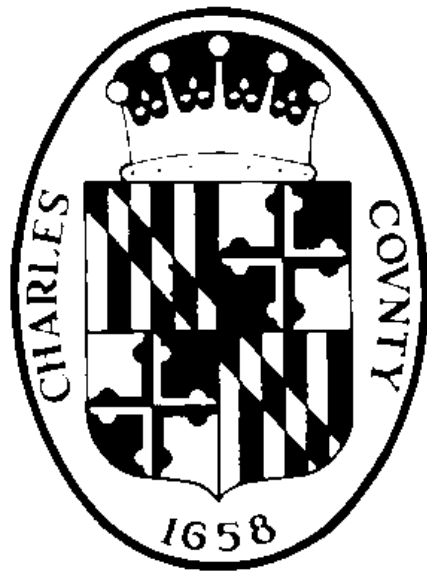


**ORDINANCE NO. 98-48 GOVERNING  
ALARMS RESPONDED TO BY  
CHARLES COUNTY  
POLICE, FIRE AND  
EMERGENCY MEDICAL SERVICES**



**June 1, 1998**

**CHARLES COUNTY GOVERNMENT**

Department of Emergency Services

False Alarm Reduction Unit

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(REVISED 04/21/05)

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**ORDINANCE NO. 98-48 GOVERNING  
ALARMS RESPONDED TO BY CHARLES COUNTY  
POLICE, FIRE AND EMERGENCY MEDICAL SERVICES**

**1.0 PURPOSE**

- (A) The purpose of this ordinance is to encourage Alarm Users and Alarm Businesses to maintain operational reliability and to properly use Alarm Systems to reduce and/or eliminate False Alarm Dispatch Requests.
- (B) This ordinance governs systems intended to summon police, fire and/or emergency medical response, requires permits, establishes fees, provides for penalties for violations, establishes a system of administration and sets conditions for suspension or loss of permits.

**2.0 DEFINITIONS**

In this ordinance:

- (A) **Alarm Administrator** means a Person designated by the Charles County Commissioners to supervise the False Alarm Reduction Unit and to administer, control and review alarm applications, Alarm Registrations and Alarm Dispatch Requests, and to serve as Executive Secretary to the Alarm Review Board.
- (B) **Alarm Business** means any business by an individual, partnership, corporation or other entity, which engages in one or more of the following: sells, leases, maintains, monitors, repairs, services, replaces, alters, moves, installs, sells at retail, or responds to an Alarm System at an Alarm Site.
- (C) **Alarm Business License (ABL)** means a license issued by the County Alarm Administrator to a business allowing alarm installation and monitoring as outlined in 2.0(B).
- (D) **Alarm Dispatch Request** means a notification to the dispatch center that any alarm, either manual or automatic, has been activated at a particular Alarm Site.
- (E) **Alarm Registration (AR)** means a certificate issued to an Alarm User certifying that the Alarm System has been registered with the Charles County Alarm Administrator.
- (F) **Alarm Review Board**, appointed by the Charles County Commissioners, shall consist of seven (7) members as follows: one (1) Alarm Administrator as an ex-officio non-voting member, except in the case of a tie; one (1) local Alarm Business representative recommended by the Charles County Chamber of Commerce; one (1) local Alarm Industry representative appointed by the Charles County Commissioners; one (1) local Business Community representative, recommended by the Charles County Chamber of Commerce; one (1) alarm user from the public-at-large, appointed by the Charles County Commissioners; one (1) Police Representative recommended by the Charles County Sheriff's Office; and one (1) Fire/EMS Services Representative recommended by the Charles County Board of Fire and Rescue Commission. Alarm Review Board duties and responsibilities include, but are not limited to, conducting periodic reviews of false alarm records and formal hearings to consider evidence presented by interested parties regarding appeals from fines and/or other charges relating to installation or operation of an alarm system.
- (G) **Alarm Signal** means the activation of an Alarm System.
- (H) **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.

