

Be it Ordained: That Section 8.12.030 of the Municipal Code of the City of Bridgeport be, and hereby is, rescinded, and the following substituted in lieu thereof:

**ORDINANCE GOVERNING
ALARMS RESPONDED TO BY THE POLICE DEPARTMENT**

SECTION A.	PURPOSE
SECTION B.	DEFINITIONS
SECTION C.	REGISTRATION REQUIRED; APPLICATION; FEE; TRANSFERABILITY, FALSE STATEMENTS
SECTION D.	ALARM SYSTEMS IN APARTMENT COMPLEXES - FURNISHED BY THE APARTMENT COMPLEX AS AN AMENITY
SECTION E.	PROPER ALARM SYSTEMS OPERATION AND MAINTENANCE
SECTION F.	MONITORING PROCEDURES
SECTION G.	DUTIES OF ALARM BUSINESS
SECTION H.	ALARM SYSTEM OPERATING INSTRUCTIONS
SECTION I.	ALARM DISPATCH REQUEST RECORDS
SECTION J.	SYSTEM PERFORMANCE REVIEWS
SECTION K.	FALSE ALARM USER AWARENESS CLASS
SECTION L.	FINES
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SECTION N.	REVOCATION, SUSPENSION OR MODIFIED RESPONSE
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SECTION P.	REINSTATEMENT OF PERMIT
SECTION Q.	CONFIDENTIALITY OF STATISTICS

Section 8.12.030 False burglar and holdup alarms.

A. PURPOSE

1. The purpose of this ordinance is to encourage Alarm Users and Alarm Businesses to maintain the operational reliability and properly use Alarm Systems and to reduce or False Alarm Dispatch Requests and, thereby, prevent the misuse of police resources.

2. This ordinance governs systems intended to summon police response, requires permits, establishes fees, provides for penalties for violations, establishes a system of administration, and sets conditions for suspension or loss of permits.

B. DEFINITIONS

In this ordinance:

"Alarm Administrator" means a Person or Persons designated by the Chief of Police to administer, control and review alarm applications, permits, Alarm Dispatch Request fines and penalties.

"Alarm Appeals Officer" - Individual designated by the Chief of Police to receive and hear appeals from fines or penalties.

"Alarm Business" means the business, by an individual, partnership, corporation or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, installing or monitoring an Alarm System in an Alarm Site.

"Alarm Dispatch" Request means notification to the police by the Alarm Business that an alarm, either manual or automatic has been activated at a particular Alarm Site.

"Alarm Site" means a single premise or location served by an Alarm System or systems. Each Tenancy if served by a separate Alarm System in a multi-tenant building or complex shall be considered a separate Alarm Site.

"Alarm System" means a device or series of devices, including, but not limited to, systems interconnected with radio frequency signals, which are designed to discourage crime, by emitting or transmitting a remote or local audible, visual or electronic signal indicating an alarm condition. Alarm System does not include:

- an alarm installed on a vehicle unless the vehicle is permanently located at a site;
- or
- an alarm designed to alert only the inhabitants of a premise that does not have a sounding device, which can be heard on the exterior of the Alarm Site.

"Alarm User" means any person, firm, partnership, corporation or other entity who (which) uses an Alarm System at its Alarm Site.

"Appeals Review Panel" means the panel designated to hear and decide all False Alarm Appeals in accordance with Section O of this ordinance. The panel will consist of a member of the Police Department and a community representative recommended by the Chief and approved by the Council, and an individual recommended by the Connecticut Burglar and Fire Alarm Association, who is also a resident of Bridgeport, approved by the Council.

"Automatic Telephone Dialing Alarm" - An alarm system which automatically sends over regular telephone lines a prerecorded voice message or coded signal indicating the existence of an emergency situation the alarm system is designed to detect.

"Chief" means the Chief of Police of the City or his designee.

"Conversion" means the transaction or process by which one Alarm Business begins Monitoring of an Alarm System previously monitored by another Alarm Business.

"Duress Alarm" means a silent Alarm Signal generated by the manual activation of a device intended to signal a crisis situation requiring police response.

"False Alarm" means an activation of an alarm system through mechanical failure, malfunction, improper installation, or the negligence of the owner or lessee of an alarm system or his employees or agents. Such terminology does not include alarms caused by hurricanes, tornadoes, earthquakes, or other acts of Nature or a prolonged power failure lasting more than four hours.

"False Alarm Dispatch" means an Alarm Dispatch Request to the police department, when the responding officer finds no evidence of a criminal offense or attempted criminal offense after having completed a timely investigation of the Alarm Site. An Alarm Dispatch Request which is canceled by the Alarm Business or the Alarm User prior to the time the responding officer reaches the Alarm Site shall not be considered a False Alarm Dispatch.

