False Alarm Perspectives: A Solution-Oriented Resource

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Purpose

If you are ready to put an end to the enormous problem of false alarms—to halt the unnecessary police dispatches, the waste of time and money, and the loss of alarms' deterrent value—then this document can help. The pages that follow put at your fingertips a timely compendium of information on false alarms.

Read the detailed overview of the false alarm problem, look at relevant state laws, see what local ordinances have achieved, examine pertinent court decisions, study the theory and practice of private response to alarms, and search the list of publications and organizations that may be able to help you.

This document does not lay out the ultimate answer to the false alarm problem. Instead, it brings together, in one useful package, a range of information and resources you can use to forge your own solution—one that satisfies the demands of the citizens, businesses, and public agencies in your particular city, county, or state.
Executive Summary

Unnecessary calls for police service due to false burglar alarms have grown into a tremendous problem. Burglar alarms serve as useful deterrents to crime, but the amount of time and money police spend responding to the 7 million to 15 million or more false alarm calls every year has become intolerable to many law enforcement agencies. Projected growth in the use of alarms portends a worsening problem.

False alarms are caused primarily by technological, installation, and user errors. Solutions that are currently being tried or proposed include the following:

- alarm verification
- user training
- installer training
- local ordinances
- state laws
- fines
- permits
- nonresponse by police
- private response
- time-of-day differentiation
- standards
- codes
- repair or upgrading requirements
- better equipment
- dispatch cancellation

Court decisions have raised the question of whether particular false alarm ordinances are clearly written, whether they are fair, and who must pay the fines they levy. Other cases have looked at false alarms as the proximate cause of injury to responding police officers.

Many organizations are currently working to reduce the number of false alarms. This document was produced under the auspices of the International Association of Chiefs of Police with funding assistance from the National Burglar and Fire Alarm Association and the Central Station Alarm Association.
False alarms, nuisance alarms, false activations, false relays. By whatever name, undesired activations of burglar alarms aggravate and confound police departments, alarm companies, alarm users, and local governments. The problem of "false alarms" (the most common term) is old but getting worse, and many parties have called for an increase in efforts to combat the problem. However, it's a complex issue. Definitions and solutions are slippery, with different factions holding many opposing views.

This document, produced under the auspices of the International Association of Chiefs of Police (IACP) with funding assistance from the National Burglar and Fire Alarm Association (NBFAA) and the Central Station Alarm Association (CSAA), does not purport to solve the problem of false alarms. Nor does it attempt to say everything that can be said about the subject. Instead, it serves as a resource to which interested parties can turn for an overview, a compilation of relevant state laws, a sample of local ordinances, a roundup of court decisions, a look at private response to alarms, and a list of helpful organizations and publications. IACP hopes readers will use this document to determine the best solutions for their own states and communities.

What is a false alarm? Some definitions of false alarms include all alarm signals that occur when no intrusion has been attempted; other definitions restrict the category to include only alarm signals that are caused by user or mechanical error but not those caused by severe weather, power outages, or telephone line disorders.

Further distinctions include "nuisance alarms," which are unwanted alarm system activations in which a sensor properly responds to a stimulus, but the stimulus is not a burglar. "True false alarms" are system activations due to mechanical defects. "False dispatches" are unnecessary requests for police assistance; they may result from nuisance alarms, true false alarms, or errors by alarm monitoring stations. Many other terms are used and distinctions made.

Significantly, the fact that an alarm system mistakenly sends a signal to a central station (false alarm) does not necessarily require that police be called (false dispatch). Some solutions to the "false alarm" problem focus on reducing the number of times central stations call police rather than the number of times alarm systems send signals to central stations. Other solutions focus on making alarm
systems "smarter" so that central station operators need not be burdened with deciding whether to call the police.

In addition, some parties would like to see the category of canceled alarms included in statistics. A canceled alarm occurs when a central station calls police dispatchers to say that the alarm just reported is now known to be false and the police therefore need not travel to the scene. Police worry that criminals may cancel dispatches once they hear an alarm; alarm companies claim they could reduce police dispatches if police departments would accept cancellations. Various methods—including transfer of incident and dispatcher numbers and the use of custom computer software—are being tried in an attempt to ensure that cancellations are genuine.

The particular type of false alarm this paper is concerned with is the type that causes police to travel unnecessarily to an alarm site—for whatever reason. To stay within common parlance, this paper will describe that type of alarm with the most common term, "false alarm," whenever it is not essential to use a different term.

How common are false alarms? Almost everyone agrees they are too common, but exactly how common depends on definition and point of view. The usual way to quantify false alarms is to express them as a percentage of all alarm calls. Looked at that way, 95 percent to 98 percent of all alarm calls are false—that is, they do not indicate an actual or attempted intrusion.¹ That view makes the problem look abominable.

The reverse way to quantify false alarms is to quote the number of false activations per installed system per year. In many areas of the country, that number equals one to two false alarms per year per system. That view makes the problem look slight.

Neither view reflects the situation quite accurately. The real problem for police is not the false alarm rate but the number of unnecessary calls for service—that's what wastes their time. If a city with 10,000 installed alarm systems experiences 100 alarm-related calls for police service, and 98 of those calls are unfounded, the false alarm rate is 98 percent. Yet having to respond 98 times over the course of a year does not constitute a major problem, and in fact the vast majority of alarm systems did what they were supposed to do.

On the other hand, merely examining the number of false calls per system per year leaves the problem somewhat unilluminated. By one estimate, 7 percent of U.S. homes and 40 percent of U.S. businesses have alarm systems, for a total of 7 million systems.² Other estimates run as high as 15 million installed systems. If each generates only one false call for police response annually, that's still 7 million

to 15 million unnecessary police runs.\(^3\) In some regions, alarm calls account for 10 percent to 30 percent of all calls for police service.\(^4\) Even discounting troublesome systems that send an inordinate number of false alarms, the occasional false alarm from almost every system adds up to a large number of calls.

Moreover, a figure of one false police notification per system per year is probably low. CSAA estimates there are about 2.2 false alarms per system per year now overall. Of course, some cities with aggressive false alarm reduction programs encounter much lower rates.

Unchecked, the problem will snowball along with the steadily increasing number of alarm system installations. Populous cities already typically experience tens of thousands of false alarm calls annually; the largest cities dispatch police to hundreds of thousands of false alarms each year.

**How long** have false alarms been a problem? As long ago as 1882, when Mark Twain wrote a short story called "The McWilliamses and the Burglar Alarm," false alarms have been cause for discussion. After describing the miseries he suffered from "three or four hundred false alarms" from his residential alarm system, the narrator concludes, "Yes, sir, a burglar alarm combines in its person all that is objectionable about a fire, a riot, and a harem, and at the same time none of the compensating advantages, of one sort or another, that customarily belong with that combination."\(^5\)

That is not to say the false alarm situation has inhabited its current plane for more than a century. Today's high level of false alarms follows rapid growth in the alarm industry in the 1970s, '80s, and '90s. The growth in installed systems was based on such factors as declining prices for alarm systems, the introduction of retail sales of alarm equipment, and increased fear of crime. Those factors seem unlikely to disappear anytime soon; most indicators suggest more and more businesses and residences will have alarm systems installed.

**What causes** false alarms? The three main causes are technological errors, installation errors, and user errors. Engineers familiar with alarm technology note that new equipment made by the better manufacturers rarely causes true false alarms (that is, when a sensor trips the alarm even though nothing was there to sense). The necessary design changes have already been made. Technological errors appear to be on the decrease.

Installation errors (for example, use of particular types of sensors in inappropriate places) still account for a significant percentage of false alarms. Some installers know what they are doing; others do not. Many states require licensing of

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\(^3\)The number could well be higher. Unfortunately, as with many numbers used in this report, complete, inclusive, national statistics are notably lacking.

\(^4\)Hallcrest II, p. 282.

\(^5\)Found in Jan./Feb. 1980 issue of Alarm Signal, p. 27.
security equipment installers, but the specific licensing requirements are not always rigorous. Installation errors continue to cause false alarms.

User errors are generally held to cause the greatest percentage of false alarms. Numerous surveys have attributed 40 percent to 60 percent of false alarms to mistakes by users. One study recently found 75 percent of false alarms to be caused by user error. Inadequate user training and the complexity of some alarm system controls are often cited as causes of user-initiated false alarms.

Numerous other factors—a lack of maintenance, changes in the layout of the protected site, and the continued use of older, less reliable systems and sensors—cause false alarms. The Canadian Alarm and Security Association (CANASA) lists 30 causes:

**EQUIPMENT-RELATED**

a) **Defective Installation**
   1. Poor placement
   2. Inherently high false risk
   3. Unstable equipment
   4. Misused equipment

b) **Improper Installation**
   5. Installed wrong
   6. Exceeded equipment limits
   7. Sensitivity set too high
   8. Misapplied equipment

c) **Wearing Out**
   9. Electronic failure
   10. Resistance increase
   11. Physically loosened

d) **Environmental Disturbance**
   12. Weather
   13. Adjacent construction
   14. Machinery/decoration
   15. Power loss

e) **Line Supervision**
   16. Bell problems

**HUMAN-RELATED**

a) **Improper operation procedure**
   17. Improper/incomplete training
   18. New employee/cleaners/friend/relative
   19. Testing procedure

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CSAA False Alarm Study (Bethesda, Md.: Central Station Alarm Association, 1992), p. 2.
b) Wrong code or key
20. Memory failure
21. Loss of passcard

c) Improper station procedures
22. Installer forgot to send to station
23. Station lost data sheet
24. Station misentered data
25. Misdirected procedures

d) Misprogramming control
26. Wrong account number
27. Misprogrammed account number (A vs. O)
28. Wrong codes used
29. Wrong format
30. Wrong receiver number

Why exactly is the current rash of false alarms a problem for police? Expense-conscious police departments recognize that alarms have a cost. They consume officer time, waste fuel, increase the risk of accidents, cause wear and tear on equipment, reduce police service to areas with a greater need for officer presence, and over time erode officer caution. The frustration level among some police chiefs is high. An article in *Security Dealer* quotes one chief as saying,

> We have a false alarm ordinance, and 98 percent of our alarms are false. We have gotten it down to 90 percent periodically, but it is still a serious manpower problem. We have a committee of alarm companies, police officers, and citizens working on the problem. We've tried everything (e.g., punitive damages, inspections, etc.) and it's not getting the job done. It's a huge problem, and we don't know how it's going to turn out in the future.7

Some law enforcement officials find excessive alarm response incompatible with their mission. *Police Magazine* quotes the executive director of the Police Executive Research Forum as saying, "So much of what the police departments do is for the benefit of some industry. And this [alarm response] is just another example of it. These private entrepreneurs are making a profit off the police."8

The view that police are being asked to subsidize private businesses (alarm companies) raises the competing question of whether private businesses and homeowners are being asked to subsidize (through user fees and fines) a legitimate request for a public service.

False alarms waste police time but are not unique in that regard. When someone calls to report a trespasser in the back yard, and it's actually the gas meter

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reader, that's a false alarm. By one measure, more than half of all calls for police service are not crime-related.9

**Why bother** using alarms at all? False alarms aggravate police, alarm companies, and alarm users. But, as consumer items, alarm systems wouldn't exist if they provided no benefit. The alarm industry claims alarm systems help police capture criminals in the act, leading to a higher conviction rate with less need for police investigation than would be the case without alarms; alarmed premises are also said to be less vulnerable to criminal attempts than other premises. Studies have borne out both conclusions.

Even law enforcement representatives—who often find false alarms a costly nuisance—grant that alarm systems serve a useful purpose. The report *Private Security* by the Law Enforcement Assistance Administration's Private Security Task Force states, "Alarms offer a proven method for crime reduction and criminal apprehension."10

Similarly, in a survey of 1,000 police and fire chiefs, 85 percent of the police officials said security systems decrease the likelihood a home will be burglarized; almost 90 percent felt security systems increase their chances of apprehending burglars; and 85 percent said they encourage the installation of electronic security systems in residences and businesses in their communities."11

Research has also

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shown the economic benefit of alarm system use. One study compares the cost of response to the losses avoided and demonstrates that alarms are a positive benefit to a community—not even counting, of course, the unquantifiable benefits of lower crime and a lower fear of crime.\textsuperscript{12}

False alarms are a nuisance but perhaps are not the underlying problem. As one alarm company owner puts it, "False alarms are the side effect of a cure for the problem of burglary."

**What types of solutions are out there?** Given the multitude of alleged solutions to the false alarm problem, one might think the issue had been settled long ago. Research turns up scores of practices that are touted as ways to reduce false alarms, and most of them have been tried in one locale or another, yet obviously the problem has not been solved. The tenacity of the problem shows there is no silver bullet that will stop false alarms in their tracks, at least not yet, at least not at a cost that the parties involved are willing to bear.

Solutions fall into several major categories:
- technical (improved alarm technology and installation)
- customer education and public awareness
- training of installers and police crime-prevention personnel
- regulation of alarm companies and installers
- alarm control ordinances
- police alarm response policies\textsuperscript{13}

Naturally, what works in one city won't necessarily work in another, and even the best of the solutions have only succeeded in cutting a city's number of false alarms in half. Nevertheless, here are some specific measures thought to be valuable in the fight against false alarms:

- **Verification.** Central stations use several types of verification—telephone, audio ("listen in"), and video—in an attempt to contact an authorized person at the user's site after an alarm has been received. The goal is to detect whether the alarm was tripped accidentally. If the central station determines it was, a police call can be avoided. Some parties, such as CSAA and NBFAA, favor verification as a false alarm reduction means except for holdup and duress alarms. However, others deem it unnecessary on the grounds that a user who accidentally trips an alarm can readily call the central station to cancel it. They also fear that verification's delay of police response could be dangerous.

- **User training.** Since a large proportion of false alarms is caused by user error, training users—and, in the case of commercial users, their employees—on the proper use of alarm systems is a sensible false alarm reduction measure. NBFAA describes four basic strategies for subscriber education:

\textsuperscript{13}*Hallcrest I*, p. 212.
1. Install systems with features that alert subscribers to potential false alarms before signals are transmitted.
2. Provide initial and ongoing instruction. Use plenty of decals and instruction sheets.
3. Educate or drop users who cause an inordinate number of false alarms.
4. Mount a public awareness campaign involving law enforcement officials.\textsuperscript{14}

NBFAA also advises alarm companies to urge law enforcement officials and local alarm associations to send problem users letters that explain the gravity of false alarms. CANASA recommends that municipalities mount their own false alarm reduction public awareness campaigns using general municipal funds plus fees derived from alarm users.

**Installer training.** Unwisely installed alarm systems are more prone to generate false alarms than wisely installed systems. To improve installer training, in the late 1980s NBFAA introduced the National Training School for training and certifying alarm technicians. Courses are offered through NBFAA chapters throughout the United States.

Some parties believe the answer to improving installer training is state certification by exam. To maintain certification, installers might be required to participate in continuing education (as lawyers and doctors are), and complaint review boards could be established and granted the power to strip installers of their certification.

**Local ordinances and state laws.** Perhaps 2,000 cities and counties employ false alarm laws, as do half a dozen states. Do false alarm ordinances reduce the number of false alarms? Of the 30 ordinances examined in Section 3, most are reported to have reduced the false alarm problem somewhat. The degree of reduction ranges from insignificant to 50 percent or more.

Most ordinances allow a fixed number of "free" false alarms before imposing a series of fines. After that, the features are unpredictable. Among the other terms of various false alarm reduction ordinances are the following:

- users must register their alarm systems
- after a certain number of false alarms, users must prove they have repaired their systems
- police may set a policy of not responding to particular users' alarms after a certain number of false calls
- users must provide police with names of persons who can come to the alarm site with keys and the ability to reset the alarm
- alarm companies must verify alarms by one method or another before summoning police

— alarm installers must be trained and registered
— users or alarm companies whose systems generate false alarms must pay service charges or user fees as opposed to actual fines

Opinion on using laws to control false alarms varies widely. Some parties consider ordinances indispensable: they provide an organized way to address the false alarm issue; their alarm registration requirements make it possible to track the success of false alarm reduction efforts; and they keep alarm users within reasonable limits. Others parties look at alarm ordinances as a last resort: they often are developed without the advice of the users and alarm companies they regulate, and they might reduce alarm use.

If the false alarm issue is addressed by law, should that be at the state or local level? The point is much debated. One side claims that because policing in the United States is decentralized and cities vary from one to the next, the false alarm problem must be solved with local ordinances. The other side says alarm companies cannot be expected to comply with hundreds of differing local ordinances within a single state, so state law is best. There have even been calls for national regulation.

• **Fines.** Most major cities and many smaller ones employ ordinances that levy fines for excessive false alarms. Those fines range from tens to hundreds of dollars per false alarm. Like most false alarm reduction measures, fines are much debated. Supporters say fines give alarm users an incentive to learn to use their systems correctly and to test, repair, upgrade, and maintain their systems. Fines also produce revenue that can be used to support false alarm reduction activities by police departments and governments.

Detractors note that just as parking fines have not eliminated illegal parking, false alarm fines will not eliminate false alarms. Wealthier alarm users will pay even high fines willingly, while other users and potential users may be discouraged from using alarm systems at all. There may also be legal challenges to levying fines without providing users with a hearing at which it is determined whether a particular alarm signal really was false (see Section 4).

• **Permits.** Alarm permits provide a mechanism whereby governments and law enforcement agencies track alarm system use and enforce standards. Few people believe alarm permits alone reduce false alarms. Some parties feel that the effort necessary to administer a permit system detracts from energies that could better be spent in controlling false alarms more directly.

