

Model Burglar Alarm Ordinance

A Joint Document of **NBFAA / FARA**



National Burglar & Fire Alarm Association
2300 Valley View Lane, Suite 230
Irving, TX 75062
(214) 260-5970
Fax: (214) 260-5979
www.alarm.org

False Alarm Reduction Association
10024 Vanderbilt Circle, Unit 4
Rockville, MD 20850
(301) 519-9237
Fax: (301) 519-9508
www.faraonline.org

NBFAA/FARA MODEL BURGLAR ALARM ORDINANCE

The attached Model Burglar Alarm Ordinance (the "Ordinance") has been prepared through a joint effort between the National Burglar & Fire Alarm Association (NBFAA) and the False Alarm Reduction Association (FARA). The NBFAA is an association that promotes electronic security and life safety services in the United States. The FARA is an organization comprised of law enforcement and fire officials from throughout North America, who administer and implement false alarm reduction programs.

An Executive Summary of the Model Burglar Alarm Ordinance is available at both the NBFAA and FARA web sites. Before attempting to tackle this document, we encourage you to review the Executive Summary, as it provides a synopsis of the Ordinance and describes key considerations of which you should be aware.

Both NBFAA and FARA strongly believe false alarm reduction should be a cooperative effort among all parties involved (i.e., the alarm industry, law enforcement officials, and the alarm user). To that end, we strongly suggest that, **before** attempting to implement any alarm management ordinance designed to reduce the incidence of false alarms, your municipality form an Alarm Advisory Board. The Alarm Advisory Board should be comprised of representatives from the alarm industry, law enforcement officials, community and business groups, and any other entity that has a stake in the reduction of false alarms. We believe that the Alarm Advisory Board represents a fundamental step in the development and implementation of a good, effective alarm management ordinance. It fosters cooperative relations and provides every group with ownership of the final product.

The Ordinance is based on a registration system with appropriate controls to facilitate false alarm reduction. It contains law enforcement control and administration, alarm installation company and monitoring company responsibilities, and requires the disciplined use of alarm systems by alarm users.

Specific amounts of fines and fees are not listed in the text of this document in order to encourage a dialogue among law enforcement, municipal leaders, alarm users and alarm companies on the appropriate fine or fee to fit the circumstances of your jurisdiction. NBFAA, FARA and your state alarm association can assist you in establishing the appropriate fines and fees for your jurisdiction.

PLEASE NOTE: The Ordinance is intended to serve as a **BASE FRAMEWORK** for municipal officials, law enforcement officials and the alarm industry. It contains features that have been proven to reduce false alarms. Any new standard that is properly certified by the American National Standard Institute or its equivalent, should be considered when creating or revising an alarm management ordinance. **It is important that the Ordinance be reviewed carefully before endorsing or recommending that it be adopted either in whole or in part.** There may be aspects of the Ordinance that will pose potential problems in your locale, and you may decide that those characteristics should not be included in your local alarm ordinance. As the Ordinance is intended for use as a guide, it is a working draft, subject to changing times, designed to help you successfully develop and implement a good alarm management ordinance.

Throughout the Ordinance there are italicized notes to aid you in drafting an ordinance that best suits your jurisdiction. Anything italicized should not be adopted as part of your ordinance and should be deleted after being considered.

TABLE OF CONTENTS

| | | |
|-------------|--|---------|
| Sec. 1. | Purpose | Page 4 |
| Sec. 2. | Definitions | Page 4 |
| Sec. 3. | Registration Required; Application; Fee; Transferability; False Statements | Page 6 |
| Sec 3.1 | Alarm Registration Duration and Renewal | Page 8 |
| Sec. 4. | Duties of the Alarm User | Page 8 |
| Sec. 5. | Duties of Alarm Installation Company and Monitoring Company | Page 9 |
| Sec. 5.1 | License or Licensing | Page 11 |
| Sec. 6. | Duties and Authority of the Alarm Administrator | Page 11 |
| Sec. 7. | Fines | Page 12 |
| Sec. 8. | Notification | Page 12 |
| Sec. 9. | Suspension of Response | Page 13 |
| Sec. 10. | Appeals | Page 13 |
| Sec. 11. | Reinstatement | Page 14 |
| Sec. 12. | Enforcement and Penalties | Page 15 |
| Sec. 13. | Confidentiality | Page 15 |
| Sec. 14 | Government Immunity | Page 15 |
| Sec. 15. | Severability | Page 15 |
| Appendix A: | Additional Resource Materials | Page 16 |
| Appendix B: | Installer False Alarm Prevention Program Checklist | Page 17 |
| Appendix C: | Customer False Alarm Prevention Checklist | Page 18 |
| Appendix D: | Licensing of Alarm Companies | Page 19 |
| Appendix E: | Fines and Fees | Page 20 |

SECTION 1. PURPOSE

(A) The purpose of this Ordinance is to encourage Alarm Users and alarm companies to properly use and maintain the operational effectiveness of Alarm Systems in order to improve the reliability of Alarm Systems and reduce or eliminate False Alarms.