- (I) **Alarm System** means any mechanical or electrical equipment, device, or series of devices, including, but not limited to, systems interconnected with radio frequency signals which are designed to discourage unauthorized entry or other illegal and/or criminal activity or detect smoke, fire, heat and/or water flow, by emitting or transmitting a remote or local audible, visual, or electronic signal indicating an alarm condition. Alarm System does not include:
- (1) an alarm installed on a vehicle, unless the vehicle is permanently located at a site; or
  - (2) 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 and is not monitored by an Alarm Business.
- (J) **Alarm User** means any owner or lessor of any Alarm System, the occupant of any dwelling unit with an alarm system, each tenant that uses an alarm system in a multi-tenant building, or any person, firm, partnership, corporation, government or other entity which uses an Alarm System at an Alarm Site.
- (K) **Cancellations** means verification from the Alarm Company or the Alarm User that there is no emergency and there is no further need to respond. For the safety of Alarm Users, an Alarm Dispatch Request can only be canceled by the person/party who initiated the request.
- (L) **Control Panel** means the central processing unit designed to manage and control an alarm system.
- (M) **Digital Dialer** means a device that transmits digital signals from an alarm system to a monitoring center through the telephone network.
- (N) **Dual Technology Sensor** means a single device that is manufactured to require two inputs simultaneously by two different technologies to cause alarm activation.
- (O) **Duress Alarm** and/or **One Plus Duress Alarm** means the deliberate activation of a silent Alarm Signal by the manual activation of a device, entering at a touchpad a code different from the normal arm/disarm code or by entering a code that adds one to the last digit of the normal arm/disarm code (e.g., Normal code = 1234 One Plus Duress Code = 1235), or by separate deliberate act at other device(s) intended to signal a crisis situation requiring police response.
- (P) **False Alarm Dispatch** means an Alarm Dispatch Request to the police, fire or emergency medical services when emergency responders find no evidence of medical need, a criminal offense or an attempted criminal offense or, after completion of a timely investigation of the Alarm Site, the senior fire officer determines there is no evidence to support activation of the fire alarm system. An Alarm Dispatch Request which is canceled by the Alarm Business or the Alarm User prior to dispatch shall not be considered a False Alarm Dispatch. For the safety of Alarm Users, an Alarm Dispatch Request can only be canceled by the person/party who initiated the request.
- (Q) **False Alarm Reduction Unit** is comprised of the County Alarm Administrator, County support staff, Fire Department/Emergency Medical Services liaison and Police liaison. The Unit is established under the Director of Charles County Department of Emergency Services.
- (R) **False Alarm User Awareness Program** means a program authorized by the Alarm Administrator of Charles County for purposes of educating Alarm Users about the responsible use of their Alarm Systems and problems created by False Alarm Dispatches.
- (S) **Holdup Alarm** means a silent Alarm Signal generated by the deliberate activation of a device intended to signal a robbery in-progress.
- (T) **Keypad/Touchpad** means a device that allows control of an Alarm System by the manual entering of a coded sequence of numbers or letters.
- (U) **Monitoring** means the process by which an Alarm Business receives signals from Alarm Systems and relays an Alarm Dispatch Request to the County for the purpose of summoning

police, fire and/or emergency medical services response to the Alarm Site.

- (V) **Non-residential Alarm User** means any alarm user, monitored or unmonitored, not defined in (Y) below.
- (W) **Panic Alarm** means the deliberate activation of an audible alarm.
- (X) **Person** means an individual, corporation, partnership, association, organization or similar entity.
- (Y) **Residential Alarm User** means the occupant of any residential dwelling unit which constitutes a single alarm site with an alarm system.
- (Z) **Takeover** means the transaction or process by which an Alarm User takes over control of an existing Alarm System which was previously controlled by another Alarm User.
- (AA) **Twelve-Month Period** means a rolling, or consecutive, twelve-month period.
- (BB) **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 police, fire and/or emergency medical services dispatch in an attempt to avoid an unnecessary Alarm Dispatch Request.

### 3.0 **ALARM REGISTRATION (AR): REQUIREMENTS, APPLICATION, FEES, TRANSFERABILITY, FALSE STATEMENTS**

- (A) No Alarm User shall operate, or cause to be operated, an Alarm System at its Alarm Site without a valid Alarm Registration (AR) issued by the Charles County Alarm Administrator. A separate (AR) is required for each Alarm Site.
  - (1) A special classification shall be required for an Alarm System equipped for Duress Alarm.
- (B) An Alarm Business that installs, causes to install, permits to install, alters, maintains, repairs, replaces, services, takes over, or monitors any Alarm System must meet the following requirements:
  - (1) an Alarm Business must ensure that an Alarm User's Alarm System is registered with the False Alarm Reduction Unit at the time the Alarm System is activated or placed into service.
  - (2) an Alarm Business must ensure that a separate registration form and registration fee is obtained for each Alarm User. One registration must be obtained for each separate location for each Alarm User. Location is defined as a separate address, building, structure or premises.
  - (3) an Alarm Business must use the registration forms provided by the False Alarm Reduction Unit for registering all residential and nonresidential Alarm Systems.
  - (4) an Alarm Business must collect the Alarm User registration form and registration fee from all of their current and future residential and nonresidential Alarm Users.
  - (5) an Alarm Business must deliver the completed alarm registration form and registration fee to the False Alarm Reduction Unit before the system is activated or placed into service.
  - (6) failure to comply with the terms of this subsection will result in an Alarm Business being fined \$150.00 for each Alarm System and each Alarm Dispatch Request for an Alarm System that is not registered at the time the system is activated or placed into service.
- \_\_\_\_\_(C) The annual fee for an AR or AR renewal for a residential Alarm Site is \$20.00. The annual fee for

an AR or AR renewal for a non-residential Alarm Site, and each tenant therein, is \$20.00. No refund of an AR or AR renewal fee will be made. This AR fee is used to defray the costs necessary to administer this ordinance, and is subject to annual review and adjustment by the Charles County Commissioners.