Some private companies provide the service of administering permits and collecting fines for municipalities. Such a service lifts the administrative burden from the municipality and generates revenue. Some parties fear that false alarm reduction programs may become just another form of municipal revenue-generation; others approve of the fee collection on the grounds that false alarm reduction programs should pay for themselves.
• **Nonresponse.** Some law enforcement agencies will not respond to unverified alarm calls from a particular system after they have received a certain number of false alarms from that system and will resume service only after a specified period or after seeing proof that the system has been repaired or the problem otherwise solved (for example, through user training). Other departments are reluctant to practice nonresponse; instead they revoke a user's permit and, while still responding to subsequent alarm calls, treat those calls as misdemeanors. Many departments feel duty-bound to respond to alarm calls no matter what.

The biggest concern regarding nonresponse is over what happens when a legitimate, serious alarm call is relayed to the police and, because it comes from an alarm system that has no permit, the police don't investigate. Though rare, incidents like that have happened. In one case, a residential alarm user who was faced with a dangerous intruder activated a panic signal. A central station relayed the alarm to police, who chose not to respond because the user had no permit. The alarm user was raped by the intruder.

• **Private response.** Private response to alarms has been practiced for years. Sometimes it is done to comply with insurance or other standards. In other cases, neighborhood associations contract with private responders to obtain faster response than the police provide.

Some law enforcement personnel are happy to turn the responsibility for alarm response over to someone else. Others feel, however, that private response is an encroachment on their turf. Many parties are concerned about the level of training that private responders typically receive and about the dangers those responders may face—or pose—when they arrive at the scene of a burglary.

• **Time-of-day differentiation.** False alarms are most likely to occur around the times when people turn their systems on and off—that is, when they enter and leave a building. Some police departments use that knowledge to treat alarm calls differently depending on when they are received. For example, in Calgary, during business hours alarm companies must perform telephone verification of commercial alarms before calling the police. However, at night the police respond without verification.

It is also possible to designate some alarm signals as entry or exit alarms, meaning alarms that occur within one or two minutes of when an alarm system was turned on or off. By placing some alarms in that category, central stations can give police an opportunity to assign those alarms a lower response priority. It's an application of risk management that follows from the assumption that a burglary is unlikely to begin, say, 30 seconds after an alarm user leaves the premises.

• **Standards.** Some parties, such as Professional Alarm Services Organizations of North America (PASONA), feel false alarms would be greatly reduced if alarm systems were designed, manufactured, installed, tested, maintained, and used in accordance with national standards and codes. PASONA encourages police
chiefs to ask for ordinances that require compliance with the Underwriters Laboratories (UL) burglar alarm system certificate program.

In that program, central stations apply to be listed by UL. Then, if they choose, they can apply for a UL certificate for each alarm system they serve. UL enforces standards by inspecting the central station and a statistical sample of alarm system installations. Proponents claim UL standards benefit alarm users and the police departments that respond to their alarms.

Opponents of that approach view required adherence to national standards as yet another layer of regulation to endure. They also point to the costs associated with meeting those standards and the cost of inspections.

UL claims that municipalities that have adopted its certificate program for fire alarms have cut their false alarms by 80 percent to 90 percent. As yet, no municipalities are known to have adopted the UL certificate program for burglar alarms. For authorities who wish to know which central stations and which alarm installations are UL listed and certificated, UL offers an on-line database. (See Section 6: Resources.)

Standards related to false alarms are also being developed by the Security Industry Association. Its standards for passive infrared sensors address environmental causes of false alarms; its control panel standards address human error; and its glassbreak standards address the location, environment, and acoustics of glassbreak detectors. SIA is also studying other technologies, as well as improved product manuals for installers and end users.

• **Codes.** In an effort to raise the quality of alarm installation and ensure the use of high-quality equipment, there have been calls for the introduction of municipal codes for alarm systems. Like building codes and fire codes, alarm system codes would specify methods and materials and would be enforced through approval processes and site inspections. Alarm codes could also be incorporated into existing building codes and be enforced by current inspectors.

• **Repair or upgrading requirements.** Many local ordinances allow police to suspend response for users whose systems cause excessive false alarms. Response is only reinstated after those users show they have taken steps to correct whatever was causing the false alarms.

It's possible to take that idea a step farther. Richard Mellard of the National Crime Prevention Institute has suggested a set of ascending requirements for upgrading alarm systems after each false alarm. For example, after a user's first false alarm, an upgrade to sensor identification could be required. That way, at the next false alarm, technicians would know which sensor caused the problem. After a user's second false alarm, second or third event dispatching (accumulation) could be required—that is, the system would not alarm simply from one event but would require that two or three sensors trip before it transmits an alarm.

• **Better equipment.** A smaller and smaller percentage of false alarms is attributed to technological problems, and new technology and different approaches
to alarm system manufacturing and design are further reducing the prevalence of equipment-caused false alarms. Other measures and features that are believed to reduce false alarms include

— sensors with greater dependability
— duplication of certain types of sensors (such as motion detectors)
— alarm panels that require several sensors to trip before transmitting an alarm
— alarm panels that accept cancel codes so that users acting quickly can cancel their own false alarms

Conversely, the elimination of some sophisticated alarm system features has been encouraged on the grounds that they cause false alarms at a rate grossly disproportionate to any proven usefulness of those features. For example, "1+" duress coding—whereby a user whom a burglar has ordered to turn off the alarm system sends a silent alarm by keying in a code one number higher than the regular passcode—is said to have been used successfully almost never. What usually happens is that users enter the duress code accidentally, missing their correct code by just one digit. Fatigue, hurry, long fingernails, and wide fingers are to blame.

One suggestion regarding alarm system options is that manufacturers should preset the options to the settings that cause the fewest false alarms. If a particular customer desires a more sophisticated or more sensitive feature, he or she can ask the installer to change the equipment as needed.

Another area of technological improvement is dispatch—the communication between central station and police department. Goals include the quick transfer of more detailed information to police (such as which alarms in a building have activated) and suitably secure means of canceling police dispatches. Options under consideration include secure fax machines and direct computer hookups between alarm companies and police departments. One protocol that enables central stations and police dispatchers to communicate via computer is called SANTA (Standardized Alarm Notification Transmission Alternative). SANTA is managed by the Municipal Response Management Corporation, a subsidiary of CSAA, and is currently being used in Minneapolis.

**Measuring success** in false alarm reduction isn't a simple matter of numbers. If the number of false alarms in a city declines, does that mean the alarm systems are still protecting homes and businesses but sending fewer false alarms? Or does it mean users are so afraid of false alarm fines that they leave their systems off when they should be on or even turn their systems off permanently? Or does it mean sensors have been turned down to such low sensitivity levels that they miss legitimate events? Or does it mean alarm users have switched to private alarm responders, and is that what the police department wants? If the number of false alarms rises, could that be due to an increase in the number of alarm systems? Or an increase in attempted burglaries that appear to be false alarms?
Some people want to reduce false alarms to 0.2 per system per year; others are shooting for zero. Still others note that if alarms ever succeed completely in deterring burglary, every alarm will be a false one, and that will be a happy end.

**Major national-level efforts** to reduce false alarms include the NBFAA Fast Start Program; a series of false alarm training courses developed by the Alarm Industry Research and Educational Foundation (AIREF) and implemented by NBFAA; and several efforts by CSAA.

The Fast Start Program is an eight-step program that aims "to help reduce false and unnecessary police alarm dispatches by 50% nationwide in one year." A one-page synopsis of the steps, along with contact information, can be found in the appendix.

The AIREF/NBFAA training series is being tested in Dallas and will spread around the country. The first workshop of the series provides an overview of false alarm prevention and will be presented to police departments, alarm dealers, neighborhood associations, chambers of commerce, and other interested parties. Subsequent workshops will separately target alarm users, alarm installers, central station dispatchers, alarm salespeople, and police departments.

Over the last two years CSAA has made much progress in determining the technical and human sources of false alarms. It has created standards for central station operators and has asked all its members nationwide to participate in an ongoing, monthly false alarm report and evaluation. The report will be able to quantify the effects of false alarm reduction efforts on a national basis. CSAA has also brought together manufacturers of alarm hardware and software and elicited their participation in efforts to fix technical problem areas.

**Frustration with false alarms** drives some governments and police departments to act unilaterally to escape the burden of excessive false alarm response. They threaten to or actually do suspend all police response to alarms, or they enact ordinances that impose draconian penalties and restrictions on alarm users and alarm companies.

However, since false alarms are caused by—and can be prevented by—so many different parties, it makes sense to involve everyone in the solution. A "solution" imposed from above can enforce no more than a few of the false alarm reduction measures listed in this chapter. A true solution, however, will probably require the simultaneous use of many measures by many people working in concert.
Many states require licensing and training of alarm system installers. Likewise, many states treat deliberate sounding of false alarms as an offense. However, few states have established laws governing unintentional false alarms.

Among the states with false alarm laws on the books, some merely declare that local jurisdictions may establish their own false alarm policies and schedules of fines within boundaries set by the state law. Other state laws actually set those policies and fines.

A search of the laws of 50 states plus the District of Columbia showed that only Maryland, Michigan, Ohio, Texas, and the District of Columbia have on their books any kinds of laws regulating false alarms. Interestingly, Hawaii, which does not regulate false alarms, requires alarm companies to share their false alarm data confidentially with the police. A search of the U.S. Code did not reveal any federal law governing false alarms.

**Maryland**

Maryland law regarding false alarms is as detailed as and reads much like a local ordinance on false alarms. Passed in 1992, it sets out a schedule of fines and establishes circumstances under which alarm users must have their systems repaired.

**Key elements:**
- $30 fine for each false alarm response after the third in 30 days or the eighth in 12 months.
- Alarm system is deemed defective after exceeding number of false alarms above. User must have system inspected and give authorities report on probable cause of false alarms and actions taken to prevent future false alarms. Maximum fine of $500 and imprisonment of 90 days for continuing to use a defective alarm system.

Here are the relevant parts of the law:

Maryland Annotated Code, Article 27 (1992)
Section 156C. Negligent or accidental activation of system

(a) In general. —Except for alarm systems activated by acts of God, weather conditions, or causes beyond the control of the alarm user, an alarm system that is negligently or accidentally activated as a result of faulty, malfunctioning, or improperly installed or maintained equipment shall be subject to the provisions of subsections (b) and (c) of this section.
(b) Civil citation. —A law enforcement agency or fire department may issue a civil citation to an alarm user if the number of false alarms to which any law enforcement agency or fire department actually responds exceeds:
(1) 3 responses within a 30-day period; or
(2) 8 or more responses within a 12-month period.
(c) Fines. —The civil citation shall include a fine of:
(1) $30 for each initial false alarm; and
(2) $30 for each additional false alarm.

[Section 156A, in part:]
(g) False alarm. —(1) "False alarm" means any request for immediate assistance by a law enforcement agency or fire department regardless of cause that is not in response to an actual emergency situation or threatened suggested criminal activity.
(2) "False alarm" includes:
(i) Negligently or accidentally activated signals;
(ii) Signals that are the result of faulty, malfunctioning, or improperly installed or maintained equipment; and
(iii) Signals that are purposely activated to summon a law enforcement agency or fire department in a nonemergency situation.
(3) "False alarm" does not include:
(i) Signals activated by unusually severe weather conditions or other causes beyond the control of the alarm user or alarm system contractors; or
(ii) Signals activated during the initial 60-day period following new installation.
(4) (i) an alarm system that is activated a second time within a 12-hour period when the premises are unoccupied shall be deemed 1 false alarm if:
1. Access to the building is provided to the alarm system contractor; and
2. An alarm system contractor or an employee of an alarm system contractor responds.
(ii) Failure to comply with item (i) of this paragraph shall result in each subsequent alarm being counted as a false alarm.

[Section 156D, in part:]
Defective systems
(a) Presumption. —In this section an alarm system is deemed a defective alarm system if:
(1) More than 3 false alarms occur within a 30-day period; or
(2) 8 or more false alarms occur within a 12-month period.
(b) Notice of condition. —A law enforcement agency or fire department that answers a false alarm shall provide written notice to the alarm user of the defective condition.
(c) Actions by alarm user. —Upon notice from the appropriate law enforcement agency or fire department, an alarm user who has a defective alarm system shall:
(1) Have the system inspected within 30 days by an alarm system contractor or alarm user, if qualified; and
(2) Within 15 days after the inspection file a written report with the law enforcement agency and fire department.
(d) Report. —The report shall contain:
(1) The results of the alarm system contractor or alarm user's inspection;
(2) The probable cause of the false alarms; and
(3) Actions taken or recommendations for eliminating the false alarms.
(e) Penalty for continued use. —Any alarm user who continues to use a defective alarm system is guilty of a misdemeanor and upon conviction is subject to a fine not exceeding $500 or imprisonment not exceeding 90 days or both.
Michigan
Michigan's law is less detailed than but similar to Maryland's. However, it features a standards-meeting requirement apparently unique among state laws.

Key elements:
• System exceeding four false alarms in calendar year is deemed defective. User must have the system examined by an alarm contractor and may then be required to implement whatever corrections the contractor suggested.
• Alarm systems in businesses and residences must meet the standards of Underwriters Laboratories, American National Standards Institute, or another national standards-setting body.

Here are the relevant parts of the law:

Michigan Compiled Laws, Article 338.1085
Sec. 35. (1) As used in this section "false alarm" means the activation of an alarm system through mechanical failure, malfunction, improper installation, or the negligence of the owner or lessee of an alarm system or of his employee or agent. False alarm does not include an alarm caused by a hurricane, tornado, earthquake, or other violent condition beyond the control of the owner or lessee of an alarm system or their employee or agent.

(2) An alarm system experiencing more than 4 false alarms within a calendar year is deemed defective and upon written notice to the owner or lessee of the alarm system by the enforcing authority the owner or lessee shall have the system inspected by an alarm system contractor who shall within 15 days file a written report to the department of the results of its inspection of the system, the probable cause of the false alarms, and its recommendations for eliminating false alarms.

(3) Upon receipt of the report the department may after notice and hearing order the owner or lessee to correct the system based upon the recommendations contained in the report.

Article 338.1083
Sec. 33 [in part]

(2) An alarm system installed in a commercial or public building shall utilize equipment and methods of installation equivalent to or exceeding minimum Underwriters Laboratories, American National Standards Institute, or any other nationally recognized testing laboratory requirements for the appropriate installation.

(3) An alarm system installed in a residence shall utilize equipment equivalent to or exceeding minimum applicable Underwriters Laboratories or American National Standards Institute requirements for household burglar alarm systems.

(4) If the alarm system was installed prior to the effective date of this act, it shall be inspected and certified by an alarm system contractor licensed under this act within 6 months after the effective date of this act.

Ohio
Ohio law allows, but does not require, townships to bill alarm users for excessive false alarms.

Key elements:
• $25 per false alarm response after the third false alarm response in a calendar year.
Here are the relevant parts of the law:

Ohio Revised Code Annotated (Baldwin)
505.511 False security alarm; charges assessed

(A) The board of trustees of a township police district may, after the township police, a law enforcement agency with which the township contracts for police services, and the county sheriff or his deputy have answered a combined total of three false alarms resulting from the malfunction of the same commercial or residential security alarm system within the township in the same calendar year, cause the township clerk to mail the manager of the commercial establishment or the occupant, lessee, agent, or tenant of the residence, a bill for twenty-five dollars for each subsequent false alarm from the same alarm system during that year, to defray the costs incurred. If payment of the bill is not received within thirty days, the clerk shall send a notice by certified mail to the manager and to the owner, if different, of the real estate of which the commercial establishment is a part, or to the occupant, lessee, agent, or tenant and to the owner, if different, of the real estate of which the residence is a part, indicating that failure to pay the bill within thirty days, or to show just cause why the bill should not be paid, will result in the assessment of a twenty-five dollar lien upon the real estate. If payment is not received within thirty days or if just cause is not shown, the sum of twenty-five dollars shall be entered upon the tax duplicate, shall be a lien upon the real estate from the date of the entry, and shall be collected as other taxes and returned to the township general fund. The board of trustees of a township police district shall not cause the township clerk to send a bill pursuant to this division if a bill has already been sent pursuant to division (B) of this section for the same false alarm.

(B) The county sheriff may, after he or his deputy, the township police, and a law enforcement agency with which the township contracts for police services have answered a combined total of three false alarms resulting from the malfunction of the same commercial or residential security alarm system within the unincorporated area of the county in the same calendar year, mail the manager of the commercial establishment or the occupant, lessee, agent, or tenant of the residence a bill for twenty-five dollars for each subsequent false alarm from the same alarm system during that year, to defray the costs incurred.... The sheriff shall not send a bill pursuant to this division if a bill has already been sent pursuant to division (A) of this section for the same false alarm.

Texas
Texas law on false alarms is extensive and detailed. It sets limits on the policies of sheriffs' offices and municipalities regarding false alarm response. Interestingly, it allows populous counties to charge a fee for each false alarm the sheriff's office responds to—with no free ones.

Key elements:
- A county of more than 2.2 million persons may establish a system of charges for any false alarm responses by the sheriff's office. Fees shall not exceed actual cost of response. Fees may be fixed or may vary depending on the circumstances of the alarm.
- If a municipality requires alarm permits, permits must be valid for at least one year. However, the municipality may revoke or suspend permits. Permit fee may not exceed $50.
• A municipality may not withhold police response to a permit holder because of excessive false alarms if the permit holder has paid all false alarm fees.
• A municipality can judge an alarm as false only if a response is made within 30 minutes and an on-site inspection shows the alarm was false.
• A municipal fine can be levied only for the sixth and subsequent false alarms in a 12-month period. Fine shall not exceed $50 and shall not exceed the actual cost of the response.
• Counties may charge $75 for a sheriff’s office response to each excessive false alarm and may revoke permit if more than nine false alarms occur in a one-year period. Counties may charge full cost of response when alarm user intentionally activates alarm system for any reason other than emergency.