(B) This Ordinance governs Alarm Systems intended to summon law enforcement response, and requires registration, establishes fees, provides for penalties for violations, establishes a system of administration, and sets conditions for suspension of police response or revocation of registration.

SECTION 2. DEFINITIONS

In this Ordinance, the following terms and phrases shall have the following meanings:

(A) **Advisory Board** means Persons designated by a governing authority that should be representative of the community, Alarm Users, the alarm industry, and law enforcement. The Advisory Board should review and recommend False Alarm reduction efforts and report to the governing authority (municipal/township/borough/city council, county board, etc.).

(B) **Alarm Administrator** means a Person or Persons designated by the governing authority to administer, control and review False Alarm reduction efforts and administer the provisions of this Ordinance.

Note: All or part of the duties assigned to the Alarm Administrator may be assigned to a third party private company. Contact FARA or NBFAA for more information.

(C) **Alarm Dispatch Request** means a notification to a law enforcement agency that an alarm, either manual or automatic, has been activated at a particular Alarm Site.

(D) **Alarm Installation Company** means a Person in the business of selling, providing, maintaining, servicing, repairing, altering, replacing, moving or installing an Alarm System in an Alarm Site. This definition shall also include individuals or firms that install and service the Alarm Systems that will be used in their private or proprietary facilities. This does not include persons doing installation or repair work where such work is performed without compensation of any kind (i.e., "do-it-yourselfers").

(E) **Alarm Registration** (or Permits) means authorization granted by the Alarm Administrator to an Alarm User to operate an Alarm System. **(See Appendix A – Additional Resource Materials)**

(F) **Alarm Response Manager (ARM)** means a person designated by an Alarm Installation Company to handle alarm issues for the company and act as the primary point of contact for the jurisdiction's Alarm Administrator.

(G) **Alarm Site** means a single fixed premises or location served by an Alarm System or Systems. Each unit, if served by a separate Alarm System in a multi-unit building or complex, shall be considered a separate Alarm Site.

(H) **Alarm System** means a device or series of devices, including, but not limited to, hardwired systems and systems interconnected with a radio frequency method such as cellular or private radio signals, which emit or transmit a remote or local audible, visual or electronic signal indicating an alarm condition and intended to summon law enforcement response, including Local Alarm Systems. Alarm System does not include an alarm installed in a vehicle or on someone's Person unless the vehicle or the personal alarm is permanently located at a site.

(I) **Alarm User** means any Person, who (which) has contracted for Monitoring, repair, installation or maintenance service from an Alarm Installation Company or Monitoring Company for an Alarm System, or who (which) owns or operates an Alarm System which is not monitored, maintained or repaired under contract.

(J) **Alarm User Awareness Class** means a class conducted for the purpose of educating Alarm Users about the responsible use, operation, and maintenance of Alarm Systems and the problems created by False Alarms.

(K) **Arming Station** means a device from which the alarm system is turned On (armed) and Off (disarmed).

(L) **Audio Verification** means the transfer of sounds from the protected premises to the monitoring company, as a result of activation of one or more devices, to confirm or deny the validity of the alarm signal.

(M) **Automatic Voice Dialer** means any electrical, electronic, mechanical, or other device capable of being programmed to send a prerecorded voice message, when activated, over a telephone line, radio or other communication system, to a law enforcement, public safety or emergency services agency requesting dispatch.

(N) **Cancellation** means the process where response is terminated when a Monitoring Company (designated by the Alarm User) for the Alarm Site notifies the responding law enforcement agency that there is not an existing situation at the Alarm Site requiring law enforcement agency response after an Alarm Dispatch Request.

(O) **Conversion** means the transaction or process by which one Alarm Installation Company or Monitoring Company begins the servicing and/or Monitoring of a previously unmonitored Alarm System or an Alarm System previously serviced and/or monitored by another alarm company.