"False Alarm User Awareness Class" means a class operated by the governing entity for the purpose of educating Alarm Users about the problems created by False Alarm Dispatches and in the responsible use of their Alarm System.

"Holdup Alarm" means a silent Alarm Signal generated by the manual activation of a device intended to signal a robbery in progress.

"Keypad" means a device that allows control of an Alarm System by the manual entering of a coded sequence of numbers or letters.

"Modified Response" means the categorization of an alarm call as Priority 3 or a non-response, as determined by the Alarm Administrator in conjunction with the Chief of Police and/or his designee.

"Monitoring" means the process by which an Alarm Business receives signals from Alarm Systems and relays an Alarm Dispatch Request to the city for the purpose of summoning police response to the Alarm Site.

"One Plus Duress Alarm" means the manual activation of a silent alarm signal by entering at a Keypad a code that adds one to the last digit of the normal arm/disarm code (Normal code = 1234 One Plus Duress Code = 1235).

"Person" means an individual, corporation, partnership, association, organization or similar entity.

"Takeover" means the transaction or process by which an Alarm User takes over control of an existing Alarm System that was previously controlled by another Alarm User.

"Verify" means an attempt, by the Alarm Business, or its representative, to contact the Alarm Site by telephonic or other electronic means, whether or not actual contact with a Person is made, before requesting a police dispatch, in an attempt to avoid an unnecessary Alarm Dispatch Request.

C. REGISTRATION REQUIRED; APPLICATION; FEE; TRANSFERABILITY, FALSE STATEMENTS.

1. Automatic Telephone Dialing Alarms coming directly into the communications center of the Police Department are prohibited.

2. No commercial or multi-family premise alarm user shall operate, or cause to be operated, an Alarm System at its Alarm Site without a valid alarm permit issued by the Alarm Administrator. A separate registration is required for each Alarm Site. Single Alarm Site (residence) shall be encouraged but not mandated to register.

3. A special classification shall be required for an Alarm System equipped with a Duress Alarm.

4. There will be an amnesty period for alarm users to register all existing and new alarm sites. This period will be from January 1, 2000 to March 31, 2000. Thereafter, there will be a one-time fee of \$10.00 for the registration of each alarm site. The

initial registration fee must be submitted to the Alarm Administrator within fifteen (15) days after the alarm installation or alarm Takeover.

5. Upon receipt of a completed application form for registration, the Alarm Administrator shall issue an alarm registration to an applicant unless the applicant has:

- a. failed to pay a fine assessed under Section L or,
- b. had an alarm registration for the Alarm Site suspended or revoked, and the violation causing the suspension or revocation has not been corrected.

6. Each registration application must include the following information:

- a. the name address, and telephone numbers of the Person who will be the registration holder and be responsible for the proper maintenance and operation of the Alarm System and payment of fees assessed under this article;
- b. the classification of the Alarm Site as either residential, commercial or apartment;
- c. for each Alarm System located at the Alarm Site, the purpose of the Alarm System, i.e., burglary, holdup, duress, or other;
- d. signed certification from the Alarm User and the Alarm Business stating:
 - i. the date of installation, Conversion or Takeover of the Alarm System, whichever is applicable;
 - ii. the name, address and phone number of the Alarm Business performing the Alarm System installation, Conversion or Alarm System Takeover and responsible for providing repair service to the Alarm System;
 - iii. the name, address and phone number of the Alarm Business Monitoring the Alarm System if different from the installing Alarm Business;
 - iv. that a set of written operating instructions for the Alarm System, including written guidelines on how to avoid false alarms, have been left with the applicant; and
 - v. that the Alarm Business has trained the applicant in proper use of the Alarm System, including instructions on how to avoid false alarms.
- e. for all new systems registered after October 1, 1999, the electrical permit number issued by the City of Bridgeport in accordance with Connecticut General Statute 20-333 to 340; and name, phone number and business phone of all authorized Key Holders.
- f. classification of the Alarm Site as being equipped or non-equipped for Duress Alarm.

7. Any false statement of a material matter made by an applicant for the purpose of obtaining an alarm permit shall be sufficient cause for refusal to issue a permit.

8. An alarm registration cannot be transferred to another Person. An Alarm User shall inform the Alarm Administrator of any change that alters any information listed on the permit application within 10 business days.

9. All fees owed by an applicant must be paid before a registration may be issued or renewed.

10. Information contained in permit applications shall be held in confidence by all employees or representatives of the City with access to such information.

D. ALARM SYSTEMS IN APARTMENT COMPLEXES - FURNISHED BY THE APARTMENT COMPLEX AS AN AMENITY.

1. If the owner or property manager of an apartment complex provides Alarm Systems in each residential unit as an amenity, then the owner or property manager of the apartment complex shall obtain a registration from the Alarm Administrator.