Here are the relevant parts of the law:

Texas Local Government Code (1993)
Title 4, Subtitle B
118.133. Sheriff’s Response to False Alarm in County With Population of More Than 2.2 Million
   (a) The commissioners court of a county with a population of more than 2.2 million by order may adopt a system by which the county charges a fee if the sheriff's office of the county responds to a security alarm and the emergency for which the alarm device was designed to give notice does not exist.
   (b) The fee shall be charged to a person exercising control of the property on which the alarm device is installed.
   (c) The commissioners court shall set the amount of the fee. The court may set a single fee that is charged for each response to a false alarm or may establish a fee structure under which different fees are charged according to the differing circumstances of each false alarm. However, the amount of a fee may not exceed the amount of the actual costs incurred by the sheriff's office in responding to the alarm.
   (d) Fees collected under this Act shall be deposited in the county treasury to the credit of the general fund of the county.

Title 7, Subtitle A
218.001 (1993)
Definitions
In this chapter:
   (1) "Alarm system" means a device or system that transmits a signal intended to summon police of a municipality in response to a burglary. The term includes an alarm that emits an audible signal on the exterior of a structure. The term does not include an alarm installed on a vehicle, unless the vehicle is used for a habitation at a permanent site, or an alarm designed to alert only the inhabitants within the premises.
   (2) "Permit" means a certificate, license, permit, or other form of permission that authorizes a person to engage in an action.

218.002. Categories of Alarm Systems
The category of alarm system to be regulated is burglary.

218.003. Duration of Municipal Permit
   (a) If a municipality adopts an ordinance that requires a person to obtain a permit from the municipality before a person may use an alarm system in the municipality, the ordinance must provide that the permit is valid for at least one year.
(b) This requirement does not affect the authority of the municipality to:

(1) revoke, suspend, or otherwise affect the duration of a permit for disciplinary reasons at any time during the period for which the permit is issued; or

(2) make a permit valid for a period of less than one year if necessary to conform the permit to the termination schedule established by the municipality for permits.

218.004. Fee for Municipal Permit

If a municipality adopts an ordinance that requires a person to pay an annual fee to obtain a permit from the municipality before the person may use an alarm system in the municipality, the fee may not exceed the rate of $50 a year.

218.005. Termination and Discrimination

(a) Except as provided in Subsection (d) of this section, a municipality may not terminate its law enforcement response to a permit holder because of excess false alarms if the false alarm fees are paid in full.

(b) In permitting free false alarm responses and in setting false alarm fees, a municipality must administer any ordinance on a fair and equitable basis as determined by the governing body.

(c) A municipality may not terminate an alarm permit for nonrenewal without providing at least 30 days’ notice.

(d) A municipality may set standards for systems to be permitted and may refuse to permit particular systems which in its discretion have a history of unreliability.

218.006. On-Site Inspection Required

A municipality may not consider a false alarm to have occurred unless a response is made by an agency of the municipality within 30 minutes of the alarm notification and the agency determines from an inspection of the interior or exterior of the premises that the alarm was false.

218.007. Penalty Limitations

(a) A municipality may not impose a penalty or fee for the signaling of a false alarm by a burglar alarm system unless at least five other false alarms have occurred during the preceding 12-month period.

(b) A penalty or fee imposed for a false alarm must be established by ordinance based on the type and level of emergency response provided. This fee may not exceed $50 in the case of the category of burglar alarms. The penalty or fee for a false alarm may not exceed the actual expenses incurred for the response.

Title 7, Subtitle B

237.001. Definitions

In this chapter:

(1) "Alarm site" means the specific property or area of the premises on or within which an alarm system is installed or placed.

(2) "Alarm system" means an alarm signal device, burglar alarm, heat or motion sensor, or other electrical, mechanical, or electronic device used:

   (A) to prevent or detect burglary, theft, pilferage, fire, or other loss of property;
   (B) to prevent or detect intrusion; or
   (C) primarily to detect and summon aid for other emergencies.

(3) "False alarm" means an alarm signal received by a law enforcement official that is later determined not to involve a criminal offense, attempted criminal offense, fire, or other emergency.

237.002. Authority to Regulate; Adoption of Rules

(a) The commissioners court of a county by order may authorize the sheriff of a county to:

   (1) propose rules to implement this chapter;
   (2) regulate the incidence of and response to false alarms in accordance with the rules proposed by the sheriff and adopted or modified by the commissioners court under this chapter;
(3) establish procedures for application for and renewal and revocation of an alarm system permit;

(4) establish procedures that include notice to the permit holder and an opportunity for a hearing for permit revocation or suspension if the permit holder violates this chapter or an order of the commissioners court or a rule adopted under this chapter;

(5) establish fees in accordance with this chapter for the issuance of the permits;

(6) require that any permit issued under this chapter be kept at the alarm site and produced for inspection on request of the sheriff or the sheriff's representative;

(7) require that a permit must be issued and unrevoked before a sheriff or other law enforcement official may respond; and

(8) establish a number of free false alarms for each category of alarm system and impose a service response fee for any alarm in excess of the number of free responses within the preceding 12-month period.

(b) A county may not impose a penalty or fee for the signaling of a false alarm by an alarm system unless five other false alarms have occurred within the preceding 12-month period.

(c) A penalty or fee imposed for a false alarm must be established by rule based on the type and level of emergency response provided. The fee for more than five false alarms shall not exceed $75 per false alarm above the number of free responses. If there are more than nine false alarms in a one-year period, the alarm system permit may be revoked.

(d) Notwithstanding the other provisions of this section, the owner or lessee of premises on which an alarm system is installed may be charged the full costs incurred by the county when the owner or lessee or the agent or employee of the owner or lessee intentionally or knowingly activates the alarm system for any reason other than an emergency or threat of an emergency of the kind for which the alarm system was designed to give notice.

(e) The sheriff or the sheriff's representative shall provide a copy of the rules to a person and assess a fee for the copy in accordance with the open records law, Chapter 424, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252-17a, Vernon's Texas Civil Statutes).

237.004. Permit Fees

(a) The sheriff of a county who regulates alarm systems under this chapter may authorize the county auditor to assess and collect fees for the issuance or renewal of a permit under this chapter in reasonable amounts set by the commissioners court.

(b) All fees received under this chapter shall be remitted to the county treasurer to be deposited to the credit of the general fund of the county.

237.005. Municipal Authority Unaffected

This chapter does not affect the authority of a municipality in the county to enact ordinances regulating alarm systems.

237.006. Criminal Penalty

(a) A person who violates this chapter, an order of the commissioners court, or a rule adopted under this chapter commits an offense.

(b) An offense under this section is a Class C misdemeanor.

237.007. County Liability

The county, the commissioners court, the sheriff, and the sheriff's employees or agents are not liable for an action arising out of the regulation of or failure to regulate alarm systems.

**District of Columbia**
The District of Columbia law has a different tone than the laws already described, emphasizing contact persons, training, and the duties of alarm users.
**Key elements:**

- Alarm users may not cause or permit false alarms and must teach their employees how to use the systems.
- Systems must be kept in good working order.
- Users who have not contracted with an alarm dealer for an alarm agent to respond to the scene of an alarm must provide the telephone numbers of at least two people who can arrive at the scene within half an hour after the police call them to deactivate and reset the alarm system.
- Fines range from $40 to $100.

Here are the relevant parts of the law:


Section 6-3102. Definitions

"False alarm" means any alarm signal communicated to the Metropolitan Police Department or the District of Columbia Fire Department that is not in response to an actual or threatened fire, an actual or attempted burglary, a holdup, an assault, or an unlawful entry requiring an immediate police or fire department response. The term "false alarm" shall include a negligently or accidentally activated signal; a signal that is the result of faulty, malfunctioning, or improperly installed or maintained equipment; and a signal that is purposely activated to summon the Metropolitan Police Department or the District of Columbia Fire Department in non-emergency situations. The term "false alarm" shall not include a signal willfully activated by an alarm user upon a good faith belief that an actual or threatened fire, an actual or attempted burglary, a holdup, an assault, or an unlawful entry is about to occur or a signal activated by unusually severe weather conditions or other causes, that is identified and determined by the Mayor to be beyond the control of the user or of the alarm dealer.

Section 6-3107. Duties of security alarm users.

- An alarm system user shall not cause or permit any false alarm.
- It shall be the responsibility of alarm users to instruct any employees or others who may have occasion to activate an alarm that alarm systems are to be activated only in emergency situations to summon an immediate police or fire department response. Alarm users shall also instruct appropriate employees as to the operation of the alarm system, to include setting, activation, and resetting of the alarm.
- Alarm users shall be responsible for seeing that alarm systems are maintained in good working order and that defects which could cause false alarms are promptly repaired.
- Users of alarm systems who have not contracted with an alarm dealer for an alarm agent to respond to the scene of alarm activations shall indicate the telephone numbers of at least 2 responsible persons who are capable of deactivating and resetting the alarm system and of assisting the police or fire department to secure the premises, if necessary, and who may be notified by the Metropolitan Police Department or District of Columbia Fire Department to respond to the scene by either: (1) Posting the names of such persons on a sticker or other sign on the premises in a conspicuous place visible from outside the premises; or (2) filing the names with the Mayor as defined by regulation. Such person or persons shall respond to the scene within one-half hour after being requested to do so by the Metropolitan Police Department or District of Columbia Fire Department unless good cause is shown.

Section 3-3111. Penalties generally.
(a) Unless otherwise specified, any person who violates a provision of this chapter shall be fined no less than $40 nor more than $100.

(b) All fines levied pursuant to this chapter are civil in nature.

(c) Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this chapter, or any rules or regulations issued under the authority of this chapter, pursuant to Chapter 27 of this title. Adjudication of any infraction of this chapter shall be pursuant to Chapter 27 of this title.

Hawaii

Hawaii’s law does not actually regulate false alarms but does address them.

Key elements:

- On request, alarm businesses must provide police with data about false alarms and systems in operation. Alarm businesses and police shall cooperate to reduce the number of false alarms.

- Alarm businesses shall keep detailed, accurate records on false alarms for at least two years.

Here are the relevant parts of the law:

Hawaii Code Annotated, Division 2, Title 25

436M-4. Alarm businesses that maintain, service, or monitor alarm systems shall, upon request by the police, share with them the data about false alarms and alarm systems in operation needed to determine the monthly false alarm rate for each alarm business. Data obtained from each alarm business shall be used by the police only for statistical purposes and shall not be released to others. Alarm businesses and the police shall cooperate to reduce to a minimum the number of false alarms reported to the police.

436M-3...Each alarm business that maintains, services, or monitors alarm systems shall keep accurate and up-to-date business records as may be required for at least two years. The records shall include a log of all alarm activations, the date and time of each activation, the reason (insofar as the reason can be determined) for each activation, and monthly counts of the number of activations at each alarm user site that are reported to the police.

436M-1..."False alarm" means any alarm activation that is communicated to the police but that is not in response to an actual or threatened criminal act. False alarms include alarm activations caused by negligence, by improperly installed or maintained equipment, and by efforts to summon the police for a purpose other than that for which the alarm is designed. False alarms shall not include alarm activations for which the cause cannot be determined, or is in reasonable doubt, or is beyond the control of the alarm user or alarm business.
Section 3
Local Ordinances

Regardless of whether they are in fact the most effective solution, local ordinances are among the most visible of the many means of controlling false alarms. The specifics of alarm ordinances vary, but they typically provide for alarm system registration, a certain number of "free" false alarms, fines (often ascending) for excessive false alarms, and sometimes a point at which police may elect not to respond to calls from a particular system.

Not presuming to say which provisions would be most effective for a specific city, this section instead presents three case studies that examine the degree of success of ordinances in three particular cities. (Two of the ordinances are presented in this report's appendix.) The section then summarizes the elements of 30 cities' false alarm ordinances, presenting comments as they were received from police department spokespersons, and lists points of contact for anyone wishing to obtain a copy of or learn more about the ordinances summarized.

In addition to sample ordinances employed by various municipalities, model ordinances have been written by such groups as NBFAA, IACP, and CANASA:

- NBFAA's ordinance ("Model Security Alarm Ordinance") is available through NBFAA headquarters in Bethesda, Md.
- IACP's ordinance ("Model Burglar and Holdup Alarm Systems Ordinance"), written 20 years ago, is primarily interesting as a historical document. It provides for alarm business licensing, identification cards for alarm business employees, installations' compliance with national standards, inspection of installations and alarm business premises, collection of alarm statistics, alarm user permits, and revocation of alarm user permits after four false alarms in a calendar year.
- CANASA's ordinance is reprinted in the appendix of this report.

Case Studies
1: Multnomah County (Portland), Oregon

Portland's first false alarm control ordinance was developed in 1975. Having topped 5,000 alarms in one year, the cities in Multnomah County, the county where Portland is located, decided to enact similar ordinances that the sheriff's office would administer centrally. The ordinances required alarm owners to obtain permits, and at certain intervals they levied fines against owners who had multiple false alarms. (At the fourth false alarm in a year, a $40 fine was levied; at the
eighth, $100; at the twelfth, $180). The ordinances did not call for any notification of an owner when the police responded to a false alarm, so many owners were not aware of their false alarms until fine notices were received. The rate of false alarms continued to increase steadily.

The number of alarms reached a peak in 1989, at 34,848. At that point, the ordinances was updated, and the fine at four false alarms increased to $50, with false alarms five through nine free. At 10 false alarms, the fine was $100 for each false alarm. This brought about a slight decline in the number of false alarms in 1989, the first year that the number of false alarms did not increase at the same rate as the number of permits.

But this slight decrease did not satisfy Portland. In 1990 and 1991, a mayor's committee met to address the alarm issue. The committee's report called for the appointment of an alarm outreach officer, whose duty it was to notify alarm users of the problem of false alarms and to administer the ordinance. The officer's efforts were to be financed by an increase in the permit fee. The report also called for a tougher stance on fines, beginning fines on the second false alarm. On the sixth false alarm, the committee recommended suspension of police response.

The Multnomah County Alarm Task Force sent each city in the county an ordinance that implemented the recommendations. The Portland Police Bureau appointed an alarm outreach officer in 1990 and passed a new, tougher, ordinance, using the committee's recommendations, in 1991.

The alarm outreach program used numerous methods to make the public aware of the false alarm problem and attempted to reduce false alarms at the user's level. Being mainly caused by user error and equipment malfunction, many false alarms could be eliminated through education and community awareness. The outreach officer mailed brochures to all new alarm users, along with an eight-minute video (Target Zero: Preventing False Alarms) detailing false alarm reduction methods. Also made available were brochures on selecting the right system for a prospective buyer's needs. Officers were required to attach a FANS (false alarm notification sticker) on the front door of the premises where they had responded to a false alarm. After police began to use the stickers, the number of false alarms decreased 20 percent.

The increase in public awareness, along with stiffer penalties, drastically reduced the number of false alarms. From 1989 to 1990, false alarms decreased from 34,848 to 32,572. In 1991, they decreased to 24,692, and in 1992 the number of false alarms was 21,401. These decreases came even though the number of permits had increased from 32,502 in 1989 to 36,663 in 1992. Since 1988 there has been a 26 percent increase in the number of permits but a 36 percent decrease in the number of false alarms. Portland's approach shows the remarkable effect of a strict law combined with an active public awareness campaign.

CONTACT: Alarm Information Officer Robert F. Tilley, (503) 823-0487.
2: Uwchlan Township, Pennsylvania
In 1984, due to the increase in false alarms over the preceding few years, the Uwchlan Township Police Department began to leave an alarm card at the site of every false alarm to which it responded. This notification card stated the date, time, and reason for the activation. One copy of the card was left at the site of the alarm, and one was mailed to the alarm dealer. The card was to notify those who were having false alarms of the problem and to show the alarm companies which systems were the most effective and which were the least reliable. This simple notification brought about a decrease in false alarms in the township. From 790 in 1983, the number decreased to 746 in 1984, to a low of 469 total alarm calls (false and actual) in 1987. Meanwhile, it is estimated, the number of alarm users was increasing at a rate of about 10 percent a year.

In 1988, the township enacted an ordinance designed to keep track of false alarms and administer fees to multiple offenders. Interestingly, 1989 and 1990 saw the first increases in five years in the number of alarm calls. In 1989 the increase was attributed to one alarm user with an inordinate number of alarms. In 1990, despite a 19 percent increase in the number of alarm users, the number of false alarms rose only 10 percent. The township was happy with this slight increase, and the number of false alarms began to decline again in 1991, to 598. Even with the increases in the number of alarm users since 1984, when the notification program was started, the number of false alarms has never returned to its peak level of 746.

Uwchlan Township's ordinance is unique in the high number of alarms allowed before a fine is incurred. The township allows two false activations a month, with the third and fourth in a month incurring a $50 fine, and any over four incurring a $100 fine. At the end of the month the user starts over again at zero and is allowed two free false activations. This schedule is lenient compared to most ordinances reviewed, but it has been effective. Lieutenant J. Patrick Davis of the Uwchlan Township Police Department says the ordinance is not intended to be a punishment; instead, it is designed to keep alarm systems updated and to make users aware if they are having a false alarm problem.

This focus on awareness, on letting users know about the problem, not necessarily punishing them, has been very effective. Uwchlan Township has decided to work with the community to stop false alarms through cooperation and awareness. The township still receives false alarms, but their number has become manageable and is expected to continue to decline in the years ahead.


3: Calgary, Alberta, Canada
In 1981 the city of Calgary enacted a by-law (ordinance) to regulate alarm systems. The law required simply that all alarm systems adhere to standards set by the chief of police. In 1984, the law was amended to require that persons monitoring an alarm system call the premises of the alarm if it was set off during business
hours, so the police would not be summoned if it was false. The amended by-law also gave the police chief power to revoke an alarm permit if the user violated any part of the by-law. Even so, the number of alarms increased steadily.