- (1) The annual AR fee shall be waived if the occupant of a residence, with no business being conducted, is 62 years of age or older. Alarm User must provide documentation for such waiver.
  - (2) Other annual AR fee waivers may be considered on a case-by-case basis, such as individuals with medical alert alarms, the physically challenged or the infirm. Alarm User must provide documentation for such waiver.
  - (3) The annual AR fee is waived for County, State, Federal and Municipal buildings.
  - (4) AR fee waivers do not exempt individuals or entities from paying false alarm response fees.
- (D) Upon receipt of a completed application form and the AR fee, the Alarm Administrator shall issue an AR to an applicant unless the applicant has:
- (1) failed to pay a fine assessed under Section 13; or
  - (2) had an AR for the Alarm Site suspended or revoked and the violation causing the suspension or revocation has not been corrected.
- (E) Each AR application must include the following information:
- (1) the name, address and telephone number of the Person who will be the AR holder and be responsible for the proper maintenance and operation of the Alarm System and payment of fees assessed under this article;
  - (2) the classification of the Alarm Site as either single-family residential, multi-family, place of worship, educational facility, commercial and/or government;
  - (3) the purpose of each Alarm System located at the Alarm Site, i.e. burglary, holdup, duress, smoke detector, water flow alarm, heat detector or other;
  - (4) the signed certification from the Alarm User or the Alarm Business stating:
    - (a) the date of installation, Conversion or Takeover of the Alarm System, whichever is applicable;
    - (b) the name, address, and phone number of the Alarm Business or Service Provider performing the Alarm System installation, Conversion or Alarm System Takeover and responsible for providing repair service to the Alarm System;
    - (c) the name, address, and phone number of the Alarm Business, Service Provider or entity monitoring the Alarm System if different from the installing Alarm Business;
    - (d) 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;
    - (e) that the Alarm Business has trained the applicant in proper use of the Alarm System, including instructions on how to avoid false alarms; and
    - (f) the names and telephone numbers of at least two (2) additional individuals that can be contacted in case the owner is not available.

- (5) the classification of the Alarm Site as being equipped or non-equipped for Duress Alarm;
  - (6) the name, address, phone number, policy number, agent and/or contact name for insurance carrier;
  - (7) whether property is equipped with a rapid entry system (KNOX BOX) and where the key is located.
- (F) Any false statement of a material matter made by an applicant for the purpose of obtaining an AR shall be sufficient cause for refusal to issue an AR.
- (G) An AR cannot be transferred to another Person. An Alarm User shall inform the Alarm Administrator of any change that alters any information listed on the AR application within five business days or we will not honor the AR .
- (H) All fees owed by an applicant must be paid before an AR may be issued or renewed.
- (I) Information contained in AR applications shall be held in confidence by all employees or representatives of the Charles County Government with access to such information.

### **3.01 Alarm Registration Duration And Renewal**

- (A) An AR shall expire one year from the date of issuance, and must be renewed annually by submitting an updated application and an AR renewal fee to the Alarm Administrator. The Alarm Administrator shall notify each Alarm User of the need to renew thirty (30) calendar days prior to the expiration of their AR. It is the responsibility of the Alarm User to submit an application prior to the AR expiration date. Failure to renew will be classified as use of a non-permitted Alarm System and citations and penalties may be assessed without waiver. In the event that an Alarm Registration is not renewed on time, annual AR renewal fees will continue to accumulate. Fees received will be applied to the oldest renewal fee first.

### **3.02 Alarm Systems In Apartment Complexes Contracted For By Individual Tenant**

- (A) If an Alarm System installed by an individual tenant in an apartment complex unit is Monitored, the tenant must provide the name of a representative of the apartment owner or property manager who can grant access to the apartment to the Alarm Business which is providing the Monitoring service.
- (B) A tenant of an apartment complex shall ensure that their Alarm System is registered before operating or causing the operation of an Alarm System in the tenant's residential unit. The annual fee for this AR or the renewal of this AR shall be the same as the fee for a residential Alarm Site.
- (C) For purposes of enforcing this article against an individual residential unit, the tenant is responsible for False Alarm Dispatches emitted from the Alarm System in the tenant's residential unit.

