

Chapter 42: ALARM SYSTEMS

§ 42-1. Title.

This chapter shall be known as the "Automated Alarm Systems Law of the Village of South Blooming Grove."

§ 42-2. Legislative intent; authority.

It has been reported to the Village Board that there are significant numbers of false alarms emanating from automated alarm systems. These false alarms unnecessarily require that our police and volunteer fire departments respond in an emergency fashion to signals which should not have been created in the first place, depriving the citizens of this Village from the sorely needed services of our emergency forces and expose the police and firemen to unnecessary hazards and risks. Therefore, it is the intent of this chapter to reduce the occurrence of false alarms and provide a mechanism whereby those responsible for the creation of these false alarms to be dealt with in an appropriate fashion. It is not the intent to discourage the use of automated equipment, but rather to encourage the use of automated equipment that fulfills the function it is intended to perform. To facilitate enforcement the Police Department has requested standardized legislation within its jurisdiction. This chapter complies with that request and is enacted by authority of § 20, Subdivision 5, of the Municipal Home Rule Law and all other statutory authority.

§ 42-3. Definitions.

For the purposes of this chapter, the following terms shall have the following meanings:

ALARM DEVICE — A mechanical, electrical, or electronic device which when activated, will transmit a signal, which is intended to create a response from either a fire department or police department, or other emergency service, whether or not the signal generated be audible, visible or electronic, and whether such signal be automatic or otherwise.

ALARM INSTALLER — Any person, firm, corporation or business entity which has installed and/or receives compensation for service or maintenance of a burglar or fire alarm device from an alarm user.

ALARM USER — any person, firm, corporation or business entity, upon whose premises an alarm device is installed or operating,.

FALSE ALARM — A signal transmitted to either fire or police departments, or a central alarm station, or an outside audible signal indicating that a fire or criminal act or emergency is occurring, when in fact neither a criminal act or fire or emergency is occurring.

POLICE DEPARTMENT — Police Department of the Town of Blooming Grove or such department, which, at the time, may then be providing police, services to the Village.

PREMISES — Any building, dwelling, or residence on which an alarm device has been installed.

§ 42-4. Registration of alarm device system.

- A. It shall be unlawful for any alarm installer to install an alarm device or system of alarm devices or for an alarm user to own, have or maintain the same on a premise without registering the same with the Police Department and the Village Clerk / Treasurer within 10 days after the installation of said alarm devices. Said registration shall provide the following information:
- (1) Name, home address and telephone number of the owner(s).

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- (2) Business address and telephone numbers of the owner(s).
 - (3) Name, address and telephone number of any person living within the Town of Blooming Grove who shall be deemed to be a caretaker, handyman or person watching the premises for the owner, if there be any such person.
 - (4) Name, address and telephone number of the company which owns, leases, rents, installs and/or maintains the alarm device or system of alarm devices.
- B. Each person submitting registration information shall receive an alarm device system registration permit, which must be prominently displayed on the premises where the alarm device system is located.
- C. All existing alarm users must register their alarm device or system of alarm devices within 90 days of the effective date of this chapter.

§ 42-5. Alarm installer permit.

Any alarm installer contracted to install an alarm device or system of alarm devices must be licensed and must possess a state license issued pursuant to Article 6-B of the General Business Law.

§ 42-6. False alarms.

It shall be unlawful for any alarm user or alarm installer to permit or allow an alarm device to signal a false alarm whether intentionally or unintentionally, or whether due to malfunction or otherwise.

§ 42-7. Termination of outside audible signal.

If an alarm device activates an outside audible signal, such outside audible signal cannot be broadcast for more than 30 minutes after initial activation.

§ 42-8. Penalties for offenses.

- A. A violation of §§ 42-4 and 42-5 shall be punishable by a fine of not less than \$200 nor more than \$350.
- B. A violation of §§ 42-6 and 42-7 shall be punishable by the following penalties:
- (1) For a first conviction: a fine of not less than \$50 nor more than \$75.
 - (2) For a second or subsequent conviction within a twelve-month period: a fine of not less than \$75 nor more than \$125 for each such conviction.

§ 42-9. Enforcement.

The Police Department shall have the power, right and authority to issue an appearance ticket as the same is defined in Article 150 of the Criminal Procedure Law of the State of New York, for the violation of any section of this chapter.

§ 42-10. Authority.

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This chapter is enacted by authority of § 20, Subdivision 5, of the Municipal Home Rule Law and any other law referenced herein as authority herefor.

§ 42-11. Repeal.

All ordinances, local laws and parts thereof inconsistent with this local law are hereby repealed.

§ 42-12. Judicial review.

Any persons aggrieved by any decision or determination made by the Village Board pursuant to this article may bring a proceeding to review such determination in the manner provided by Article 78 of the Civil Practice Law and Rules.

§ 42-13. Application.

No statement in this article shall be construed to interfere with any additional requirements that may be imposed by any federal, state or local authority having jurisdiction.

§ 42-14. Effective Date.

This local law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.