In 1991, the number of false alarms in Calgary reached a high of 16,653. This reflected a continual and steady growth from 11,504 in 1983. Something had to be done. Early in 1992, the police department notified alarm industry representatives that false alarms were "out of control," and the department changed dispatch priority so that any alarm not verified as a crime in progress was treated as a nonemergency call.

In October 1992, the alarm by-law was amended, becoming much stricter—and much more effective. The chief was now allowed to revoke permits if the alarm system activated excessive false alarms, defined as three or more in a 12-month period. This revocation would last for six months after the last false alarm. In 1992, there was a 23 percent reduction in the number of false dispatches, compared with a 27 percent increase in alarm installations.

The alarm companies worked with the police department to devise a more formal alarm verification procedure, which the police adopted as policy. During the times when the risk of break-in or criminal activation of the alarm system is lowest (from 6:00 am to 10:00 pm), alarm companies must perform telephone verification before calling the police. This procedure was adopted in March 1993.

The city of Calgary has continued to see progress. The Calgary police report that the number of false alarms for 1993 is down considerably, with a projected growth in the number of users of about 20 percent.

The public sector's by-laws and strict fines curbed some of the false alarms, and the cooperation of the alarm companies in developing verification procedures reduced the problem even more.

Note: Calgary's by-law is based closely on CANASA's model by-law, which is reproduced in the appendix.

CONTACT: Constable Brian Adams, (403) 268-8399.

Local Ordinances
The following table of local false alarm ordinances reveals a range of ordinance features. The cities are arranged in descending order of population so that readers may quickly learn what has been done in cities similar in size to their own. The number of "free" false alarms allowed per year ranges from one to six, and fines range from zero to $200. In some cities, nonresponse begins when the chief of police decides it will, according to each case; in other cities, police stop responding after the second to eighth false alarm. Comments received about the success of the ordinances range from "very effective" to "not effective."

Among the notable ordinances are those of

- Phoenix, which provides for fines to be waived if the user takes corrective action
• Seattle, which requires a report of cause for each false alarm
• Las Vegas, which provides no police response to burglar alarms until the need for police has been verified by an eyewitness
• High Point, N.C., which waives fines for false alarms that are proven to be the result of mechanical or electronic malfunction
## Local Ordinances: A Sample

<table>
<thead>
<tr>
<th>City (population)</th>
<th>Number of &quot;free&quot; false alarms</th>
<th>Fines</th>
<th>Response stops after</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Philadelphia, Pa. (metro area--4.8 million)</td>
<td>3 in registration year</td>
<td>4th to 6th--$25 7th--$100</td>
<td>7th--revocation of license</td>
<td>Not very effective until enforced heavily, then steady drop in false alarms.</td>
</tr>
<tr>
<td>Boston, Mass. (metro area--3.8 million)</td>
<td>2 in calendar year</td>
<td>3rd--$50 4th--$100 5th--$200 6th and up--$200 per day*</td>
<td></td>
<td>* Fee can be $200 per day until evidence is shown that problem has been remedied.</td>
</tr>
<tr>
<td>Toronto, Ontario, Canada (metro area--3 million)</td>
<td>2 alarms within 365 days--user receives caution notice. 3 alarms allowed within 365 days</td>
<td>4th--response suspended for 365 days</td>
<td>Deployment cost savings: 11 million man-hours and $56 million. Despite 10% growth in alarm industry, alarm calls have been reduced by 370,000 incidents.</td>
<td></td>
</tr>
<tr>
<td>Atlanta, Ga. (metro area--2.8 million)</td>
<td>3 in calendar year</td>
<td>4th--$50 5th--$75 6th--$100</td>
<td></td>
<td>False alarms have leveled at about 3,000 per month. Collection rate is about 41%. Weakness identified as &quot;lack of enforcement.&quot;</td>
</tr>
<tr>
<td>Baltimore, Md. (city) (metro area--2.4 million)</td>
<td>2 in 30 days 7 in 12 months</td>
<td>$30 each over limit</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phoenix, Ariz. (metro area--2.1 million)</td>
<td>3 in 365-day period 2nd--notification by police</td>
<td>4th and above--report required within 20 days regarding cause of alarm. Fine may be waived if there is valid reason for false alarm and user takes corrective action. Fines: 4th to 9th--$55 each 10th to 14th--$100 each 15th and up--$200 each</td>
<td></td>
<td>Have seen a 30% drop in false alarms in past year.</td>
</tr>
<tr>
<td>Oakland, Calif. (metro area--2.1 million)</td>
<td></td>
<td></td>
<td></td>
<td>Police chief allowed to declare &quot;no response&quot; to repeat false alarm offenders. Has been effective. Alarm companies have seen a drop in false alarms.</td>
</tr>
</tbody>
</table>
## Local Ordinances: A Sample (ctd.)

<table>
<thead>
<tr>
<th>City (population)</th>
<th>Number of &quot;free&quot; false alarms</th>
<th>Fines</th>
<th>Response stops after</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seattle, Wash. (metro area: 2 million)</td>
<td>2 in 6 months A user's report of cause required by police for each false alarm.</td>
<td>$125 per alarm over 2</td>
<td>No response after 6 alarms.</td>
<td>Police can order disconnection of alarm if recommended action not taken.</td>
</tr>
<tr>
<td>Miami, Fla. (metro area: 1.9 million)</td>
<td>5 in permit year</td>
<td>6th to 8th--$25 each</td>
<td>Permit revoked at 9. Fee for reinstatement: 9--$50 11--$100 13--$250 16--$350 20 and each thereafter--$500 Written notice from alarm company saying alarm is working required for reinstatement.</td>
<td>Have seen increase in alarms, but reduction in repeat offenders.</td>
</tr>
<tr>
<td>San Francisco, Calif. (metro area: 1.6 million)</td>
<td>2 in 60 days Police required to notify user of each false alarm.</td>
<td>3rd--$52 4th--$95 5th and up $190</td>
<td></td>
<td>Deemed effective.</td>
</tr>
<tr>
<td>Milwaukee, Wisc. (metro area: 1.4 million)</td>
<td>2 in calendar year</td>
<td>3rd and up--$50 or 2 days in jail</td>
<td></td>
<td>Has been very effective due to cooperation of police and alarm companies.</td>
</tr>
<tr>
<td>Portland, Ore. (metro area: 1.24 million)</td>
<td>1 in permit year</td>
<td>2nd, 3rd--$50 4th and up--$100</td>
<td></td>
<td>Very effective. Case study gives statistics.</td>
</tr>
<tr>
<td>Birmingham, Ala. (900,000)</td>
<td>1 in 12 months</td>
<td></td>
<td>Response stops after 2nd. Owner can apply to sheriff for reinstatement. After 6th, no response without approval of sheriff.</td>
<td>Highly effective.</td>
</tr>
<tr>
<td>Memphis, Tenn. (metro area: 900,000)</td>
<td>4 in calendar year</td>
<td>5th and up--$25 each</td>
<td>Police may revoke permit if user does not report reason for false alarm within 15 days of notification of alarms over 4.</td>
<td></td>
</tr>
<tr>
<td>City (population)</td>
<td>Number of &quot;free&quot; false alarms</td>
<td>Fines</td>
<td>Response stops after</td>
<td>Comments</td>
</tr>
<tr>
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</tr>
<tr>
<td>Fairfax County, Va. (800,000)</td>
<td>2 in 12 months</td>
<td>3rd--$20, 4th--$50, 5th--$75, 6th--$100, 7th--$125, each over 7--$150</td>
<td>Experienced 3.98% drop in alarm calls the year after adoption of the ordinance.</td>
<td></td>
</tr>
<tr>
<td>Montgomery County, Md. (750,000)</td>
<td>3 in calendar year</td>
<td>fee to be determined for alarms over 3</td>
<td>Ordinance currently (8/93) being modified to become stricter. Had considered a &quot;900&quot; number to charge alarm companies for all calls.</td>
<td></td>
</tr>
<tr>
<td>Las Vegas, Nev. (metro area--750,000)</td>
<td></td>
<td></td>
<td>No response until alarm company sends employees and calls with valid reason. Have seen drop to nearly zero, due to private response requirement.</td>
<td></td>
</tr>
<tr>
<td>Tulsa, Okla. (700,000)</td>
<td>3 in a month, 4 in 6 months, 6 in 12 months</td>
<td>inspection required for each false alarm over those allowed; false alarms without inspection--$100</td>
<td>deemed &quot;not effective&quot; due to lack of enforcement--seen as a low priority in court.</td>
<td></td>
</tr>
<tr>
<td>Calgary, Alberta, Canada (600,000)</td>
<td>2 in 12 months</td>
<td>3rd--permit suspended for six months</td>
<td>Have seen about a 30% drop in alarms in past year. Figures for 1993 are &quot;even more promising.&quot;</td>
<td></td>
</tr>
<tr>
<td>Pierce County, Wash. (600,000)</td>
<td>2 in 6 months</td>
<td>3 to 5 false alarms--$65 each</td>
<td>New ordinance, based on Tacoma's ordinance, which has been highly effective.</td>
<td></td>
</tr>
<tr>
<td>Lexington, Ky. (350,000)</td>
<td>3 in 12 months</td>
<td>Permit suspended after 3 false alarms.</td>
<td>Contact says ordinance &quot;not followed up on.&quot; City stops response only for chronic offenders. &quot;I don't see how you can stop a public service.&quot;</td>
<td></td>
</tr>
<tr>
<td>Richmond, Va. (200,000)</td>
<td>2 in 180 days--warnings given</td>
<td>3rd--$50, 4th and up--$100</td>
<td>Enacted May 10, 1993. Have already sensed increased awareness in community.</td>
<td></td>
</tr>
<tr>
<td>Greensboro, N.C. (183,000)</td>
<td>4 in 12 months; police notice regarding each</td>
<td>Ticket for each over 4; $50 citation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>High Point, N.C. (70,000)</td>
<td>2 in 12 months with warning after each. Any alarm within 7 days of installation is not considered false.</td>
<td>3rd and 4th--$50 Waivable if proved to be mechanical or electronic malfunction. 5th and up--$100</td>
<td>Effective according to contact.</td>
<td></td>
</tr>
</tbody>
</table>
## Local Ordinances:
### A Sample (ctd.)

<table>
<thead>
<tr>
<th>City</th>
<th>Number of &quot;free&quot; false alarms</th>
<th>Fines</th>
<th>Response stops after</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Hartford, Conn.</td>
<td>6 in calendar year; notices sent after 3rd and 6th</td>
<td>7th and above--$40</td>
<td>Police chief may order disconnection of system if ordinance is disobeyed.</td>
<td>Highly effective due to enforcement.</td>
</tr>
<tr>
<td>(65,000)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pinellas Park, Fla.</td>
<td>3 in 12 months</td>
<td>4th--$50 5th--$100 6th--$150 7th--$200 8th and up--$250</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(41,000)</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Windsor, Conn.</td>
<td>3 in calendar yr.</td>
<td>4th, 5th--$25 6th, 7th--$50 8th, 9th--$75 10th and up--$100</td>
<td></td>
<td>Have seen steady decline in false alarms and fines since implementing fee structure.</td>
</tr>
<tr>
<td>(28,600)</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Tredyffrin Township, Pa.</td>
<td>1 in calendar year with a warning</td>
<td>2nd, 3rd--$25 4th and up--$100</td>
<td>Permit may be revoked after 4.</td>
<td>Very effective.</td>
</tr>
<tr>
<td>(28,000)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dover, N.H.</td>
<td>5 in calendar year</td>
<td>6th and up--$25</td>
<td>Over 6 alarms, chief may revoke license.</td>
<td>Seems to be effective. Have seen decline in business alarms.</td>
</tr>
<tr>
<td>(26,000)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Uwchlan Township, Pa.</td>
<td>1st and 2nd in a month; warnings given</td>
<td>3rd, 4th--$50 5th and up--$100</td>
<td>4th--permit may be revoked</td>
<td>Successful--statistics in case study.</td>
</tr>
<tr>
<td>(13,000)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Ordinance Numbers
Addresses for Copies of and More Information on Alarm Ordinances

Atlanta, Ga.
Atlanta Code of Ordinances, Chapter 2, Part 11, Section 11-2007 Burglar Alarm System

Mr. Ray Tyson
Atlanta Police Department
175 Decatur Street
Atlanta, GA 30335

Baltimore, Md.
Department enforces state law: Annotated Code of Maryland, Article 27, Section 156 (A)-(D)

Baltimore Police Department
Public Affairs Division
Baltimore, MD 21202

Birmingham, Ala.
Ordinance Number 86-266

Birmingham Police/
False Alarms
710 20th Street N.
Birmingham, AL 35203

Boston, Mass.
City of Boston Code Ordinances, Chapter XI, Section 11-2

Boston Police Department
Room 309
154 Berkeley Street
Boston, MA 02116

Calgary, Alberta, Canada
By-Law Number 40M81, with amendments 50M84 and 49M92

Calgary Police Service
133 6th Avenue S.E.
Calgary, Alberta, Canada T2G 4Z1

Dover, N.H.
Dover Code, 58-11

Dover Police Department
46 Locust Street
Dover, NH 03829-3783

Fairfax County, Va.
Fairfax County Code: Chapter 8. Security Alarm Systems, Article 3

Lt. William Brown
Fairfax County Police Department
10600 Page Avenue
Fairfax, VA 22030

Greensboro, N.C.
Greensboro Code, Article II, Sec. 18-26 to 18-28

Phyllis Durham
Greensboro Police Department
300 W. Washington Street
Greensboro, NC 27402

High Point, N.C.
High Point Code of Ordinances, Title 5, Chapter 1, Article F: Burglary and Robbery Alarms

Capt. David Mikesell
City of High Point Police Department
P.O. Box 230
High Point, NC 27261

Las Vegas, Nev.
Las Vegas Code Chapter 6.18, Burglar Alarm Services, and Chapter 6.76, Burglar Alarm Systems

Las Vegas Metropolitan Police Department
400 E. Stewart Avenue
Las Vegas, NV 89101-2984

Lexington, Ky.
Lexington-Fayette County Code, Chapter 13

Lexington-Fayette Urban County Division of Police
150 East Main St.
Lexington, KY 40507

Memphis, Tenn.
Memphis Code, Police, Article VI, Police Emergency Alarm System
Alarm Coordinator
Memphis Police Department
201 Poplar, Room 1-11
Memphis, TN 38103

Miami, Fla.
Miami City Code, Chapter 3.5, Alarm Systems, Article II

Alarm Unit Supervisor
Miami Police Department
Alarm Ordinance Unit
400 N.W. 2nd Avenue
P.O. Box 016777
Miami, FL 33128

Milwaukee, Wisc.
Milwaukee City Code, Sections 105-73 through 105-75

Police Alarm Officer
Milwaukee Police Department
749 W. State Street
Milwaukee, WI 53201

Montgomery County, Md.
Bill 2-92 Concerning Alarms, amending Montgomery County Code, Chapter 3A, Alarms, and Executive Regulation regarding alarm businesses and users

Montgomery County Police
Officer Tom Koffman
Management and Budget Division
2350 Research Boulevard
Rockville, MD 20850

Oakland, Calif.
Oakland Municipal Code, Chapter 5, Article 21, Burglar Alarm Systems

Officer Ed Engberg
Oakland Police Department
455 7th Street
Oakland, CA 94607

Philadelphia Code, Section 9-305, Burglary, Theft, and Robbery Alarm Systems

City of Philadelphia Police Department
Franklin Square, Room 212, P.A.B.
Information Systems Division
Philadelphia, PA 19106

Phoenix, Ariz.
City Code: Article IX. Alarm Systems

Patricia Rohrbacher
Alarm Section Coordinator
620 W. Washington 142
Phoenix, AZ 85053

Pierce County, Wash.
Pierce County Code: Chapter 8.64. Alarm Systems

Jean Tipton
Pierce County Sheriff's Department
5504 112th Street S.W.
Tacoma, WA 98499

Pinellas Park, Fla.
City of Pinellas Park Code, Section 16-113, Alarm Systems - False Alarms

Pinellas Park Police Department
7700 59th Street
Pinellas Park, FL 34665

Portland, Ore.
Portland City Code, Title 14, Chapter 14.74

Portland Police Bureau
Alarm Information Officer
1111 S.W. 2nd Avenue
Portland, OR 97204

Richmond, Va.
Richmond City Code, Chapter 11, Article II-A, Fire and Burglar Alarm Systems

Department of Emergency Communications
501 North 9th Street, B-21
Richmond, VA 23219

San Francisco, Calif.
San Francisco Police Code, Article 37, Police Emergency Alarm Ordinance
Alarm Ordinance Unit  
San Francisco Police Department  
850 Bryant Street  
San Francisco, CA 94103

**Seattle, Wash.**  
Seattle Municipal Code 10.08.170 and 6.08

Seattle Police Department  
Security Unit  
610 Third Avenue  
Seattle WA 98104-1886

**Toronto, Ontario, Canada**  
Police Alarm Response Program  
By-Law 04-07, Alarms, under "General Investigations"

Metropolitan Toronto Police  
40 College Street  
Toronto, Ontario, Canada M5G 2J3

**Tredyffrin Township, Pa.**  
Tredyffrin Township Ordinance HR-99, Burglar and Fire Alarm Ordinance

Tredyffrin Township Police  
973 Old Lancaster Road  
Berwyn, PA 19312

**Tulsa, Okla.**  
Tulsa Code, Title 27, Chapter 26, False Alarms

Sgt. Don Sissom  
Tulsa Police Department  
Tulsa, OK 74103

**Uwchlan Township, Pa.**  
Uwchlan Township Ordinance Number 92-04

Uwchlan Township Police Department  
717 N. Ship Road  
Exton, PA 19341

**West Hartford, Conn.**  
West Hartford Code, Sections 44-1 to 44-13

West Hartford Police Department  
103 Raymond Road  
West Hartford, CT 06107

**Windsor, Conn.**  
Windsor Code, Article II

Windsor Police Department  
340 Bloomfield Avenue  
Windsor, CT 06095
Section 4
Court Decisions

A examination of appeals cases in all state courts plus the federal court system highlighted several false alarm issues that recur in lawsuits but that have apparently not been decided definitively. Some of the issues are directly on point for persons involved in the details of solving the false alarm problem. Other issues are relevant in that they illustrate the importance of finding a solution to that problem.