(P) **Duress Alarm** means a silent Alarm System signal generated by the entry of a designated code into an Arming Station in order to signal that the Alarm User is being forced to turn off the system and requires law enforcement response.

(Q) **Enhanced Call Verification (ECV)** is a monitoring procedure requiring that a minimum of two calls be made prior to making an Alarm Dispatch Request. The two calls must be made to different phone numbers where a responsible party can typically be reached.

(R) **False Alarm** means an Alarm Dispatch Request to a law enforcement agency, when the responding law enforcement officer finds no evidence of a criminal offense or attempted criminal offense after having completed a timely investigation of the Alarm Site.

(S) **Holdup Alarm** means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress or immediately after it has occurred.

(T) **Law Enforcement Authority** means the Commissioner, Superintendent, Sheriff, Chief of Police, director or other authorized representative of a law enforcement agency.

(U) **License** means a license issued by the [*identify appropriate governmental agency*] to an Alarm Installation Company and Monitoring Company to sell, install, monitor, repair, or replace Alarm Systems.

Note: Delete all references to the term License in this Ordinance if there is no such license in your state or jurisdiction.

(V) **Local Alarm System** means any Alarm System, which is not monitored, that annunciates an alarm only at the Alarm Site.

(W) **Monitoring** means the process by which a Monitoring Company receives signals from an Alarm System and relays an Alarm Dispatch Request to the municipality for the purpose of summoning law enforcement to the Alarm Site.

(X) **Monitoring Company** means a Person in the business of providing Monitoring services.

(Y) **One Plus Duress Alarm** means the manual activation of a silent alarm signal by entering a code at an Arming Station that adds one to the last digit of the normal arm/disarm code (e.g., normal code = 1234, One Plus Duress Code = 1235).

(Z) **Other Electronic Means** is the real-time audio/video surveillance of an Alarm Site by the Monitoring Company, by means of devices that permit either the direct, live listening in or viewing of an Alarm Site or portions thereof.

(AA) **Panic Alarm** means an audible Alarm System signal generated by the manual activation of a device intended to signal a life threatening or emergency situation requiring law enforcement response.

(BB) **Person** means an individual, corporation, partnership, association, organization or similar entity.

(CC) **Responder** means an individual capable of reaching and having access to the Alarm Site, the code to the Alarm System, and the authority to approve repairs to the Alarm System.

(DD) **Robbery Alarm** – See Hold-up Alarm

(EE) **ANSI/SIA Control Panel Standard CP-01** means the ANSI – American National Standard Institute approved Security Industry Association – SIA CP-01 Control Panel Standard, as may be updated from time to time, that details recommended design features for security system control panels and their associated arming and disarming devices to reduce the incidence of false alarms. Control panels built and tested to this standard by Underwriters Laboratory (UL), or other nationally recognized testing organizations, will be marked to state: “Design evaluated in accordance with SIA CP-01 Control Panel Standard Features for False Alarm Reduction”.

(FF) **Suspension of Response** means the termination of police response to alarms at a specified Alarm Site as a result of False Alarms or other violation of the alarm Ordinance.

(GG) **Takeover** means the transaction or process by which an Alarm User takes over control of an existing Alarm System, which was previously controlled by another Alarm User.

(HH) **Telephone Verification** – See Verify

(II) **Unregistered Alarm Site** means a site that has not complied with a jurisdiction’s registration requirements as defined in the alarm Ordinance.

(JJ) **Verify** means an attempt by the Monitoring Company to determine the validity of an alarm signal prior to initiating an Alarm Dispatch Request. **(See Appendix A – Additional Resource Materials)**

(KK) **Video Verification** means the transfer of video images to the monitoring company reflecting conditions existing at the protected premises at the time an alarm was activated through the use of video technology.

(LL) **Zones** means the capability of an alarm system to separate and report incidents or alarms by area. (Example: Zone 1 – Front Door Contact; Zone 2 – Front Entry Motion Detector)

SECTION 3. REGISTRATION REQUIRED; APPLICATION; FEE; TRANSFERABILITY; FALSE STATEMENTS

(A) No Alarm User shall operate, or cause to be operated, an Alarm System at its Alarm Site without a valid Alarm Registration. A separate Alarm Registration is required for each Alarm Site. **(See Appendix A – Additional Resource Materials)**

(B) The fee for an Alarm Registration or an Alarm Registration renewal is set forth below and shall be paid by the Alarm User. No refund of a registration or registration renewal fee will be made. The

initial Alarm Registration fee must be submitted to the Alarm Administrator within five (5) days after the Alarm System installation or Alarm System Takeover.