### **3.03 Alarm Systems in Apartment Complexes Furnished By The Owner Or Apartment Complex As An Amenity**

- (A) 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 ensure that each unit's alarm system is registered. The annual fee for this AR and for each renewal of this AR shall be \$20.00 per residential unit per year. All units, whether occupied or not, shall be included in calculating the required fee.

- (B) For purposes of assessing fines and enforcing this article, the AR holder is responsible for payment of fines for False Alarm Dispatches emitted from the Alarm Systems in residential units.
- (C) The owner or property manager of an apartment complex shall ensure that each alarm system is registered 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. An annual fee for such an AR shall be the same as the fee for a residential Alarm Site.

#### **4.0 ALARM BUSINESS LICENSE (ABL) REQUIREMENTS**

- (A) Any person engaging in an alarm business to operate or install alarm systems in Charles County must apply to the Charles County Alarm Administrator for an Alarm Business License (ABL). Such license application must be signed by either the owner of the business for a sole proprietorship, one partner for a partnership or a corporate officer for a corporation, and must be approved by the Charles County Alarm Administrator or designee.
- (B) The Alarm Business License application must include, but is not limited to:
  - (1) The name, address, fax and telephone number of the alarm business, it's business entity (Sole Proprietorship, Partnership, or Corporation) and Employer ID number (EIN).
  - (2) The number of active residential and non-residential alarm customers in Charles County with which the alarm business conducts business.
  - (3) The name, address, and telephone number of the official responsible for the operation of the alarm business in Charles County.
  - (4) Certification that a background criminal history has been completed in accordance with Section 4.0 Alarm Business License Requirements, (F) of this ordinance.
  - (5) Complete list of associated (contracted) alarm businesses, including name, address, telephone number and Alarm Business License number, that may alter, install, lease, maintain, monitor, repair, replace, sell at retail, service, or respond to an alarm system in Charles County.
  - (6) Proof of Certificate of Insurance.
  - (7) Proof of possession of appropriate licenses required by the Charles County Electrical Board.
  - (8) An alarm business that is incorporated in a state other than Maryland, must include on the Alarm Business License application form the name and address of the Resident Agent located in Maryland.
- (C) License applications must be accompanied by an annual, non-refundable processing fee of \$50.00, which will be due and payable each year on the anniversary of the issuance of the Alarm Business License. If the Alarm Business License has been revoked or suspended, a reinstatement fee of \$100.00 must accompany a reinstatement application.
  - (1) An applicant must not conduct business in Charles County until the Alarm Business License is approved.
  - (2) An applicant must give written notice of any changes to the information contained in the application to the Alarm Administrator or designee within ten (10) days of the change.
- (D) Should an Alarm Business License be suspended, revoked or denied, the alarm business must notify within five (5) business days, by first class mail, each of it's alarm users that the alarm

business is unable to request the Charles County Communications Center to dispatch to the user's alarm system for the duration of the suspension, revocation or denial. The alarm business must also provide the Alarm Administrator or designee, by first class mail, within five (5) business days, a list containing the names and complete addresses of the alarm business' licensed alarm users.

- (E) A licensed alarm business must not enter into a contract regarding their business in the County with any other alarm business that does not have a valid Alarm Business License.
- (F) The owner, partner or corporate officer of an alarm business must conduct a criminal history background check on all employees of the alarm business involved in the sale, installation, monitoring or maintenance of an alarm system. The background check must cover the past seven (7) years.
- (G) Any registrant or applicant who requests a hearing to show cause why an alarm business license should not be revoked or suspended, or the license application should be granted or renewed, as provided in the Charles County Alarm Ordinance, Section 16, Appeal, must include an appeal filing fee of \$50.00. Upon successful appeal, the \$50.00 appeal filing fee will be applied to offset reinstatement fees, Section 4.0 Alarm Business License Requirements, (C) above.

## 5.0 ALARM BUSINESS LICENSE: DENIAL, SUSPENSION, REVOCATION

- (A) Failure to comply with the provisions of 4.0 Alarm Business License Requirements, as set forth above, will constitute grounds for denial, suspension or revocation of Alarm Business License.
- (B) False statements to any of the questions contained in the Alarm Business License Application may constitute perjury. Perjury, fraudulent behavior, or any violation of the conditions for the issuance of this license will result in refusal of license, or if granted, in revocation or suspension of same. Each separate violation of the licensing provisions may result in a civil fine of \$500.00.