The issues are as follows:

- false alarm ordinances
  - clearly written?
  - fair?
  - who pays fines?
- false alarm as proximate cause of injury
- general consequences of false alarms

Although a few of the following lawsuits involve fire and holdup alarms, the issues raised may nevertheless prove instructive to persons attempting to reduce false burglar alarms.

**False alarm ordinances**

Ordinances that require alarm permits and set fines for excessive false alarms are a common means of controlling the incidence of false alarms. However, such ordinances do not always go unchallenged. Two cases, one in New York and one in Illinois, adjudicated the question of whether particular false alarm ordinances were legal. In both cases, the ordinances were held to be illegal.

In *New York v. Cortlandt Medical Building Associates*, 582 N.Y.S.2d 640 (1992), a commercial alarm user refused to pay $300 worth of fines it had accrued for false alarms. The user's objection was that the law imposing the fines violated the user's right to due process by making no provision for the user to have a hearing to determine whether the alarms were in fact false. The user also claimed the law's higher fines for commercial alarm users than for residential users violated the equal protection clauses of the state and federal constitutions. The court agreed on both points and effectively threw out the law.

*Queenwood East Sheltered Care Home, Ltd. v. Village of Morton*, 418 N.E.2d 472 (Ill. App. Ct. 1981), examined the validity of an ordinance adopted by the board of trustees of Morton, Illinois. The commercial alarm user claimed that the ordinance itself was beyond the powers of the village and that the ordinance
violated constitutional due process rights. The court held that the ordinance was beyond the powers of the village on the grounds that: "...the power to regulate can exist only when the object of regulation is mandated by a specific ordinance." That is, since alarms were not required by any ordinance, no ordinance could regulate them.

The court also found the ordinance too vague to pass constitutional muster: "In the instant case the experts for each side could not agree when the ionization detector was 'in proper working condition.' One said that the presence of an insect which triggered the device indicated proper working order. The other maintained that anything which triggered it other than smoke or fire indicated improper working order. If the experts cannot agree, it is beyond comprehension that the ordinary citizen, who may understand the working of an ordinary household toaster, could be placed under quasicriminal penalties for failing to understand the working of an ionization fire detector." Therefore, the court held that the provision in the ordinance that required systems to be in proper working condition was too vague to enforce.

Three other cases examine the question of who must pay false alarm fines under specific ordinances. Plainview Volunteer Fire Dep't, Inc. v. AFA Protective Systems, Inc., 489 N.Y.S.2d 587 (N.Y. App. Div. 1985), acknowledged the difficulty of determining who must pay false alarm fines (the alarm user or the central station) because of the way the governing ordinance was written and held that the question was so unclear that it must be left to the jury.

Armored Services, Inc. v. City of Wichita, 804 P.2d 987 (Kan. 1991), examined several provisions of the local alarm ordinance. Among other provisions, the ordinance fines the central station for false alarms unless the central station can prove that the alarms were caused by users; that is, the central station is presumed to be liable for the fine unless it can prove otherwise. The court upheld that provision.

City of Medford v. Herbison, 645 P.2d 563 (Ore. Ct. App. 1982), shows how complicated the assignment of responsibility for false alarm fines can become. An alarm company had installed a burglar alarm panel in the local police station's dispatch center. The panel displayed 150 lights, which were connected through leased telephone lines to private burglar alarms throughout the city. When one of those alarms was activated, a light on the panel would blink, and the police would investigate the scene. The fact that other alarm companies had purchased the use of many of the 150 lights raised the question of who was liable for false alarm fines: the company that installed the display board or the users of the individual lights. As in Plainview Volunteer Fire Dep't, Inc., the issue was deemed complex enough that it was referred to a jury.
False alarm as proximate cause of injury
The cases above are complicated enough, but the next set of cases shows how false alarms can cause serious trouble and exact high human and financial costs. When an alarm is activated, one result is that people on-site may have to evacuate a building; another result is that police or fire fighters may race across town. Both results can lead to personal injury. When the alarm in question turns out to be false, injured parties often feel they were unnecessarily placed in jeopardy. Five cases discovered in this research show a range of decisions as to who, if anyone, must pay damages.

In *Vicknair v. Hibernia Building Corp.*, 468 So.2d 695 (La. Ct. app. 1985), a woman seven to eight months pregnant was forced to descend 21 flights of stairs in response to a false fire alarm. The false alarm was caused during some renovation work being done in the building. As a result, the mother went into premature labor and delivered a son who was cyanotic (lacking sufficient oxygen in the blood) and required resuscitation. The child has since contracted an abnormally high number of respiratory illnesses related to the premature birth and resultant lung immaturity. Although a legal technicality later raised the question of exactly who—the building owner or the company performing the renovations—was liable, at trial the jury awarded the family damages of $60,980.

In two other cases regarding injuries that followed false alarm activations, the alarm was held not to have been the proximate cause of the accident. In *Ford v. Peaches Entertainment Corp.*, 349 S.E.2d 82 (N.C. Ct. App. 1986), an employee of the alarm user caused an alarm to sound at the fire department when he tested a sprinkler system. On the way to the user's place of business, a fire truck collided with a car, injuring the car's driver. That driver's lawsuit was dismissed on the grounds that the defendants' negligence in activating the alarm was not a proximate cause of his injury: "[i]t is not reasonably foreseeable that in the event of a false alarm a fire truck will cause an accident in responding to the alarm."

Another case, *Western Stone & Metal Corp. v. Jones*, 348 S.E.2d 478 (Ga. Ct. App. 1986), reaches a similar finding. A false silent alarm sounded; the security agency notified police; and two vehicles were dispatched. As the police vehicles were traveling to the scene, a 73-year-old woman was crossing the street. The police cars approached, the pedestrian was startled, and in stepping backward to avoid being hit, she injured her right hip. The injured woman contended that the alarm user was negligent in one of several ways: negligently setting off the alarm; negligently maintaining the alarm system; failing to discover that the alarm had been activated; or failing to notify authorities not to respond to the alarm.

At trial, the pedestrian was awarded $100,000, to be paid by the alarm user and the city government. The city government's liability was limited by statute to $1,000, and it therefore did not bother to appeal the decision. The alarm user, however, did appeal. The appellate judge quoted another case, *Southern Bell Tel. &c. Co. v. Dolce*, 342 S.E.2d 497 (Ga. 1986): "A prior and remote cause cannot be
made the basis of an action if such remote cause did nothing more than furnish the condition or give rise to the occasion by which the injury was made possible, if there intervened between such prior or remote causes and the injury a distinct, successive, unrelated, efficient cause of the injury. If no danger existed in the condition except because of the independent cause, such condition was not the proximate cause." The judge in Western Stone & Metal Corp. held that that was the situation in the present case and reversed the trial court's judgment.

In Horn v. Urban Inv. and Dev. Co., 519 N.E.2d 489 (Ill. App. Ct. 1988), a fireman slipped and fell while investigating an apparent false alarm at a retail clothing store. Both at the trial court level and on appeal his suit to recover damages from the building owner was summarily dismissed. The court noted that "while the possessor of land has a duty of reasonable care to a business invitee, that duty does not extend to obvious dangers the invitee would be expected to discover and to avoid by his own efforts."

A different sort of case is Duncan v. Rzonca, 478 N.E.2d 603 (Ill. App. Ct. 1985). In that complex and rather painful case, a police officer responding to a bank's robbery alarm was forced to swerve his squad car to avoid a collision with another vehicle. The officer's car struck a telephone pole, and the officer was injured. The alarm, a false one, allegedly was activated by the three-year-old son of a patron at the bank. Moreover, in the preceding four months, six false alarms had originated from the bank, at least one of which was alleged to have been activated by the same child.

On the day in question, the child's mother had been advised to keep her son away from the back of an employee desk where an alarm button, exposed and facing outward, was located in the corner of the desk's knee-space. The child nevertheless walked to the back of the desk, but was requested to leave that area by a bank employee. The child did so but then allegedly returned and pushed the alarm button.

The injured police officer sued for damages; the case was dismissed by a trial court, but he appealed. The appeals court wrestled with the question of who might be at fault—the bank, the mother, the child, or the civilian driver involved in the crash. The judge wrote, "Admittedly, it is quite foreseeable that a police officer responding to an emergency situation of any type presents an inherent risk of harm. However, the societal and policy considerations which require that that risk of harm be borne, albeit regretfully, in order to advance the protection of society and its property as a whole cannot similarly require that the burden of that risk be borne when no purpose is served thereby, and when the need to undertake the risk could have been avoided by the exercise of due care." He added, "The risk becomes socially intolerable and unreasonable when no social need for it exists, particularly when the means of guarding against the risk are eminently available and easily accomplished."
The trial court's decision to throw out the police officer's claim was overturned. The appeals judge held that the bank's negligence in allowing the false alarm could properly be viewed as a proximate cause of the officer's injury; hence, the decision had to be made by a jury.

**General consequences of high incidence of false alarms**

A particular false alarm may have particular consequences, but the entire wave of false alarms has its own consequences. One consequence is its effect on alarm companies. In *Douglas W. Randall, Inc. v. AFA Protective Sys., Inc.*, 516 F. Supp. 1122 (E.D. Pa. 1981), a jury awarded $14,330 in damages to a jeweler whose leased alarm system, which used ultrasonic sensors, did not signal an alarm even when the entire front window of the jewelry store was smashed. Why did the system not work? And why did the jeweler prevail against the alarm company despite the exculpatory clause in the service contract, which limited the alarm company's liability to 10 percent of the service charge or $250?

The answer flows from "evidence in the record from which the jury could conclude that the defendant's employees had turned down the sensitivity of the burglar alarm to a point where it would not detect the entry of a person into the plaintiff's store." Why did the alarm company turn down the sensitivity of the system so drastically? The judge's opinion states that "the alarm system triggered many false alarms during the hours that the plaintiff's store was closed. [Therefore, an] employee of the defendant came to the plaintiff's store...and adjusted the alarm system in such a manner that the false alarms ceased." In other words, false alarms were such a nuisance, even to the alarm company, that the alarm company effectively killed the system to stop false alarms. The contract's exculpatory clause was deemed invalid because of the alarm company's "gross negligence" (which is legally distinct from and beyond mere negligence).

A second consequence of the wave of false alarms affects the police. As police chiefs have often pointed out, false alarms raise the danger of complacency in police officers. In *In re Checkmate Stereo and Elec., Inc.*, 9 Bankr. 585 (1981), is a bankruptcy proceeding, part of which revolves around a store burglary: "The police surmise that the thieves, after gaining entry to the store through breaking the plate glass door which set off the alarm, closed the steel gate behind them, leading the police to believe the alarm to have been a false one. When the police returned about 20 to 25 minutes later, the gate was up and the burglars gone. The intruders could not have removed anything while the steel door was down; they had to act in the 20 minutes...." The question arises, would the police have assumed the alarm was false if false alarms were rare?

Interestingly, that case also points to the potential benefit of private response, as discussed in Section 5. A private responder with keys could have investigated the interior of the store. However, would private responders have been too much endangered by surprising burglars in the act?
Conclusion
Because ordinances, injuries, burglaries, and police response are primarily local phenomena, the cases discussed in this section cannot serve as a road map for any particular reader. Some ordinances withstand lawsuits; others do not. Likewise, judges and juries reach different conclusions in different courts across the country. Nevertheless, the cases point out several matters to consider—in particular, several areas of possible challenge—in any false alarm reduction plan:

Regarding false alarm ordinances
• Is the false alarm ordinance suitably specific?
• Is the ordinance within the powers of the government body that drafts it?
• Does the ordinance give offenders adequate opportunity for hearing?
• Is it fair, desirable, and legal to charge business users higher fines for false alarms than residential users?
• Who exactly must pay the fines?

Regarding the importance of reducing false alarms
• Is the alarm user, alarm company, police department, or other party likely to be sued after a person is injured—one way or another—following a false alarm?
• Is the desire to avoid false alarms causing alarm companies occasionally to reduce the sensitivity of alarms too much? How does that, or the perception that that might occur, affect users' desire for alarm systems?
• What are the consequences of excessive false alarms on the thoroughness of police response?
• What benefits and risks are raised by private response to alarm calls?
Private response to alarm signals has been proposed as a way to reduce the number of times police must respond to false alarm calls. The use of private security officers to respond to burglar alarms provides a different, and in some ways superior, quality of response as well. But like every other proposed solution to the false alarm question, private response has costs and benefits, detractors and supporters.

Private response is as old as the alarm industry. Some police ask why they must respond to alarms at all; they view alarm security as a contractual arrangement between alarm companies and their subscribers—something distinct from a citizen request for police assistance. Also, because of fiscal restraints, many law enforcement executives are looking for tasks to shed. Alarm response may become a service the police can no longer provide, especially in major cities.

This section looks at the issues involved in private alarm response and presents case studies of communities that have used it with varying degrees of success.

Seven issues central to private alarm response are as follows: the underlying reason that drives a community's use of private responders instead of the police, speed of response, quality of response, cost of response, effectiveness at reducing false alarm dispatches for police, effects on alarm users, and the police perspective.

- **Reason for private response.** Businesses at high risk for burglary are often required by their insurers to subscribe to a UL-listed central station, which is required by UL to provide private response to alarms it receives.

Another reason for private response is a desire for a more visible burglary deterrent. A neighborhood association that wishes to increase the security of its neighborhood can contract with a security company to provide as many roving patrols as the association can afford. Those patrols—already in the neighborhood—can be dispatched by a radio message from a central station and reach the alarm site in seconds.

A third reason for using private response is to avoid false alarm fines. In cities where false alarm fines or penalties are harsh, users may contract with private responders in order to avoid those fines or penalties—and to make sure their number of false alarm calls to the police does not reach the point where police decide not to respond.
A fourth reason for private response is absolute necessity. In some cities, police simply will not respond to an alarm call unless it has been verified with a visit to the site. In that case, unless alarm users want to respond to alarms themselves, the only alternative is to have a private responder come to the scene. If a genuine need for the police is found, the police are called then.

- **Speed of response.** In a small, dense neighborhood with roving security patrols, private responders are almost certain to respond faster than the police. In a large, spread-out city, private responders may take longer than police because a security company may not have as many cars on the road as the police do. Ensuring a reasonable response time costs money, so speed of response also depends on the quality of security company being used.

- **Quality of response.** Users of private response services cite a wide range in the quality of response. A first-class security company may screen applicants carefully, train its officers for hundreds of hours, pay them well, and provide top-notch equipment. Other companies may not. One alarm company owner who contracts with a private response company for his alarm customers complains, "These [security officers] get about $6 an hour. Do you want these guys—armed—coming to your door?"

  The quality of response from private responders may be higher than that from the police when private responders have keys to the premises, as they can investigate the premises inside and out. Also, they may have more time to spend looking for less obvious signs of attempted entry.

- **Cost of response.** Fees for private response vary, but they run in the vicinity of a dollar a day per site. Proponents of private response note that the expertise required to respond to burglar alarms is much cheaper to provide than the expertise of a full-fledged police officer. Therefore, using security officers instead of police officers for a first line of response is cost-effective. Of course, for the user, private response is always more expensive than free police service, at least until false alarm fines mount up.

- **Effectiveness at reducing false alarm dispatches for police.** Does private response reduce false alarm dispatches for police? The answer is: That depends. Most private response companies contacted call the police at the same time as they dispatch their security officers.

  In some cases, there may be no compelling reason to have called the police. In other cases, private responders are simply complying with various standards. For example, UL-listed central stations must send either two security officers or one security officer and the police—and to keep their costs down, they often choose the second option. In that case, clearly no false alarm dispatch for the police is avoided. But some security company owners point out that an ordinance requiring that all alarms be verified in person before police are called would force UL-listed response companies to send two security officers to an alarm site (and
force others to send at least one security officer), thereby greatly reducing false alarm dispatches.

Logically, if police are called every time private responders head out to an alarm site, no false alarm calls are being avoided—unless, as is sometimes the case, the private responders arrive first, see there is no need for the police, and tell the police it was a false alarm.

However, even if the police do arrive at the scene, if they have a good relationship with the private responder, they may be able to rely on the responder's findings and spend much less time on-site. One police officer observes, "We often still go [after being told by a private responder that there's no burglar] but just check in and see that the security officers have secured the situation." Therefore, even when private response does not eliminate false police calls, it may reduce the time police spend on their response.

Of course, in situations where private responders first visit an alarm site, then call the police only if necessary, the effect on false alarm dispatches for police is significant: there are no false dispatches. Sometimes private responders refrain from calling the police because of police policy or local ordinance; other times they leave the police alone because they can tell from the type of alarm signal received (trouble with the system rather than intrusion) that the police are not needed.

- **Effects on alarm users.** When private response is done well, alarm users benefit. When it's done poorly, users suffer. Therefore, the effect of private response on alarm users is primarily a question of the quality of service that users are willing or able to pay for.

  A side effect of poor-quality, slow private response, however, especially in areas where police do not respond to alarm calls, is that alarm users begin to wonder why they should bother having alarms at all. And certainly, slow response—whether from private responders or the police—undermines the deterrent and apprehension value of alarms.