(1) Registration Fees – **(See Appendix E – Fines and Fees)**

(2) Renewal Fees – **(See Appendix E – Fines and Fees)**

(C) Upon receipt of a completed Alarm Registration application form and the Alarm Registration fee, the Alarm Administrator shall register the applicant unless the applicant has:

(1) failed to pay a fine assessed under Section 7; or

(2) had an alarm registration for the Alarm Site suspended or revoked, and the violation causing the suspension or revocation has not been corrected.

(D) Each Alarm Registration application must include the following information:

(1) the name, complete address (including apt/suite number), and telephone numbers of the Person who will be the registration holder and be responsible for the proper maintenance and operation of the Alarm System and payment of fees assessed under this article;

(2) the classification of the Alarm Site as either residential (includes apartment, condo, mobile home, etc.) or commercial;

(3) for each Alarm System located at the Alarm Site, the classification of the Alarm System (i.e. burglary, Holdup, Duress, Panic Alarms or other) and for each classification whether such alarm is audible or silent;

(4) mailing address, if different from the address of the Alarm Site;

(5) any dangerous or special conditions present at the Alarm Site;

(6) names and telephone numbers of at least two individuals who are able and have agreed to: (a) receive notification of an Alarm System activation at any time; (b) respond to the Alarm Site within [*] minutes at any time; and (c) upon request can grant access to the Alarm Site and deactivate the Alarm System if necessary;

** Amount of time to be determined by the local jurisdiction. Please call NBFAA, FARA or your state association for sample times that are used by other jurisdictions similar to yours.*

(7) type of business conducted at a commercial Alarm Site;

(8) signed certification from the Alarm User stating the following:

(a) the date of installation, Conversion or Takeover of the Alarm System, whichever is applicable;

(b) the name, address, and telephone number of the Alarm Installation Company or companies performing the Alarm System installation, Conversion or Takeover and of the Alarm Installation Company responsible for providing repair service to the Alarm System;

(c) the name, address, and telephone number of the Monitoring Company if different from the Alarm Installation Company;

(d) that a set of written operating instructions for the Alarm System, including written guidelines on how to avoid False Alarms, have been left with the applicant by the Alarm Installation Company; and

(e) that the Alarm Installation Company has trained the applicant in proper use of the Alarm System, including instructions on how to avoid False Alarms.

(9) that law enforcement response may be influenced by factors including, but not limited to the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels, etc.

(E) Any false statement of a material fact made by an applicant for the purpose of obtaining an Alarm Registration shall be sufficient cause for refusal to issue a registration.

(F) An Alarm Registration cannot be transferred to another Person or Alarm Site. An Alarm User shall inform the Alarm Administrator of any change that alters any of the information listed on the Alarm Registration application within five (5) business days of such change.

(G) All fines and fees owed by an applicant must be paid before an Alarm Registration may be issued or renewed.

SECTION 3.1. ALARM REGISTRATION DURATION AND RENEWAL

An Alarm Registration shall expire [*] from the date of issuance, and must be renewed annually by submitting an updated application and a registration renewal fee to the Alarm Administrator. The Alarm Administrator shall notify each Alarm User of the need to renew thirty (30) days prior to the expiration of the registration. It is the responsibility of the Alarm User to submit an application prior to the registration expiration date. Failure to renew will be classified as use of a non-registered Alarm System and citations and penalties shall be assessed without waiver. A [*] late fee may be assessed if the renewal is more than thirty (30) days late.

** Renewal duration and fees shall be determined by each jurisdiction. Please call NBFAA, FARA or your state association for sample renewal duration schedules that are used by other jurisdictions similar to yours*

SECTION 4. DUTIES OF THE ALARM USER

(A) An Alarm User shall:

- (1) obtain an Alarm Registration for the Alarm System as required in Section 3;
- (2) maintain the Alarm Site and the Alarm System in a manner that will minimize or eliminate False Alarms;
- (3) make every reasonable effort to have a Responder to the Alarm System's location within [*] minutes when requested by the law enforcement agency in order to:
 - (a) deactivate an Alarm System;
 - (b) provide access to the Alarm Site; and/or
 - (c) provide alternative security for the Alarm Site.