## 6.0 PROPER ALARM SYSTEM(S) OPERATION AND MAINTENANCE

- (A) An Alarm User shall:
  - (1) maintain the premises and the Alarm System in a manner that will minimize or eliminate False Alarm Dispatches;
  - (2) make every reasonable effort to respond or cause a representative to respond to the Alarm System's location within 30 minutes when notified by the County to deactivate an Alarm System to provide access to or security for the premises, or have a Knox Box available; and
  - (3) not manually activate an alarm for any reason other than an occurrence of an event that the Alarm System was intended to report.
- (B) 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. **Water monitor gongs are exempt from this automatic shut-down.**
- (C) An Alarm User shall have a properly registered Alarm Business inspect his Alarm System after three (3) False Alarm Dispatches in a one-year period. After six (6) False Alarm Dispatches, the Alarm User must have a properly registered Alarm Business upgrade and/or modify the Alarm System to be more false alarm resistant and/or provide additional user training, as appropriate.

## 7.0 MONITORING PROCEDURES

- (A) An Alarm Business performing Monitoring services shall:
- (1) not request dispatch for emergency response during the first week after installation of an Alarm System but, rather, use that week to train the Alarm User on proper use of the Alarm System unless extenuating circumstances necessitate immediate requests for response as determined by the Alarm Administrator;
  - (2) report alarm signals by using telephone numbers designated by the Alarm Administrator;
  - (3) attempt to verify every alarm signal, except a duress, hold-up alarm, or fire alarm activation, before requesting emergency response to an alarm signal;
  - (4) communicate Alarm Dispatch Requests to the County in a manner and form determined by the Alarm Administrator;
  - (5) communicate verified cancellations of Alarm Dispatch Requests to the County in a manner and form determined by the Alarm Administrator; and
  - (6) ensure that all Alarm Users of Alarm Systems equipped with Duress Alarm are given adequate training as to the proper use of the Duress Alarm.
  - (7) must notify the Alarm User in writing within 72 hours if a police, fire or emergency medical services dispatch was requested to their alarm location.
- (B) The Alarm Administrator shall:
- (1) designate a manner, form and telephone number for the communication of Alarm Dispatch Requests; and
  - (2) develop a procedure to accept verified cancellation of Alarm Dispatch Requests.

## 8.0 ALARM SYSTEM INSTALLATION STANDARDS

- (A) After July 1, 1998, 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 July 1, 1998. However, after July 1, 1998, 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.
- (B) After July 1, 1998 Alarm Businesses shall not install a device for activating a hold-up alarm which is a single action non-recessed button.
- (C) Every alarm system installed after July 1, 1998 must be either Underwriters Laboratory (U.L.) Certified or meet the following installation standards:
- (1) All alarm system equipment must be U.L. listed, Factory Mutual (F.M. or equivalent equipment, used only for the purpose intended by the manufacturer, and installed per manufacturers specifications.
  - (2) Every alarm system must have standby power sufficient to operate the system in a non-alarm status (without being the cause of an alarm activation) for a minimum of four hours.
  - (3) Every alarm system must have a U.L. 1449 listed (or better) surge protector installed between the transformer and:

- (a) the 110 voltage source used to supply power to the master control panel; and
- (b) any powered device connected to the system but powered separately.

Any alarm system that has a multi-phase power service and a dedicated transformer to that premise (building) only does not require surge protection as described above.

- (4) Every alarm system must be installed under National Electrical Code (NEC) and U.L. 681 or manufacturers' standards.
- (5) Any door or window contact installed for the purpose of activating the alarm system must be hermetically sealed if used on solid state control panels.
- (6) Any wire splice must be "hot" soldered and taped or "B" connected according to manufacturers' specifications. "B" connectors must not be crimped with other than a tool recommended by the manufacturer.
- (7) Any residential alarm system with an audible alarm must have a sufficient number of sound generating devices to alert or awaken all normal hearing occupants within the alarm user's premises that an alarm has been activated.
- (8) Every alarm system using a digital communicator must have a proper phone interface device as required by the Federal Communications Commission (F.C.C.), accessible to the alarm user, and mounted within a reasonable distance from the control panel.
- (9) Any audible alarm must automatically silence the annunciator within 30 minutes after activation, except as provided by law.
- (10) Any hold-up alarm (requiring push button activation) must use simultaneous two-button activation or a keyed manual reset after activation.
- (11) Any panic or medical/emergency alarm activation must cause an audible alarm.
- (12) All audio detection devices must be either volumetric sound detectors with operator analysis or detectors that require two different inputs within one-half second (or less) to generate an alarm.
- (13) Every residential alarm system control panel must have either:
  - (a) push on/pull off connectors to the battery and a description of the transformer location permanently affixed to the inside of the control panel; or
  - (b) an on/off switch that disconnects the battery and the transformer from the central processing unit inside the control panel.
- (14) Transformers must be affixed to an electrical outlet.
- (15) Every alarm system must have a supervised standby power supply that causes a local annunciation when standby power falls below the manufacturer's recommended specifications.
- (16) All alarm systems wiring must meet NEC standards and be a minimum of 22 gauge, or meet manufacturer's specifications (whichever is the higher standard). Wiring run through plenum ceilings or heat/return ducts must be plenum rated.
- (17) Any alarm that has a touchpad or other device designed to allow the user to activate the alarm (when in the disarm mode) must be configured as follows:
  - (a) Panic ..... AUDIBLE
  - (b) Fire ..... AUDIBLE