- **Police perspective.** Some police are uncomfortable with having someone else—private responders, possibly armed—roaming around an alarm site they are trying to investigate. Others are pleased to have someone else take on the chore of responding to alarms. Given that 95 percent to 98 percent of all alarm calls may be false, one police department alarm specialist asks, what's the actual amount of risk in sending security officers simply to check out a site to see whether police are needed?

**Case Studies**

1: Santa Monica, California

According to the president of the Santa Monica Protective Association, the Santa Monica Police Department does excellent work. However, the department is busy, and after a burglar murdered two neighborhood schoolchildren who accidentally
walked in on him, the association decided to establish an especially high security visibility in its upscale neighborhood.

The 12-year-old association collects dues from its members and currently contracts with Westec Security to provide armed patrol services. Because the 890 members do not comprise all the homeowners in the neighborhood, and because not all homeowners have alarm systems, the protection level at each home varies from having only the general deterrent value of the patrol cars, to having also an alarm system plus police response, to having also response from a Westec "pool" car (not assigned to that neighborhood specifically), to having response directly from the security patrol cars in the neighborhood.

The association president reports that alarm response time from a Westec car patrolling the neighborhood is 90 seconds or less. (He says he tests the response time regularly.) He reports that alarm response time from a Westec "pool" car is about five minutes. For comparison, the police department reports its alarm response time as ranging from a couple of minutes if a car is nearby to as much as an hour, for an average of about 15 minutes.

The association contracts for three patrol cars from 8:00 am to midnight and two cars from midnight to 8:00 am. It is considering adding more cars.

When an alarm rings at Westec, the company first calls the police, then dispatches its security officers. The security officers, who usually arrive first, investigate the alarm. If the police are not needed, the security officers pass that message to the police, who can then decide whether to come or not.

According to the police, if there is trouble, the security company does a good job of containing the situation and waiting for the police to arrive and make the arrest. "That's an asset to the city," a police spokesman says.

The police department is generally comfortable with accepting dispatch cancellations from Westec dispatchers: "They do save us some runs. To cancel a dispatch, they give us the alarm number. If we have any concerns, we call them back."

The association president reports being very pleased with the situation overall.
CONTACTS: Santa Monica Protective Association, phone (310) 395-7633. Santa Monica Police Department, 1685 Main Street, Santa Monica, CA 90401; phone (310) 458-8418. Westec Security, Inc., 100 Bayview Circle, Suite 1000, Newport Beach, CA 92660; phone (714) 951-1806.

2: Las Vegas, Nevada
It is the policy of the Las Vegas Metropolitan Police Department not to respond to unverified commercial or residential burglar alarms. Therefore, alarm users must use private alarm response, and the false alarm problem for the police is insignificant. However, an alarm company owner whose company monitors 4,000 alarms
in Las Vegas apartment complexes reports that his customers receive basically no response to their alarms—he says the quality of private response service he has been able to obtain for his customers is that poor. He adds that some high-income areas of the city have obtained better private response at a higher cost.

The manager of Cypress Springs Apartments in Las Vegas complains it often takes an hour or two for the private response company to send security officers to investigate an alarm at her 144-unit garden apartment complex. The procedure is that when an alarm is activated (every apartment is alarmed), the signal is transmitted to the central station (Network Multifamily Security), which calls the private security company with which it contracts. Security officers travel to and investigate the alarm site and then call the police only if they are needed. The apartment manager and the alarm company president, like others who receive slow alarm response, find the situation frustrating. However, the apartment manager reports that in three years the security officers have never actually had to call the police. Therefore, while having to rely on private response seems a hardship to some, it is hard to pinpoint the harm if no police response has actually been needed anyway.

CONTACTS: Cypress Springs Apartments, 4001 E. Bonanza, Las Vegas, NV 89110; phone (702) 459-3193. Las Vegas Metropolitan Police Department, 400 E. Stewart Avenue, Las Vegas, NV 89101; phone (702) 795-3111. Network Multifamily Security, 14275 Midway Road, Suite 350, Dallas, TX 75244; phone (214) 490-9902.

A few other companies that provide private alarm response are
- Commonwealth Security Systems, Inc., 3040 Industry Drive, Lancaster, PA 17604; phone (717) 394-3781
- Mutual Central Alarm Services, 10 W. 46th Street, New York, NY 10036; phone (212) 768-0808.
- Vector Security, 3400 McKnight East Drive, Pittsburgh, PA 15237; phone (412) 931-5160.
Listed below are organizations, publications, articles, and other resources relevant to persons seeking to reduce false alarms.

**Articles**


**Books, Manuals, Reports**


Videos

Target Zero: Preventing False Alarms. Achieve! Incorporated, 9317 S.W. Umiat Court, Tualatin, OR 97062. Phone (800) 477-1284.

Organizations


Canadian Alarm and Security Association, 610 Alden Road, Suite 201, Markham, Ontario L3R 9Z1 CANADA. Phone (416) 513-0622.

Central Station Alarm Association, 7101 Wisconsin Ave., Suite 1390, Bethesda, MD 20814. Phone (301) 907-0045. Ask for the False Alarm Committee.


National Burglar and Fire Alarm Association, 7101 Wisconsin Avenue, Suite 1390, Bethesda, MD 20814-4805. Phone (301) 907-3202. Ask for the False Alarm Prevention Committee.

National Crime Prevention Institute, University of Louisville, Louisville, KY 40292. Phone (502) 588-6987.

National Criminal Justice Reference Service, 1600 Research Boulevard, Rockville, MD 20850. Phone (301) 251-5217.

Professional Alarm Services Organizations of North America, P.O. Box 793, Bloomfield, CT 06002. Phone (203) 242-4337.
Underwriters Laboratories. For information on the UL Certificate Verification Service, contact the closest of the following:

- Dick Marshall, UL-Northbrook, 333 Pfingsten Road, Northbrook, IL 60062-2096. (708) 272-8800, ext. 42544
- Bahman Mostafazadeh, UL-Santa Clara, 1655 Scott Boulevard, Santa Clara, CA 95050. (408) 985-2400, ext. 2544
- Peter Tallman, UL-Melville, 1285 Walt Whitman Road, Melville, NY 11747. (516) 271-6200, ext. 415
- Dan Ryan, UL-RTP, 12 Laboratory Drive, P.O. Box 13995, Research Triangle Park, NC 27709. (919) 549-1400, ext. 1658
Section 7

Appendix

The following pages contain the NBFAA Fast Start Program; the false alarm ordinances of Multnomah County (Portland) and Uwchlan Township; and the CANASA model ordinance.
Cooperative efforts, including alarm users, the police, government, and the alarm industry, must begin immediately to reduce false or unnecessary police dispatches. By addressing the major causes of these unnecessary dispatches, including user error, environment, equipment malfunction and improper application of particular devices, we can both reduce demand on limited police resources and enhance the effectiveness of all alarm systems.

The NBFAA recognizes the urgency of the problem and encourages you to select from these action items "To help reduce false and unnecessary police alarm dispatches by 50% nationwide in one year."

1. Use alarm verification prior to police notification whenever possible.
2. Urge manufacturers to ship their products with options pre-selected to reduce false alarms.
3. Urge police to accept verified cancellation of dispatches.
4. Urge UL and manufacturers to adopt false alarm resistance standards and testing procedures.
5. Adopt these 6 procedures at once:
   1. Call premises before police on all burglar alarms.
   2. Install burglar alarms with an audible alert that can be heard by the user throughout the protected premise.
   3. In case of a false alarm from a motion sensor, add a second sensor in the same circuit to verify the first.
   4. Program panels to send cancel codes to abort dispatches.
   5. Stop using single action holdup devices and extra digit "1+" duress keypad coding.
   6. Develop and implement a program designed to educate end users about their role in false alarm prevention.
6. Create a False Alarm Control Team (F.A.C.T.) within your alarm company, chapter, and/or association.
7. Become part of the solution, not part of the problem.
8. Call now for additional information on reducing false and unnecessary alarms or for help with creating your own False Alarm Control Team. Contact:

   National Burglar & Fire Alarm Association
   False Alarm Prevention Committee
   7101 Wisconsin Avenue, Suite 1390
   Bethesda, MD 20814-4805

   1-800-800-NBFA
Multnomah County (Portland), Oregon

Chapter 14.74

BURGLARY AND ALARM SYSTEMS

(New Chapter substituted by Ord. No. 164287, June 13, 1991.)

Sections:
14.74.010 Purpose and Scope.
14.74.030 Definitions.
14.74.050 Alarm Users Permits Required.
14.74.070 Fines for Excessive False Alarms.
14.74.110 No Response to Excessive Alarms.
14.74.130 Special Permits.
14.74.150 User's Instruction.
14.74.190 Hearing.
14.74.210 Sound Emission Cutoff Feature.
14.74.230 Confidentiality Statistics.
14.74.250 Allocation of Revenue and Expenses.
14.74.270 Interpretation.
14.74.290 Enforcement and Penalties.
14.74.310 Savings Clause.

14.74 Title. This Chapter shall be known as the "Burglary and Robbery Alarm Systems" regulations.

14.74.010 Purpose and Scope.
(a) The purpose of this chapter is to encourage alarm users and alarm businesses to assume increased responsibility for maintaining the mechanical reliability and the proper use of alarm systems, to prevent unnecessary police emergency response to false alarms, and thereby to protect the emergency response capability of the City from misuse.
(b) This chapter governs burglary and robbery alarm systems, requires permits, establishes fees, provides for allocation of revenues and deficits, provides for fines for excessive false alarms, provides for discontinuation of police response to alarms, provides for punishment of violations and establishes a system of administration.

14.74.030 Definitions.
(a) "Alarm Business" means the business by any individual, partnership, corporation, or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing any alarm system or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed any alarm system in or on any building, structure or facility.
(b) "Alarm System" means any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of an illegal entry or other activity requiring urgent attention and to which police are expected to respond.
(c) "Alarm User" means the person, firm, partnership, association, corporation, company or organization of any kind which owns, controls or occupies any building, structure or facility wherein an alarm system is maintained.
(d) "Automatic Dialing Device" means a device which is interconnected to a telephone line and is programmed to select a predetermined telephone number and transmit by voice message or code signal an emergency message indicating a need for emergency response. Such a device is an alarm system.
(e) "Bureau of Emergency Communications" is the City/County facility used to receive emergency and general information from the public to be dispatched to the respective police departments utilizing the Bureau.
(f) "Burglary Alarm System" means an alarm system signaling an entry or attempted entry into the area protected by the system.
(g) "Sheriff" means Sheriff of Multnomah County or his designated representative.
(h) "Coordinator" means the individual designated by the Sheriff to issue permits and enforce the provisions of this chapter.
(i) "False Alarm" means an alarm signal, eliciting a response by police when a situation requiring a response by police does not in fact exist, but does not include an alarm signal caused by violent conditions of nature or other
extraordinary circumstances not reasonably subject to control by the alarm business operator or alarm user.

(j) "Interconnect" means to connect an alarm system including an automatic dialing device to a telephone line, either directly or through a mechanical device that utilizes a telephone, for the purpose of using the telephone line to transmit a message upon the activation of the alarm system.

(k) "Primary Trunk Line" means a telephone line serving the Bureau of Emergency Communications that is designated to receive emergency calls.

(l) "Robbery Alarm System" means an alarm system signalling a robbery or attempted robbery.

(m) "No Response" means police officers will not be dispatched to investigate a report of an alarm signal.

(n) "Chief of Police" or "Chief" means the Chief of Police of the City of Portland Bureau of Police or a designated representative.

(o) "Sound Emission Cutoff Feature" means a feature of an alarm system which will cause an audible alarm to stop emitting sound.

(p) "System Becomes Operative" means when the alarm system is capable of eliciting a response by police.

(q) "Economically Disadvantaged Person" means a person receiving public assistance and/or food stamps.

14.74.050 Alarm User Permits Required.

(a) Every alarm user shall obtain an alarm user's permit for each system from the Coordinator's Office within 30 days of the time when the system becomes operative. Users of systems with both robbery and burglar alarm capabilities shall obtain separate permits for each function. Application for a burglary or robbery alarm user's permit and the fee for each shall be filed with the Coordinator's office each year. Each permit shall bear the signature of the Sheriff and be for a 1 (one) year period immediately following issuance of the permit. The permit shall be physically upon the premises using the alarm system and shall be available for inspection by the Chief or Sheriff.

(b) A yearly fee, permit surcharge, and renewal fee shall be established by the Bureau of Police. The fees established under this Section shall not become effective until approved by the Commissioner in charge of the Bureau of Police.

(c) If a residential alarm user is over the age of 62 and/or is an economically disadvantaged person and resides where the permitted alarm is located and if no business is conducted in the residence, a user's permit may be obtained from the Coordinator's Office according to Section 14.74.050 (a) without the payment of a fee.

(d) A surcharge will be charged in addition to the fee provided in Section 14.74.050 (a) to a user who fails to obtain a permit within 30 days after the system becomes operative or who is more than 30 days delinquent in renewing a permit.

(e) If an alarm user fails to renew a permit within 30 days after the permit expires, the coordinator will notify the alarm user, by certified mail that, unless the permit is renewed and all fees and fines are paid within 30 days from the date of mailing of the certified letter, Police response to the alarm will thereafter be suspended.

14.74.070 Fines for Excessive False Alarms.

(a) Fines will be assessed by the Coordinator for excessive false alarms during a permit year as follows:

Second through Third False Alarms—$50 each
Fourth and any additional False Alarms—$100 each

(b) The Coordinator will send a Notification of Alarm by regular mail to notify the alarm user and the alarm business of a false alarm and the fine and the consequences of the failure to pay the fine. The Coordinator will also inform the alarm users of their right to appeal the validity of the false alarm to the Sheriff, as provided in Section 14.74.190. If the fine has not been received in the Coordinator's Office within 30 days of the day Notice of fine was mailed by the Coordinator and there is no appeal pending on the validity of the false alarm, the Coordinator will send the Notice of fine by certified mail along with a notice of late fee of $25. If payment is not received within 10 days of the day the Notice of late fee was mailed, the Coordinator will initiate the no response process according to Section 14.74.110 and may initiate the enforcement of penalties according to Section 14.74.290.

(c) The payment of any fine provided for in Section 14.74.070 shall not be deemed to extend the term of the permit.

14.74.110 No Response to Excessive Alarms.

(a) After the second false alarm the Coordi-
nator shall send a notification to the alarm user by regular mail which will contain the following information:

1. That the second false alarm has occurred;
2. That if two more false alarms occur within the permit year police officers will not respond to any subsequent alarms without the approval of the Sheriff;
3. That the approval of the Sheriff can only be obtained by applying in writing for reinstatement. The Sheriff may reinstate the alarm user upon finding that reasonable effort has been made to correct the false alarms;
4. That the alarm user has the right to contest the validity of a false alarm determination through a False Alarm Validity Hearing, according to Section 14.74.190. The request for such a hearing must be in writing and filed within ten days of the receipt of the Notice of Alarm.

(b) After the fourth false alarm within the permit year there will be no police response to subsequent alarms without approval of the Sheriff. The Coordinator shall send a Notice of Suspension of Police Response to:
1. The Director of the Bureau of Emergency Communication;
2. The Chief of Police;
3. The alarm user by certified mail; and
4. The persons listed on the alarm user’s permit who are to be contacted in case of emergency, by certified mail.

(c) The suspension of police response to an alarm shall begin ten days after the date of delivery of the Notice of Suspension of Police Response to the alarm user unless a written request for a False Alarm Validity Hearing has been made as required in Section 14.74.190.

14.74.130 Special Permits.

(a) An alarm user required by federal, state, county or municipal statute, regulation, rule or ordinance to install, maintain and operate an alarm system shall be subject to Chapter 14.74, provided:
1. A permit shall be designated a special alarm user’s permit
2. A special alarm user's permit for a system which has four false alarms in a permit year shall not be subject to the no response procedure specified in Section 14.74.110 but shall pay the regular fine schedule according to Section 14.74:070.

3. The payment of any fine provided for in paragraph (2) of this subsection shall not be deemed to extend the term of the permit.

(b) An alarm user which is a governmental political unit shall be subject to Chapter 14.74; but a permit shall not be subject to fine, payment of additional fees or the imposition of any penalty provided under Chapter 14.74.

14.74.150 User instruction.

(a) Every alarm business selling, leasing or furnishing to any user an alarm system which is installed on the premises located in the area subject to Chapter 14.74 shall furnish the user with instruction that provides information to enable the user to operate the alarm system at any time. The alarm business shall also inform each alarm user of the requirement to obtain a permit and where it can be obtained.

(b) Standard form instruction shall be submitted by every alarm business to the Sheriff. If the Sheriff reasonably finds such instructions to be incomplete, unclear or inadequate, the Sheriff may require the alarm business to revise the instruction to comply with Chapter 14.74 and then to distribute the revised instruction to its alarm users.


(a) It is unlawful for any person to program an automatic dialing device to select a primary trunk line and it is unlawful for an alarm user to fail to disconnect or reprogram an automatic dialing device which is programmed to select a primary trunk line within 12 hours of receipt of written notice from the Coordinator that it is so programmed.

(b) It is unlawful for any person to program an automatic dialing device to select any telephone line assigned to the City and it is unlawful for an alarm user to fail to disconnect or reprogram such device within 12 hours of receipt of written notice from the Coordinator that it is so programmed.

14.74.190 Hearing.

(a) An alarm user who wants to appeal validity of a false alarm determination by the Coordinator may appeal to the Sheriff for a hearing. The appeal must be in writing and must be requested within ten days of the alarm user having received Notice of Alarm. Failure to contest the determination in the required time pe-
period results in a conclusive presumption that the alarm was false.

(b) If a hearing is requested, written notice of the time and place of the hearing shall be served on the user by the Sheriff by certified mail at least 10 days prior to the date set for the hearing, which date shall not be more than 21 nor less than 10 days after the filing of the request for hearing.