2. For purposes of assessing fines and enforcing this article, the alarm registration holder is responsible for payment of fines for False Alarm Dispatches emitted from the Alarm Systems in residential units.

3. The owner or property manager of an apartment complex shall obtain a separate alarm permit for any Alarm System operated in a non-residential area of the apartment complex, including, but not limited to, common tenant areas and office, storage and equipment areas.

E. PROPER ALARM SYSTEMS OPERATION AND MAINTENANCE

1. An Alarm User shall:

- a. maintain the premises and Alarm System in a manner that will minimize or eliminate False Alarm Dispatches, and
- b. make every reasonable effort to respond or cause a representative to respond to the Alarm System's location within thirty (30) minutes when notified by the city or the monitoring service to deactivate a malfunctioning Alarm System, to provide access to the premises, or to provide security for the premises, and
- c. not manually activate an alarm for any reason other than an occurrence of an event that the Alarm System was intended to report.

2. An Alarm User shall adjust the mechanism or cause the mechanism to be adjusted so that an alarm signal audible on the exterior of an Alarm Site will sound for no longer than fifteen (15) minutes after being activated nor at any decibel level of sound beyond that provided for in Chapter 8.80.

3. An Alarm User shall have a properly licensed Alarm Technician inspect his Alarm System after six (6) False Alarm Dispatches in a one-year period. After six (6) False Alarm Dispatches the Alarm User must have a properly licensed Alarm Business modify the Alarm System to be more false alarm resistant or provide additional user training as appropriate.

F. MONITORING PROCEDURES

1. An Alarm Business performing Monitoring services shall:

- a. attempt to Verify every alarm signal, except a duress or hold up alarm activation before requesting a police response to an alarm signal;
- b. communicate Alarm Dispatch Requests to the City in a manner and form determined by the Alarm Administrator;
- c. communicate verified cancellations of Alarm Dispatch Requests to the City in a manner and form determined by the Alarm Administrator.

G. DUTIES OF ALARM BUSINESS

1. After January 1, 2000 Alarm Businesses shall not program Alarm Systems so that they are capable of sending One Plus Duress Alarms. Alarm Businesses may continue to report One Plus Duress Alarms received from Alarm Systems programmed with this feature prior to January 1, 2000. However, after January 1, 2000, when performing a Takeover or Conversion an Alarm Business must remove the One Plus Duress Alarm capability from the Alarm System being taken over or converted.

2. After January 1, 2000 Alarm Businesses shall not install a device for activating a hold-up alarm which is a single action non-recessed button.

3. After January 1, 2000 Alarm Businesses shall not install any control panel which does not meet the Security Industry Association Standards as certified by Underwriter Laboratories.

H. ALARM SYSTEM OPERATING INSTRUCTIONS

An Alarm User shall maintain at each Alarm Site, a set of written operating instructions for each Alarm System.

I. ALARM DISPATCH REQUEST RECORDS

Alarm Businesses which perform monitoring services must maintain for a period of at least one-year following request for police dispatch to an Alarm Site, records relating to the dispatch. Records must include the name, address and phone number of the Alarm User, the Alarm System zone(s) or point(s) activated, the time of request for police dispatch and evidence that an attempt to Verify was made to the Alarm Site prior to the request for police dispatch. The Alarm Administrator may request copies of such records for individually named Alarm Users.

J. SYSTEM PERFORMANCE REVIEWS

If there is a reason to believe that an Alarm System is not being used or maintained in a manner that ensures proper operation and suppresses false alarms, the Alarm Administrator may require a conference with an Alarm User and the Alarm Business responsible for the repair of the Alarm System to review the circumstances of each false alarm.

K. FALSE ALARM USER AWARENESS CLASS

The administrator shall oversee the creation and implementation of a False Alarm User Awareness Class. The training program shall inform Alarm Users of the problems created by False Alarm Dispatches and teach Alarm Users how to operate their Alarm Systems without generating False Alarm Dispatches.

L. FINES

1. An Alarm User shall be subject to fines, warnings and suspension or revocation of permit depending on the number of False Alarm Dispatches emitted from an Alarm System within a rolling 12 month period based upon the following schedule:

<u>Number of False Alarm Dispatches</u>	<u>Action Taken</u>	<u>Fines</u>
3	Warning Letter	0
4-6		\$50
More than 7	\$99 per incident plus option of modified response	

2. In addition, any Person, operating a non-registered Alarm System (whether revoked, suspended or never acquired) will be subject to an additional fine of \$99.00 for each False Alarm dispatch, in addition to the other fines specified above. The Alarm Administrator may waive this additional fine for a non-permitted system if the Alarm User properly registers the site within ten days after such violation.

3. An Alarm User shall, after the fourth False Alarm Dispatch, have the one-time option of attending a False Alarm User Awareness Class in lieu of paying the prescribed fine.