- (c) Medical/Emergency ..... AUDIBLE
- (d) Duress ..... SILENT
- (e) Hold-Up ..... SILENT

- (18) An alarm business that installs an alarm system must have at each alarm installation site at least one (1) employee, to supervise the installation of any alarm system, who has passed and maintains a minimum Level 1 Certification by the National Burglar & Fire Alarm Association, Inc. (NBFAA) or equivalent training.
- (19) Any alarm business that installs an alarm system must provide the alarm user with an Installation Certification in the form attached here. The alarm business must certify that:
  - (a) the alarm system has been installed as required by County law and these regulations;
  - (b) the person designated by the alarm user as responsible for alarm system operation has received training sufficient to prepare the alarm user to operate the system without false alarms caused by improper operation; and
  - (c) the Alarm User's Alarm System is registered with the False Alarm Reduction Unit at the time the Alarm System is activated or placed into service.

**9.0 ALARM SYSTEM OPERATING INSTRUCTIONS**

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

**10.0 ALARM DISPATCH REQUEST RECORDS**

- (A) The police, fire or emergency medical personnel responding to an Alarm Dispatch Request shall record such information on forms prepared and supplied by the Alarm Administrator as necessary to permit the Alarm Administrator to maintain secure records, including, but not limited, to the following information:
  - (1) identification of the AR number for the Alarm Site;
  - (2) identification of the Alarm Site;
  - (3) arrival time at the Alarm Site and dispatch received time;
  - (4) date and time;
  - (5) weather conditions;
  - (6) area and/or sub-area of premise involved;
  - (7) name of Alarm User's representative on premises, if any;
  - (8) identification of the responsible Alarm Business; and/or
  - (9) unable to locate the address.
- (B) The responding police, fire or emergency medical personnel shall indicate on the dispatch record whether the dispatch was caused by a criminal offense, an attempted criminal offense, indeterminable, other or was a False Alarm Dispatch.
  - (1) The senior fire officer arriving at the scene shall indicate on the dispatch record whether the dispatch was caused by malfunction of the alarm system or caused by actual smoke or heat producing activity.

- (C) In the case of an assumed False Alarm Dispatch, the responding police, fire or emergency medical services personnel shall leave notice at the Alarm Site that they have responded to a False Alarm Dispatch. The notice shall be on a form prepared and supplied by the Alarm Administrator and shall include the following information:
- (1) the date and time of emergency services personnel response to the False Alarm Dispatch;
  - (2) responding emergency services personnel identification information; and
  - (3) a statement urging the Alarm User to ensure that the Alarm System is properly operated, inspected and/or serviced in order to avoid fines.
- (D) Alarm Businesses performing Monitoring services must maintain records relating to requests for emergency dispatch to Alarm Sites for a period of at least one year following dispatch requests. 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 emergency dispatch, and evidence that an attempt to Verify was made to the Alarm Site prior to the request for emergency dispatch. The Alarm Administrator may request copies of such records for individually named Alarm Users. If the request for copies of such records is made within sixty (60) days of an Alarm Dispatch Request, the Monitoring Business shall furnish the requested records within three (3) business days of receiving the request for copies of such records. If the records are requested between sixty (60) days to one (1) year after an Alarm Dispatch Request, the Monitoring Business shall furnish the requested records within thirty (30) days of receiving the request for copies of such records.

## **11.0 SYSTEM PERFORMANCE REVIEWS**

If there is 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.

## **12.0 FALSE ALARM USER AWARENESS PROGRAM**

The Alarm Administrator shall oversee the creation and implementation of a False Alarm User Awareness Program. The program shall inform Alarm Users of problems created by False Alarm Dispatches and provide Alarm Users with materials and information on alarm systems.