(c) The hearing shall be before the Sheriff. The Coordinator and the alarm user shall have the right to present written and oral evidence, subject to the right of cross examination. If the Sheriff determines that the false alarms alleged have or have not occurred in a permit year, the Sheriff shall issue written findings waiving, expunging or entering a false alarm designation on the alarm user's record as appropriate. If false alarm designations are entered on the alarm user's record, the Coordinator shall pursue fine collection as set out in Section 14.74.070.

(d) The Sheriff may appoint another person to hear the Appeals and to render judgement.

14.74.210 Sound Emission Cutoff Feature.
Alarm systems which can be heard outside the building, structure or facility of the alarm user shall be equipped with a sound emission cutoff feature which will stop the emission of sound 15 minutes or less after the alarm is activated.

14.74.230 Confidentiality and Statistics.
(a) All information submitted in compliance with Chapter 14.74 shall be held in the strictest confidence and shall be deemed a public record exempt from disclosure pursuant to ORS 192.502. The Coordinator shall be charged with the sole responsibility for the maintenance of all records of any kind whatsoever under Chapter 14.74.

(b) Subject to the requirements of confidentiality, the Coordinator shall develop and maintain statistics having the purpose of assisting alarm system evaluation for use by members of the public.

14.74.250 Allocation of Revenues and Expenses.
(a) With the exception of the $4.00 per year increase in the yearly fee adopted pursuant to Code Section 14.74.050 b., which shall be paid directly to the City, all fees, fines and surcharges collected pursuant to Chapter 14.74 shall be general fund revenue of Multnomah County; provided, however, that Multnomah County shall maintain records sufficient to identify the municipal jurisdiction from which the revenue is derived, and the types and amounts of that revenue.

(b) Multnomah County shall maintain records in accordance with sound accounting principles sufficient to determine on a fiscal year basis the direct costs of administering Chapter 14.74, including salaries and wages (excluding the Sheriff individually), travel, office supplies, postage, printing, facilities, office equipment and other properly chargeable costs.

(c) Not later than July 31 of each year, Multnomah County shall render an account to the Chief which establishes the net excess revenue or cost deficit for the preceding fiscal year and shall allocate that excess revenue, if any, or deficit, if any, to the City of Portland, Bureau of Police, proportionately as the number of permits issued for alarm systems within the corporate limits of the City of Portland bears to the whole number of permits issued in Multnomah County; provided that no allocation shall be made if the net excess revenue or deficit is less than $2500.00.

(d) Distribution by the County of any excess revenue or payment of allocated deficit amounts by a municipal corporation shall be made not later than September 1 of each fiscal year.

(e) "Sound accounting principles " as used in this Section, shall include, but not be limited to, practices required by the terms of any state or federal grant or regulations applicable thereto which relate to the purpose of this ordinance.

14.74.270 Interpretation.
This ordinance shall be liberally construed to effect the purpose of this ordinance and to achieve uniform interpretation and application of this ordinance, the Multnomah County Alarm ordinance and ordinances of other municipal corporations within Multnomah County with the same purpose.

14.74.290 Enforcement and Penalties.
(a) Enforcement of this ordinance may be by civil action as provided in ORS 30.315, or by criminal prosecution, as provided in ORS 203.810 for offenses under County law.

(b) Violation of this ordinance shall be punishable upon conviction by a fine of not more than $500.
(c) The failure or omission to comply with any section of this ordinance shall be deemed a violation and may be so prosecuted, subject to the penalty provided in paragraph (b) of this Section.

14.74.310 Savings Clause.

If any article, section, subsection, phrase, clause, sentence or word in this Chapter shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, it shall not nullify the remainder of this Chapter, but shall be confined to the article, section, subsection, subdivision, clause, sentence or word so held invalid or unconstitutional.
Uwchlan Township, Pennsylvania

ORDINANCE NUMBER 92-04

AN ORDINANCE OF THE TOWNSHIP OF UWCHLAN, CHESTER COUNTY, PENNSYLVANIA, RESCINDING RESOLUTION NUMBERS 84-24 AND 85-17, AND ORDINANCE 88-3 AND 91-6 ESTABLISHING CERTAIN REGULATIONS FOR BURGLAR, FIRE AND OTHER EMERGENCY ALARM SYSTEMS AND RELATED FEES.

WHEREAS, the Uwchlan Township Police Department has for some time been burdened with responding to numerous false alarms at area residences, businesses, and industries, an action that not only costs the Township unnecessarily, but also poses safety problems; and
WHEREAS, the Board of Supervisors, citing the rising costs of police services as well as the problems cited herein, has deemed it necessary to establish certain regulations and fees to compensate for the costs incurred; and
WHEREAS, Section 702 of the Second Class Township Code of Pennsylvania allows Townships to establish various rules and regulations related to Police protection,
NOW, THEREFORE, BE IT ENACTED AND ORDAINED, that the Board of Supervisors hereby rescinds Resolutions 84-24, 85-27 and 88-3 enacts the following:

GENERAL PROVISIONS

A. DEFINITIONS
The following definitions shall apply in the interpretation and enforcement of this ordinance:
ALARM SUPPLIER: The business by an individual, partnership corporation or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, monitoring, or installing any alarm system or causing any alarm system to be sold, leased, maintained, serviced, repaired, altered, replaced, moved, installed or monitored in or on any building, structure, or other facility.
ALARM SYSTEM: Any assembly of equipment, mechanical, electrical, or battery operated, arranged to signal the occurrence of a police, fire, hazard, or medical emergency requiring immediate attention and to which police or fire units are expected to respond.
ANSWERING SERVICE: A service whereby trained employees, in attendance at all times, receive prerecorded voice messages from automatic dialing devices reporting an emergency at a stated location, where such employees have the duty to relay immediately by live voice any such emergency message over a trunk line to the communications center of the Police or Fire Department.
AUDIBLE ALARM: Any device, bell, horn, or siren which is attached to the interior and/or exterior of a building, structure, or facility and emits a warning signal which is audible outside the building, structure, or facility and is designed to attract attention when activated by a criminal act or other emergency requiring police or fire department response.
AUTOMATIC DIALING DEVICE: A device which is interconnected to a telephone line and is programmed to transmit a signal by a voice coded message that indicates that an emergency condition exists and the need for an emergency response is required.
CENTRAL STATION: A protective system or group of such systems operated privately for customers by a person, firm, or corporation which accepts recorded messages from automatic dialing devices at a central station having operators and guards in attendance at all times who have the duty to take appropriate action upon receipt of a signal or message, including the relaying of messages to the communications center of the Police or Fire Department.
COORDINATOR: An individual/designee named by and accountable directly and solely to the Chief of Police.
EMERGENCY: A police, fire, hazard, or medical emergency.
FALSE ALARM:
(1) An alarm(s) activated in the absence of an emergency, whether willfully or by inadvertence, negligence, or an unintentional act, including the malfunction of the alarm system, to which the Uwchlan Township Police Department responds. The definition excludes alarm(s) caused by malfunctions of the Chester County Department of Emergency Services receiving equipment if such alarm is directly connected to the alarm board; testing or repairing of telephone or electrical lines or equipment outside the premises; acts of God, such as earthquake, flood, windstorm, thunder, or lightning; an attempted illegal entry of which there is visible evidence; a crime in progress; or, in the case of an emergency medical alarm, an actual medical emergency requiring police, fire and/or medical personnel. If doubt exists as to the cause of the false alarm, the Chief of Police or his designee shall have and make the final decision regarding the circumstances of the activation.
(2) Multiple alarms received by the Police Department before the system can be deactivated within a reasonable period of time shall be considered a single alarm.
(3) The definition of a false alarm(s) also includes the intentional activation of a holdup alarm for other than a holdup in progress, the intentional activation of a burglary alarm for other than a burglary, the activation of a medical alarm for other than a medical emergency, or the intentional activation of a fire alarm for other than a fire or hazard.
FIRE DEPARTMENT: Any Fire Department, Ambulance or Rescue Unit providing services within Uwchlan Township.
FIRE EMERGENCY: A fire.
HAZARD EMERGENCY: An explosion, leak of toxic gas, liquid, or solid, or a potential explosion or leak.
INTERMEDIARY: A central station protective system or answering service as herein defined.
KEY: To use a telephone line and equipment for transmitting a message either directly or indirectly by an automatic dialing device.
MEDICAL EMERGENCY: An emergency involving the health of a person.
PERMIT: Written permission duly granted to an applicant by the Township upon payment of the required fee.
POLICE DEPARTMENT: The Uwchlan Township Police Department.
POLICE EMERGENCY: An incident requiring prompt response by the Police Department.
POLICE AND FIRE COMMUNICATIONS CENTER: The Police and Fire communications area and other facilities which house communications equipment and the Police radio dispatcher.
CHIEF OF POLICE: The administrative head of the Uwchlan Township Police Department.
TOWNSHIP: The Township of Uwchlan, Chester County, Pennsylvania.
TRUNK LINES: A telephone line leading into the communications centers of the Police and Fire Departments that is for the purpose of handling calls on a person to person basis and which is identified by a specific listing among the white pages in the telephone directory issued by the telephone company.

B. ALARMS WITHOUT TIMING MECHANISMS PROHIBITED
On and after the effective date of this chapter, owners or users of audible alarms must equip such audible alarms with a timing mechanism that will disengage the audible alarm after a maximum of fifteen (15) minutes. Audible alarms without such a timing mechanism shall be unlawful in the Township and must be disconnected by the owner or user within sixty (60) days from the effective date of this ordinance.

C. DIRECT KEYING OF AUTOMATIC DIALING DEVICES
On and after the effective date of this ordinance all automatic dialing devices that transmit recorded messages directly to the Police Department or Fire Department shall be keyed to the Chester County Department of Emergency Services Radio Room, only with their prior approval.

D. LISTING OF INSTALLATIONS
1. Within ninety (90) days from the effective date of this ordinance, every Alarm Supplier who has installed an alarm system in the Township, Fire, Burglar or other, shall furnish to the Police Department the following information:
   a. The name, residence, and telephone number of the owner or user.
   b. The address where the device is installed and the telephone number at that address.
c. The name, address, and telephone number(s) of any other person or firm who is authorized to respond to an emergency and gain access to the address where the device is installed.
d. The name and telephone number of any other person, supplier, who is responsible for maintenance and repair of the system.
e. The type of system, i.e., holdup, burglary, fire, or medical emergency.

2. Users of alarm system devices whose devices were installed prior to the effective date of this ordinance shall within sixty (60) days after such enactment, supply the Uwchlan Police Department with the information specified in Section 1, Subsection d.

3. All information furnished pursuant to this section shall be kept confidential and shall be for the authorized use of the Department of Emergency Services, and of the Police Department or its authorized agent.

E. LICENSING

1. On and after the effective date of this ordinance, no one except an Alarm Supplier holding a valid license from the Township shall sell, install, service or monitor any alarm within the Township.

2. The Coordinator shall issue an Alarm Supplier's license to an Alarm Supplier meeting the requirements of this Section "E" upon the filing of the required application and payment of a fee. The fee structure is as follows: Any alarm supplier who applies for a first time license, prior to 30 June of that calendar year, shall be required to pay full fee. However, any first time applications being submitted after 30 June shall be required to pay one-half (1/2) of the fee. Each license shall bear the signature of the Coordinator and be renewed annually. A copy of the license shall be displayed at each location and shall be made available for inspection upon request by the Chief of Police or by the Coordinator.

3. Each Alarm Supplier that installs one or more alarm system(s) in the Township shall make service available directly or through an agent on a twenty-four (24) hour per day basis, seven (7) days a week, to repair such devices and to correct malfunctions as they occur. Any person using an alarm system shall make arrangements for service to be available for such device on a twenty-four (24) hour per day, seven (7) day per week basis.

4. No corporation, sole proprietor, partner, joint venture, trustee, executor, administrator, employee, fiduciary, or stockholder with a five (5%) percent or greater interest in a corporation (except a corporation whose stock is publicly traded and registered with the Securities and Exchange Commission or with a state Securities Commission) applying for a license shall have been convicted of a felony or pleaded Nolo Contendere to a felony charge or indictment. Applicant must furnish a criminal history from the State of Pennsylvania, with their application.

5. The applicant shall furnish an insurance certificate annually confirming that the applicant has in force general liability insurance coverage in an amount of not less than three hundred thousand ($300,000.00) dollars each occurrence. An applicant who self insures such coverage shall furnish evidence of financial ability, by showing that they are bonded for at least three hundred thousand ($300,000.00) dollars or by a suitable letter of financial responsibility, providing that the letter is acceptable to the Township.

6. Licensee shall pay an annual license fee of thirty ($30.00) dollars except as specified in "E,2."
   a. No Alarm Supplier's license shall be required:
      1. Where no alarm permit is required, or
      2. When the installation of such alarm system shall be made in total personally by the owner or occupant of the premises, except if same is monitored off premises or by a company providing (monitoring) service.
   b. A License may be revoked or renewal denied if:
      1. The licensee fails to meet the requirement necessary to obtain a license, or
      2. The license fee is not paid, or
      3. The Chief of Police or his designee has reason to believe the licensee's installations are the cause of false alarms, or
      4. Licensee fails to provide emergency service as required by this chapter.

F. PERMIT FEES
1. The user's fee for an alarm system permit shall be fifty ($50.00) dollars and said permit shall be obtained from the Uwchlan Police Department prior to the installation of the alarm system.

2. The permit shall bear the signature of the Chief of Police or the coordinator and be valid for the same period that the applicant shall reside/locate the business upon the premises at which the system is installed, or until revoked by the Chief of Police or the Coordinator. The permit shall be physically present upon the premises using the alarm system and shall be available for inspection by Uwchlan Police Department personnel.

3. The permit application shall contain the address of the property, the name of the residence/business (if applicable), the name of the owner, tenant, or agent responsible for the property, the Alarm Supplier or other entity responsible for maintaining the system (if applicable), the type of alarm (burglary, holdup, fire, medical), how the alarm signal will be received by the communications center (tape, central station, etc.), at least three alternate emergency telephone numbers of persons to be contacted to secure the property and any additional information as determined necessary. In the case of fire alarm permits for other than a single family residence, the applicant must submit with permit application detailed plans for fire alarm and suppression system that is to be permitted/installed. These plans to be reviewed and approved by the Township Fire Marshal prior to the issuance of any permit. Construction/Installation may not begin without permit. The issuance of the permit is not a final approval by the Township Fire Marshal for the proposed system. Final approval may be given only at the completion, inspection and conformance to all codes and requirements. It shall be the owner's responsibility to amend the foregoing information whenever the information changes.

4. Exceptions:
   a. An alarm user who is over the age of sixty-five (65) and is the primary occupant of a residence, and if no business is conducted at the residence, may obtain a user's permit from the Township without paying the above stated fee.

5. Users who fail to obtain a permit within sixty (60) days after the effective date of this resolution, if later, shall be liable to pay a twenty ($20.00) dollar late charge penalty for each calendar year that the permit is not obtained.

6. All locations in the Township of Uwchlan equipped with alarm systems, except as stated in this chapter, must apply for and be issued valid permit for same.

G. CERTAIN AUDIBLE ALARM SYSTEMS—NO PERMIT REQUIRED
1. A battery powered (9 volt, 11.2 volt, or similar voltage) audible alarm system whose sole purpose is to notify the occupants at that location of an emergency situation shall be exempt from the permit requirements of this chapter if ALL of the following conditions exist:
   a. The alarm is not connected to any mechanical or electrical device that automatically notifies a person or agency outside of that location that the alarm is activated.
   b. The audible alarm does not sound outside of the location (no external speakers or annunciations).
   c. The internal signal emitted by the audible alarm does not exceed ninety (90) decibels.
   d. The internal alarm does not cause undue annoyance or alarm to occupants of adjoining premises.

2. Alarm users who are not required to pay a fee or who are exempt from obtaining an alarm user's permit as above shall, nevertheless, be subject to the penalty provisions prescribed in this chapter.

3. After the effective date of this ordinance, no one except an Alarm Supplier holding a valid license from the Township shall install any alarm system within the confines of the Township.

H. TECHNICAL INFORMATION
Each Alarm Supplier who, after the effective date of this ordinance, sells or leases in the Township an alarm system shall furnish operating instructions and a manual of operations to the buyer or lessee.

I. INSPECTION OF DEVICES
1. The public safety requires that the incidence of false alarms and malfunctioning automatic dialing devices be minimal so as to reduce unnecessary calls to the Police Department, and to increase the effectiveness of properly functioning alarm systems it is necessary that appropriate Township officials have the right to inspect the installation and operation of any alarm system installed within the Township.
2. Application for permit for the installation of an alarm system and subsequent installation of such a system pursuant to a permit issued or the continuance of the use of any alarm system already installed at the effective date of this chapter shall constitute consent by the owner or lessee thereof and authorization for the inspection of any such installation and/or operation by the Chief of Police or the Coordinator.

3. All such entries upon the premises where an alarm system is installed and all such inspections of the installation and operation of alarm systems shall be at reasonable notice, except in emergency situations.

J. CONFORMANCE WITH INSTALLATION, INSPECTION AND TESTING STANDARDS
Every Alarm Supplier selling, leasing or furnishing to any user, or a user who privately installs an alarm system which is located on premises within the Township shall:
1. Be permitted to install only equipment that is listed by Underwriters Laboratories, Inc. as being electrically safe and meeting the Township requirements for the alarm system. Wiring for the alarm system must conform with all applicable National, BOCA, Electrical and Township codes.
2. Be required to cause each alarm system installed to be provided with standby battery power which shall automatically and immediately take over in the event of a power failure.
3. Be required to install equipment in such a way as to neutralize electrical surges.
4. Be required to deactivate any alarm system within a reasonable period of time.