4. The Alarm Administrator may reinstate a suspended registration or adjust a modified response designation upon receipt of acceptable evidence that the cause has been addressed and appropriate corrective action has been taken as outlined in Section P.

M. APPEAL FROM FINES

1. An Alarm User may appeal assessment of a fine to the Alarm Appeals Officer by filing a written request for hearing setting forth the reasons for the appeal within ten (10) days after receipt of the fine. The filing of a request for an appeal hearing with the Alarm Appeals Officer stays the assessment of the fine until the Alarm Appeals Officer makes a final decision.

2. The Alarm Appeals Officer shall conduct a formal hearing and consider the evidence submitted by any interested Person(s). He shall make his decision on the basis of the preponderance of evidence presented at the hearing including, but not limited to evidence that a False Alarm Dispatch was caused by a defective part that has been repaired or replaced or that an Alarm Dispatch Request was caused by a criminal offense. The Alarm Appeals Officer must render a decision within thirty (30) days after the appeal hearing. The Alarm Appeals Officer shall affirm, reverse or modify the assessment of the fine or penalty. The decision of the Alarm Appeals Officer is final as to administrative remedies with the City.

3. During an appeal the alarm user will not be fined if the appeals process falls within the period of registration renewal. The alarm user will have 10 days after an appeal decision is made to re-register without penalty.

N. REVOCATION, SUSPENSION OR MODIFIED RESPONSE

1. In addition to suspension, revocation or modified response pursuant to Section L, the Alarm Administrator may suspend or revoke an alarm registration if it is determined that:

a. There is a false statement of a material matter in the application for a permit; the permit holder has failed to make timely payment of a fee assessed under Section M(2) or;

b. After documenting seven (7) or more False Alarm Dispatches at a single Alarm Site, the Alarm Administrator, in conjunction with the Chief of Police and/or his designee, reserves the right to categorize an Alarm Site/User as a Chronic Abuser of the Police alarm response process. After such designation, the Police Department can respond to an Alarm Dispatch Request with a Modified Response. Appeals from the Chronic Abuser designation are made in accordance with Section M of this ordinance.

O. APPEAL FROM DENIAL, SUSPENSION OR MODIFIED RESPONSE

1. If the alarm Administrator denies the issuance or renewal of a registration, or suspends or revokes a registration, he or she shall send written notice of his action and a statement of the right to an appeal, by certified mail, return receipt requested, to both the applicant or Alarm User and the Alarm Business.

2. The applicant or Alarm User may appeal the decision of the Alarm Administrator to the Chief or his designee by filing a written request for a review setting forth the reasons for the appeal within fourteen (14) days after receipt of the notice from the Alarm Administrator. An Alarm Business may submit the request for review on behalf of an Alarm User.

3. Filing of a request for appeal shall stay the action by the Alarm Administrator suspending or revoking a permit until the Chief or his designee has completed his/her review.

4. The Alarm Review Panel shall conduct a formal hearing and consider the evidence submitted by any interested Person(s). It shall make a decision on the basis of a preponderance of the evidence presented at the hearing including, but not limited to, certification that Alarm Users have been retrained, that a defective part has been repaired or replaced, or that the cause of the false alarm has been otherwise determined and corrected. The Panel shall affirm, reverse, or modify the action of the Alarm Administrator. The decision of the Panel is final as to administrative remedies with the City.

P. REINSTATEMENT OF PERMIT

1. A Person whose alarm permit has been revoked may be issued a new permit if the Person:

a. submits an updated application and pays a \$20 permit fee, and;

b. pay, or otherwise resolves, all citations and fines, and;

c. submits appropriate documentation from an Alarm Business, that complies with the requirements of this article, stating that the Alarm

System has been inspected and repaired (if necessary) and staff retrained as necessary by the Alarm Business.

Q. CONFIDENTIALITY OF STATISTICS

1. All names and addresses of complying alarm users shall be held in the strictest of confidence and shall be deemed a public record exempt from disclosure. Any violation of confidentiality shall be deemed a violation of this ordinance. The alarm administrator shall be charged with the sole responsibility for the maintenance of all records of any kind under this ordinance.

2. Subject to the requirements of confidentiality, the alarm administrator shall develop and maintain statistics having the purpose of assisting alarm system evaluation for use by members of the public. (Ord. dated 10/18/99)

APPROVED BY THE
BRIDGEPORT CITY
COUNCIL ON:

October 18, 1999

ATTEST:

FLEETA C. HUDSON
CITY CLERK

APPROVED BY MAYOR
JOSEPH P. GANIM
ON:

October 18, 1999

ATTEST:

JOSEPH P. GANIM
MAYOR

PUBLISHED IN
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POST ON:

ATTEST:

FLEETA C. HUDSON
CITY CLERK