## 13.0 FINES

- (A) Alarm Users and AR holders shall be subject to civil monetary penalties, warnings and suspension or revocation of AR, depending on the number of False Alarm Dispatches emitted from an Alarm System within any consecutive 12-month period based upon the following schedule:

<b>FALSE ALARM RESPONSE FEE SCHEDULE</b>		
<b>False Alarm Occurrence</b>	<b>Action(s) Taken</b>	<b>False Alarm Response Fee</b>
1st	On-Site Written Notice + Letter of Notification from FARU	\$0.00
2nd	On-Site Written Notice + Letter of Notification from FARU	\$0.00
3rd	On-Site Written Notice + Letter of Notification from FARU + Inspection of System Required	\$0.00
4th	On-Site Written Notice + Letter of Notification from FARU	\$50.00
5th	On-Site Written Notice + Letter of Notification from FARU	\$150.00
6th	On-Site Written Notice + Letter of Notification from FARU + Modification/Upgrade of System and/or Additional User Training Required	\$150.00
7th	On-Site Written Notice + Letter of Notification from FARU	\$150.00
8th	On-Site Written Notice + Letter of Notification of Suspension of Permit from FARU + Notification Made to Insurance Carrier	\$200.00
9th	On-Site Written Notice + Letter of Notification of Suspension of Permit from FARU + Notification Made to Insurance Carrier	\$200.00
10th	On-Site Written Notice + Letter of Notification of Suspension of Permit from FARU + Notification Made to Insurance Carrier	\$200.00
11th & Up	More than 10 false alarms in a 12-month period may be cause for revocation of AR.	\$300.00
<i>Non-permitted Alarm Systems (whether expired, revoked, suspended or never acquired) will be subject to a citation and assessment penalty for each False Alarm occurrence in addition to any other penalties which may apply (Section 13.0 Fines, C)).</i>		\$150.00

- 1) If an alarm user fails to pay their false alarm fine as set forth in this section or fails to appeal the false alarms as set forth in Section 16, or has had more than 10 false alarm responses in any consecutive 12-month period, the False Alarm Reduction Unit may revoke the alarm owner's Alarm Registration, notifying the alarm owner of the revocation by certified letter, as well as provide notification of revocation to the alarm owner's insurance carrier. A court order may be pursued to have a chronically malfunctioning alarm system removed.

- (B) A false alarm response fee may be waived if the alarm system was activated by an act of God, including violent conditions of nature; such as, blizzard, earthquake, high intensity winds,

extreme thunderstorms, lightening, electrical surge, or other extraordinary circumstances not reasonably subject to the control of the alarm business or alarm user. The False Alarm Administrator may request a written statement/report from a registered alarm company representative which details the reasons for the false alarm.

- 1) If it is determined that a false alarm signal from a registered alarm was due to an event beyond the reasonable control of the alarm user, that event may not be considered a false alarm for the purpose of this regulation.
  - 2) If alarm signals were caused by a malfunctioning alarm system which caused 2 or more false alarms in a 12-hour period and the alarm user and the alarm business exercised their best efforts to limit alarm signals caused by the malfunction, those false alarms will be counted as 1 false alarm.
- (C) In addition, any Person operating a non-permitted Alarm System (whether expired, revoked, suspended or never acquired) will be subject to a citation and assessment of a \$150.00 penalty for each False Alarm Dispatch in addition to any other penalties. The Alarm Administrator may waive this additional penalty for a non-permitted system if the Alarm User applies for an AR within twenty (20) calendar days from the date of the notification letter from FARU.
- (D) An Alarm Business that installs, causes to install, permits to install, alters, maintains, repairs, replaces, services, takes over, or monitors any Alarm System must ensure that the Alarm User's Alarm System is registered with the False Alarm Reduction Unit at the time the Alarm System is activated or placed into service. Noncompliance with this requirement will result in the Alarm Business being fined \$150.00 for each Alarm System and each Alarm Dispatch Request for an Alarm System that is not registered at the time the system is activated or placed into service.
- (E) The Alarm Business shall be assessed a fine of \$150.00 if an on-site employee of the Alarm Installation/Service Business directly caused the false alarm. In this situation, the false alarm will not be counted against the Alarm User. This type of false alarm will not be automatically waived, it is the responsibility of the Alarm User to file an appeal to the Alarm Administrator and provide documentation showing the Alarm Installation/Service Business employee was working on-site at the time of the alarm activation.
- (F) The Alarm Monitoring Business shall be issued a fine of \$150.00 for each failure to verify Alarm System signals as specified in section 7.0(A)(3).
- (G) The Alarm Business shall be issued a fine of \$150.00 if the Alarm Administrator determines that an Alarm Business employee knowingly made a false statement concerning the inspection of an alarm site or the performance of an Alarm System.
- (H) Alarm Dispatch Requests caused by actual criminal offense or with evidence of a criminal attempt or by actual fire and/or heat related conditions shall not be counted as a False Alarm Dispatch.
- (I) The Alarm Administrator may reinstate a suspended AR upon receipt of acceptable evidence that the cause has been addressed and appropriate corrective action has been taken as outlined in Sections 14 and 17.