K. NOTIFICATION PRECEDING DEVICE TESTING
No person shall conduct any test or demonstration of any alarm system without first notifying the shift supervisor of the Uwchlan Township Police and/or Fire Radio network, whichever is appropriate, via the Police or Fire Department designated dispatch center.

L. ALARM SUPPLIER TO FURNISH COPY OF LAW.
Alarm Suppliers and installers shall furnish at their own expense, at or prior to the time of contracting, a copy of this chapter to owners, lessees, or users of the equipment or services to be supplied.

M. FALSE ALARMS
1. Consent to pay costs; schedule of costs:
   a. For the purposes of defraying the costs to the Police Department for responding to false alarms, the owner, lessee or user of any alarm system or persons using the services of an Intermediary, users of audible alarms and users of any other kind of direct or indirect connection with the Police or Fire communications center, except persons using the two-way live voice communication by telephone, shall, as a condition to installation and continued operation of such equipment or service, execute a consent in such forms as may be prescribed by the Township that such owner, lessee, or user shall pay the Township for false alarms upon the following schedule for each false alarm originating from the owner's, lessee's, or user's premises:
      b. First and second false alarm/activation per calendar month: WARNING.
      c. Third and fourth false alarm/activation per calendar month: fifty ($50.00) dollars per alarm.
      d. Fifth and subsequent false alarm/activation per calendar month: one-hundred ($100.00) dollars per alarm.
   2. Failure to comply. Any such owner, lessee, or user who fails to execute the consent described in Subsection a, within ninety (90) days from the effective date of this chapter, shall within the ninety (90) day period, disconnect the alarm system.
   3. Any owner, lessee, or user of an alarm system may revoke or refuse to consent as set forth in Subsection a above only by disconnecting the alarm system. With respect to such systems installed at the effective date of this chapter, the owner, lessee or user can refuse to revoke the aforesaid consent by disconnecting such alarm within ninety (90) days from the effective date of this chapter and providing written notification of such disconnection.
   4. Penalties provided for false alarms that are relayed or transmitted by an Intermediary shall be the responsibility of the owner or user of the alarm system.
   5. Any police officer responding to an alarm which is determined to be false shall promptly notify the Chief of Police or his designee of such alarm in writing, and shall (if practical) leave notification of such false alarm at the scene of the alarm.
6. By submitting an application for permit for the installation of a burglary, fire, medical or other emergency alarm system and the subsequent installation of such a system or by the continuation of the use of an alarm system already installed at the effective date of this chapter, the owner, lessee or user thereof shall agree that such permit application constitutes a waiver by such person of the right to bring or file any action, claim or complaint whatsoever against any police officer or emergency personnel who makes a forced entry in response to such an alarm into the premises on which such an alarm is installed, as result of entry into the subject premises. In the event the owner of such premises is a person other than the permit applicant, as in the instance of a lessee or other user not the owner of the premises on which the alarm is installed, such permit application shall constitute an indemnification agreement by the applicant to hold harmless any such police officer or emergency personnel, the Township, the Police Department and the Fire Department, as appropriate, from any and all damages whatsoever claimed by the lessor or owner of the premises on which the alarm is installed.

7. Any alarm system which has four (4) or more false alarms within a calendar month shall be subject to permit revocation.
   a. The Chief of Police or his designee shall notify the alarm user and the alarm supplier providing the service to the user by first class, postage prepaid, certified mail, of such fact and direct that the user submit a report to the Chief of Police within five (5) days of receipt of the notice describing actions taken or to be taken to determine and eliminate the cause of the false alarms.
   b. If the alarm user submits a report as directed, the Chief of Police shall determine if the action taken or to be taken will substantially reduce the likelihood of false alarms. He shall notify the alarm user in writing that his permit will not be revoked at this time and that if one more false alarm occurs within the month, the user's permit may be revoked.
   c. If no report is submitted, or if the Chief of Police determines that the action taken or to be taken will not substantially reduce the likelihood of false alarms, the Chief of Police shall give notice to the user that the permit will be revoked without further notice.

N. VIOLATIONS AND PENALTIES

1. Violation of any provision of this ordinance shall constitute a summary offense. The user will be invoiced by the Chief of Police or his designee and shall within thirty (30) days pay the fee as stated in Section M. Failure to make required payment within the allotted time period will cause a citation to be filed with the District Justice. Such fine and costs shall be collectible before any District Justice as like fines and penalties are now by law collectible. Each ten (10) day period during which failure to comply continues shall constitute a separate offense.

2. Any person found guilty of willful false activation of an alarm system shall be liable for a fine up to one thousand ($1000.00) dollars plus the cost of prosecution or to imprisonment in the county prison for a term not to exceed thirty (30) days, or both, for each and every such activation. Such fine and costs shall be collectible before any District Justice as like fines and penalties are now by law collectible. The same shall constitute a summary offense.

VALIDITY

Should any section or provision of this chapter be declared by a Court of competent jurisdiction to be invalid, such decision shall not effect the validity of this chapter as a whole or of any other part.

EFFECTIVE DATE

This amended Ordinance will become effective five (5) days after adoption as prescribed by law.

Ordained and enacted this 11th day of May, 1992.
WHEREAS the Police Department has carried out a study of alarm responses in the Municipality;

AND WHEREAS in addition to posing a threat to the safety of police officers and the public by creating unnecessary hazards, false alarms result in considerable unnecessary expense and are a nuisance;

Now therefore the Council assembled enacts as follows:

1. This By-law may be cited as The Alarm By-law.

2. In this By-law, unless context otherwise requires:

   (1) *Alarm system*—any mechanical, electrical, or electronic device which is designed or used for the detection of an unlawful act in, or authorized entry into, a building, a structure or facility and which emits a sound or transmits a signal or message when actuated but does not include:
   a. a device which registers an alarm that is not audible, visible or perceptible outside of the protected building, structure or facility; or
   b. a device that is installed in a motor vehicle or motor home as those terms are defined in The Highway Traffic Act, (reference Provincial Statutes, chapter XXX).

   (2) *Audible alarm*—an alarm system which generates an audible sound only in, on or about the premises where it is located when it is actuated;

   (3) *Automatic calling device*—any device, or combination of devices, that will upon activation, either mechanically, electronically or by any other automatic means, initiate a telephonic or recorded message which is designed to be transmitted over regular telephone lines;

   (4) *Chief of Police*—the Chief of Police of the Municipality or his/her designate;

   (5) *False dispatch*—the actuation of an alarm system resulting in a response by the Police Department where there has been no unauthorized entry or commission of an unlawful act on the premises;

   (6) *Monitored alarm system*—an alarm system, excluding an audible alarm, which when actuated transmits a sound, signal or message to a location where personnel are in attendance at all times and one of whose functions it is to notify the Police Department of the alarm system being actuated;

   (7) *Hold-up alarm signal*—a signal received from a monitored alarm system that is manually activated from the monitored premises;

   (8) *Permittee*—the holder of an alarm system permit.

3. All alarm equipment must conform to established standards. In addition, all alarm installations are to be subject to inspection to guarantee conformance to the National Standards by the local authority having jurisdiction.

4. (1) All alarm systems must be installed by qualified personnel who are employed by a licensed alarm company within the jurisdiction.

   (2) Every person maintaining an audible alarm shall keep the Chief of Police informed, by notice in writing, of the names, addresses and telephone numbers of at least two persons at different locations to be contacted in the event that the audible alarm is actuated.

   (3) At least one of the persons to be contacted pursuant to Subsection 1 shall always:
   a. be available to receive telephone calls from the Police Department made in respect of the audible alarm; and
   b. be capable of affording access to the premises where the audible alarm is located; and
c. attend at the premises where the audible alarm is located within forty-five (45) minutes of being requested to do so by a member of the Police Department.

5. (1) When a person attending a monitored alarm system receives an alarm from such system during those hours when the premises in which the system is located is normally occupied, such person shall before advising any members of the Police Department of the alarm attempt to verify that the alarm is not a false alarm.

a. **verification shall be defined as:**
   In the absence of confirmed criminal activity, the monitoring station shall implement a verification process that involves establishing communication with a qualified person at the premise who can confirm that no emergency exists.

(2) A person who attends a monitored alarm system and who informs any member of the Police Department that the monitored alarm system has been actuated shall:

a. at the same time advise such member of the Police Department of the alarm system permit number for such system; and

b. notify a person capable of affording access to the premises where the monitored alarm system is located to attend at such premises within forty-five (45) minutes from the time a member of the Police Department is informed of the actuation of the monitored alarm system.

(3) In the event the person attending a monitored alarm system is unable to notify a person pursuant to Clause b of Subsection 3 within 10 minutes, the police shall not, upon inspecting the exterior of said premises and finding nothing amiss, remain at said premises.

6. (1) No person shall install, keep or use or permit the installation, keeping or use of an alarm system unless there is a valid and subsisting alarm system permit therefor.

(2) An applicant for an alarm system permit shall make application and provide the information requested to the Chief of Police on the form attached as Schedule A to this By-law, and the applicant shall ensure that all such information is kept current and correct and that the Police Department is forthwith informed in writing of any and all changes or corrections to such information during the term of the alarm system permit.

(3) Alarm system permits shall be issued under

a. the personal signature of the Chief of Police; or

b. his mechanically reproduced signature.

(4) An alarm system permit shall be issued in the name of the person in actual occupation of the premise which the alarm system is designed to protect.

(5) An alarm system permit shall not be assigned or transferred.

(6) Any label or decal issued with the alarm system permit shall be affixed to the protected premises so as to be legible from the exterior of the said premises.

(7) The Chief of Police may revoke or suspend any alarm system permit if

a. the permittee has contravened any of the provisions of this By-law;

b. the persons to be contacted pursuant to Subsection 4.2 are not available to receive telephone calls as required by Subsection 4.3.a;

c. a person contacted pursuant to Section 4.2
   i.) is not capable of affording access to the premises where the audible alarm is located in accordance with Subsection 4.3.b; or
   ii.) fails to attend at the premises where the audible alarm is located in accordance with Subsection 4.3.c;

d. the person attending the alarm system, in the case of a monitored alarm system, fails to comply with Section 5; or

e. the alarm system actuates excessive false alarms.

(8) For the purpose of this section *excessive false alarms* means three (3) or more false alarms in any twelve calendar months.

(9) The following shall not be included when computing the number of false alarms which have occurred for the purposes of Subsection 8:
a. any false alarm which the permittee can demonstrate was caused by a storm, lightning, fire, earthquake or other act of God; or

b. any false alarm which the permittee can demonstrate was actually caused by the act of some person other than

i.) the permittee including the permittee's officers, agents, employees, independent contractors or any other person subject to the direct or indirect control of the permittee;

ii.) the person who installed, connected, operated, maintained or serviced the alarm system; or

iii.) the manufacturer of the alarm system, including the manufacturer's officers, agents, employees, independent contractors or any person subject to the direct or indirect control of the manufacturer; or

c. any false alarm caused by communications network disruptions beyond the control of the permittee.

(10) a. Notwithstanding the provisions of Subsection 8 in the event that an alarm system permit is suspended or revoked, any false alarm which occurred prior to the suspension or revocation shall not be included when determining whether the alarm system actuates excessive false alarms in a subsequent proceeding taken pursuant to Subsection 6.7.3;

b. Where an alarm system actuates excessive false alarms, the Chief of Police shall require the permittee to have the alarm system inspected prior to reinstatement;

c. Within fourteen (14) days of receipt of the notice referred to in Clause b, a permittee shall provide the Chief of Police with a report in writing verifying that the inspection has been carried out and indicating the results of the inspection;

d. If the report referred to in Clause c indicates in any way that the alarm system is malfunctioning due to a fault or deficiency in the alarm system, the permittee shall forthwith remedy such fault or deficiency;

e. Where an alarm system permit has been revoked the Chief of police may, during the six (6) months following such revocation, refuse to issue a further alarm system permit for such alarm system.
Index

accidents, 9
accumulation, 15
Alabama, 33
alarm benefits, 10
alarm cancellation, 16
alarm equipment, 16
alarm installers, 17
alarm manufacturers, 17
alarm outreach officers, 28
alarm registration, 13
alarm sensitivity, 43, 44
alarm technicians, 12
alarm user contacts, 13
alarm users, 17, 40
Alberta, 34
Arizona, 32
Atlanta, 32
Baltimore, 32
bank alarm, 42
benefits of alarms, 11
Birmingham, 33
Boston, 32
brochures, 28
Calgary, 29, 34
California, 32, 33
California, 47
Canada, 29, 32, 34
CANASA, 8
cancel codes, 16
canceled alarms, 6
case studies, 27
causes of false alarms, 7, 17, 18
ciauses of false alarms, 8
central station, 16, 40
cleaners, 8
codes, 15
complacency, 43
complexity of alarm systems, 8
cost, 9, 11, 15, 21, 22, 32
court decisions, 39
CSAA, 5, 16, 17
decals, 12
deleing prices, 7
defective systems, 18, 20
definitions, 5
deliberate false alarms, 18
deterrent value of alarms, 47
discouraging alarm use, 13
dispatch, 16, 17, 30
District of Columbia, 18, 24, 25
Dover, 35
due process, 39, 40
duress alarms, 11, 16
desentry alarms, 14
environmental causes, 8
equal protection, 39
equipment malfunction, 28
exculpatory clauses, 43
exit alarms, 14
external standards, 14
Fairfax County, 34
Fast Start, 17
Fast Start Program, 17
fax machines, 16
federal courts, 39
federal laws, 18
fines, 12, 13, 18, 45
fines, 18, 27, 30, 39
fines, who pays, 40, 44, 65
Florida, 33, 35
foreseeability, 41, 42
free false alarms, 12, 21, 27, 28, 29, 30
frequency, 6
frustration, 17
Georgia, 32
Greensboro, 34
growth in industry, 7
growth in systems, 17
Hawaii, 18, 26
hearings: is alarm false?, 13, 39, 44
High Point, 31, 34
history, 7
holdup alarms, 11
homeowners' associations, 14
how common, 6
IACP, 5
imprisonment, 18
increase in systems, 7, 17
increased fear of crime, 7
installation errors, 7
installer licensing, 8
installer licensing, 18
installer training, 12, 13
installer training, 11
insurance, 14
intentional false alarms, 22
jeweler alarm, 43
Kentucky, 34
Las Vegas, 31, 34, 48
Las Vegas Police Department, 48
laws: state or local level?, 13
lawsuits, 39
Lexington, 34
liability, 43
loss of police time, 9
maintenance, 13, 25, 41
Maryland, 18, 32, 34
Maryland, 18
Massachusetts, 32
mechanical malfunction, 31
Memphis, 33
Miami, 33
Michigan, 18, 20
Michigan, 20
Milwaukee, 33
model ordinances, 27
Montgomery County, 34
Morton, 39
Multnomah County, 27
municipalities, 21
national regulation, 13
national standards, 15
National Training School, 12
NBFAA, 5, 12, 17
NBFAA, 27
NCPI, 15
negligence, 41
Nevada, 34, 48
New Hampshire, 35
New York v. Cortlandt Medical Building Assoc., 39
nonresponse, 12, 14, 22, 27, 28, 46, 48
nonresponse, 30
North Carolina, 34
notification cards, 29
Oakland, 32
officer caution, 9
Ohio, 18, 20
Ohio, 20
Oklahoma, 34
Ontario, 32
ordinances, 9, 11, 12, 27, 32, 39, 40, 44
ordinances, 13, 30
Oregon, 33
panic signals, 14
PASONA, 14
passcode, 16
Pennsylvania, 32, 35
permits, alarm, 12, 13, 21, 28, 30, 39
Philadelphia, 32
Phoenix, 30, 32
Pierce County, 34
Pinellas Park, 35
placement, 8
police alarm response policies, 11
population, 30
Portland, 27, 33
power loss, 8
premature birth, 41
private response, 14, 16, 43, 44, 45
proximate cause, 39, 41, 42, 43, 44
public awareness, 12, 28
Queenwood East Sheltered Care Home, Ltd. v. Village of Morton, 39
regulation, 11
repairs, 13, 14, 15, 18
repairs, 12
response priority, 14
response, cost of, 46
response, quality of, 46, 49
response, speed of, 46
retail sales, 7
revenue from fines, 13
Richmond, 34
risk management, 14
salespeople, 17
San Francisco, 33
SANTA, 16
Santa Monica, 47
Santa Monica Police Department, 47
Santa Monica Protective Association, 47
Seattle, 31, 33
secure fax machines, 16
sensitivity, 8, 16
sensor duplication, 16
sensor identification, 15
service charges, 13
sheriff's offices, 21
SIA, 15
silent alarms, 16
solutions, 11
sophisticated features, 16
Southern Bell Tel. &c. Co. v. Dolce, 42
standards, 14, 20
standards, 17, 20
state certification, 12
state courts, 39
state laws, 12, 18
success of ordinances, 30
success, general, 16
technicians, 15
technological errors, 7
technological problems, 16
Tennessee, 33
testing, 8
Texas, 18, 21
Texas, 21
time-of-day differentiation, 14, 30
Toronto, 32
training, 8, 25
training of private responders, 14
Tredyffrin Township, 35
Tulsa, 34
Twain, 7
UL, 15, 20, 45
UL certificate program, 15
ultrasonic sensors, 43
upgrading, 13, 15
upgrading, 15
user education, 11
user errors, 7, 8, 28
user fees, 13
user training, 8, 11, 14
Uwchlan Township, 29, 35
verification, 11, 13, 14, 29
verification, 30
video, 28
Virginia, 34
Washington State, 33, 34
weather, 8
West Hartford, 35
Westec Security, 48
Western Stone & Metal Corp. v. Jones, 42
Windsor, 35
Wisconsin, 33