) For the third and fourth False Burglar Alarm from an Alarm System occurring within a twelve (12) month period beginning at midnight on the date of the first False Burglar Alarm, the Alarm User shall be responsible to pay to the Town the sum of one hundred dollars (\$100).
- (d) For each False Burglar Alarm from an Alarm System in excess of four (4) False Burglar Alarms occurring within a twelve (12) month period beginning at midnight on the date of the first False Burglar Alarm, the Alarm User shall be responsible to pay to the Town the sum of Five hundred dollars (\$500).
- (e) The number of False Burglar Alarms or False Fire Alarms may be adjusted based on
 - (1) Evidence that a False Alarm was caused by an Act of God;
 - (2) Evidence that a False Alarm was caused by action of the telephone company;
 - (3) Evidence that a False Alarm was caused by a power outage;

- (4) Evidence that the Alarm Dispatch Request was not a False Alarm; and/or
- (5) Evidence that the response from the Police Department or Fire Department was not in a timely fashion.
- (f) All assessments hereunder shall be made payable to the Town Treasurer for deposit in the General Fund.
- (g) All assessments hereunder shall be paid within thirty (30) days of the date of written notice thereof, with interest thereafter at the same rate as charged on tax bills under the provisions of M.G.L. Chapter 59 Section 57.
- (h) The Board of Selectmen shall have the authority to abate any assessment under this Article and/or any interest charges, in whole or in part.

ARTICLE IV

Fees and Notifications

- (f) Each Alarm User of an Alarm System the notice of activation of which is directed to an Alarm Central Station shall provide written notice thereof to the Police Department, including the name, address, and telephone number of his or her Alarm Central Station.
- (g) Each Alarm User of an Alarm System installed on or after the Effective Date of this Regulation shall pay to the Town of Weston a one-time initial fee of one hundred dollars (\$100).
- (h) Master Boxes
 - (1) Beginning with the Effective Date of this Regulation, each Alarm User who installs a Master Box shall pay a prior connection fee in the amount of \$150 (one hundred fifty dollars) to the Town of Weston.
 - (1) Beginning with the Effective Date of this Regulation, each Master Box Alarm User shall pay to the Town of Weston an annual fee of three hundred dollars (\$300) for each box, except that no single Alarm User shall pay more than a total of one thousand two hundred dollars (\$1200) annually. Notice of the fee due shall be sent by first class mail during the period January 1 to February 28 in each year to the Master Box Alarm User. Payment shall be made within thirty (30) days of the date of mailing of the invoice, with interest thereafter at the same rate as charged on tax bills under the provisions of M.G.L. Chapter 59, Section 57. Such fee when paid to the Town of Weston shall be for the period April 1 to March 31 following the date of notice.

ARTICLE V

Penalties

- (a) Violations of these Rules and Regulations shall constitute violations of the By-Laws of the Town of Weston and shall be punishable by a fine of one hundred dollars (\$100).
- (b) Each day during which the aforesaid violations continue shall constitute a separate offense.
- (c) The Board of Selectmen shall have the authority to abate any penalty under this Article, in whole or in part.

Adopted _____

Douglas Gillespie

To be effective June 1, 2003

Harold Hestnes

Joan B. Vernon

Filed in the office of Town Clerk _____, _____, 2003

At _____.

Elizabeth Nolan

Town Clerk