## **14.0 REVOCATION, SUSPENSION OR LOSS OF ALARM REGISTRATION**

- (A) In addition to suspension or revocation pursuant to this section, the Alarm Administrator may suspend or revoke an AR if it is determined that:
- (1) there is a false statement of a material matter in the application for an AR;
  - (2) the AR holder has failed to make timely payment of a fee assessed under Section 13.
- (B) A Person commits an offense if he operates an Alarm System during the period in which his AR is suspended or revoked.

- (C) Unless there is independent verification that there is a crime, fire or medical emergency in progress, appropriate emergency services of Charles County may refuse response to an Alarm Dispatch Request at an Alarm Site for which the AR is revoked.
- (D) If the AR is reinstated pursuant to Section 17, the Alarm Administrator may revoke the AR if it is determined that four (4) subsequent False Alarm Dispatches occur within sixty (60) calendar days after the reinstatement date.
- (E) If the Alarm Administrator denies the issuance or renewal of an AR, or suspends or revokes an AR, he shall promptly send written notice of his action and a statement of the right to an appeal by certified mail, return receipt requested, to the applicant, Alarm User and the Alarm Business.

## 15.0 ALARM REVIEW BOARD

The Alarm Review Board, appointed by the Charles County Commissioners, shall consist of seven (7) members as follows:

- one (1) Alarm Administrator as an ex-officio non-voting member, except in the case of a tie;
- one (1) local Alarm Business representative recommended by the Charles County Chamber of Commerce;
- one (1) local Alarm Industry representative appointed by the Charles County Commissioners;
- one (1) local Business Community representative, recommended by the Charles County Chamber of Commerce;
- one (1) alarm user from the public-at-large, appointed by the Charles County Commissioners;
- one (1) Police Representative recommended by the Charles County Sheriff's Office; and
- one (1) Fire/EMS Services Representative recommended by the Charles County Board of Fire and Rescue Commission.

Alarm Review Board duties and responsibilities include, but are not limited to, conducting periodic reviews of false alarm records and formal hearings to consider evidence presented by interested parties regarding appeals from fines and/or other charges relating to installation or operation of an alarm system.

## 16.0 APPEALS

- (A) The applicant of an ABL or AR, or the holder of an ABL or AR or Alarm User may appeal the assessment of a fine, the assignment of a false alarm, suspension, revocation, or request reinstatement to the Alarm Administrator by filing an appeal to the Alarm Administrator. An appeal must be in writing, must set forth the reasons for the appeal, and must be received by the Alarm Administrator within twenty (20) calendar days from the date of the notification letter from FARU. An Alarm Business may submit the request for an appeal on behalf of an Alarm User.
  - (1) Filing of an appeal with the Alarm Administrator shall stay the action by the Alarm Administrator suspending a registration or requiring payment of a fine until the Alarm Administrator has decided the appeal.
- (B) In cases where the Alarm User/Alarm Business is aggrieved by the decision of the appeal to the Alarm Administrator, the Alarm User/Alarm Business may request a hearing before the Alarm Review Board. A written request for an Alarm Review Board hearing must be received by the Alarm Administrator within twenty (20) calendar days from the date of the appeal denial notification from the Alarm Administrator. If a request for an Alarm Review Board hearing is not made within the twenty (20) calendar day period, the decision of the Alarm Administrator is final.
  - (1) Filing of a request for an Alarm Review Board hearing shall stay the action by the Alarm Administrator suspending a registration or requiring payment of a fine, until the Alarm Review Board has decided the appeal.
- (C) The Alarm Review Board shall conduct a formal hearing and consider the evidence by any interested Person(s). The Board shall make its 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. Unless extended by mutual agreement of the parties or for good cause as determined by the Board, the Board must render a decision within thirty (30) calendar days after the appeal hearing has been held. The Board shall affirm, reverse or modify the assessment of the penalty. The decision of the Board is final.

- (D) A decision of the Board authorized under this chapter is binding on the parties, subject to review only by the Circuit Court for Charles County upon a petition for judicial review filed pursuant to the Maryland rules of procedure by any party aggrieved by the decision within the time prescribed for petitions for review of administrative agency decisions by such rules of procedure.

## **17.0 REINSTATEMENT OF ALARM REGISTRATION**

- (A) A Person whose AR has been revoked may be issued a new AR if the Person:
- (1) submits an updated application and pays a \$20.00 AR fee;
  - (2) pays, or otherwise resolves, all citations and penalties; and
  - (3) submits a certification from an Alarm Business that complies with the requirements of this article stating that the Alarm System has been inspected and repaired (if necessary) by the Alarm Business.

## **18.0 VIOLATIONS**

A Person commits an offense if he violates by commission or omission any provision of this article that imposes upon him a duty or responsibility and unless a different civil monetary penalty is provided for elsewhere in this ordinance, is subject to a civil monetary penalty of not more than \$150.00 for each offense.