** Amount of time to be determined by the local jurisdiction and equal to the time designated in Section 3(D)(6). Please call NBFAA, FARA or your state association for sample times that are used by other jurisdictions similar to yours.*

- (4) not activate an Alarm System for any reason other than an occurrence of an event that the Alarm System was intended to report.

(B) An Alarm User shall adjust the mechanism or cause the mechanism to be adjusted so that an alarm signal audible on the exterior of an Alarm Site will sound for no longer than ten (10) minutes after being activated.

(C) An Alarm User shall have a Licensed Alarm Installation Company inspect the Alarm System after two (2) False Alarms in a one (1) year period. The Alarm Administrator may waive a required

inspection if it determines that a False Alarm(s) could not have been related to a defect or malfunction in the Alarm System. After four (4) False Alarms within a one (1) year period, the Alarm User must have a Licensed Alarm Installation Company modify the Alarm System to be more false alarm resistant and provide additional user training as appropriate. **[See Appendix B for Installers False Alarm Prevention Checklist]**

(D) An Alarm User shall not use Automatic Voice Dialers.

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

(F) All Alarm Users shall agree with their Alarm Installation Company and/or Monitoring Company to go through an "acclimation period" for the first seven (7) days after installation of an Alarm System during which time the Alarm Installation Company and/or Monitoring Company will have no obligation to and will not respond to any Alarm Signal from the Alarm Site, excluding Panic, Duress and Holdup signals, and will not make an Alarm Dispatch Request to law enforcement, even if the Alarm Signal is the result of an actual alarm event.

(G) This Section applies to all individuals and firms, who have installed and/or monitor their own Alarm System.

SECTION 5. DUTIES OF ALARM INSTALLATION COMPANY AND MONITORING COMPANY

(A) The Alarm Installation Company shall provide written and oral instructions to each of its Alarm Users in the proper use and operation of their Alarm Systems. Such instructions will specifically include all instructions necessary to turn the Alarm System on and off and to avoid False Alarms.

(B) Upon the effective date of this Ordinance, Alarm Installation Companies shall not program Alarm Systems so that they are capable of sending One Plus Duress Alarms. The Alarm Installation Company shall remove the One Plus Duress Alarm feature from Alarm Systems whenever an alarm technician is at the alarm site or otherwise accessing the panel for reprogramming purposes.

(C) Upon the effective date of this Ordinance, Alarm Installation Companies shall not install a device to activate a Holdup Alarm, which is a single action, non-recessed button.

(D) Upon enactment of this Ordinance, the Alarm Installation Companies shall use only ANSI/SIA CP-01 listed alarm control panels on all new installations and panel replacements or upgrades..

(E) An Alarm Installation or Monitoring Company shall not use Automatic Voice Dialers.

(F) After completion of the installation of an Alarm System, an Alarm Installation Company employee shall review with the Alarm User the **Customer False Alarm Prevention Checklist (Appendix C) or an equivalent checklist approved by the Alarm Administrator.**

(G) The Monitoring Company shall not make an Alarm Dispatch Request of a law enforcement agency in response to a burglar alarm signal, excluding Panic, Duress and Holdup signals, during the first seven (7) days following an Alarm System installation. The Alarm Administrator may grant an Alarm User's request for an exemption from this waiting period based upon a determination that special circumstances substantiate the need for the exemption.

(H) A Monitoring Company shall:

(1) report alarm signals by using telephone numbers designated by the Alarm Administrator;

(2) verify every alarm signal, except a Duress or Holdup Alarm activation, before initiating an Alarm Dispatch Request. **(See Appendix A – Additional Resource Materials)**

- (3) communicate Alarm Dispatch Requests to the municipality in a manner and form determined by the Alarm Administrator;
- (4) communicate Cancellations to the municipality in a manner and form determined by the Alarm Administrator;
- (5) ensure that all Alarm Users of Alarm Systems equipped with a Duress, Holdup or Panic Alarm are given adequate training as to the proper use of the Duress, Holdup or Panic Alarm;
- (6) communicate any available information (north, south, front, back, floor, etc.) about the location on all alarm signals related to the Alarm Dispatch Request;
- (7) communicate nature of alarm (i.e.: burglary, robbery, panic, duress, silent, audible, interior or perimeter);
- (8) provide an Alarm User registration number when requesting law enforcement dispatch;
- (9) after an Alarm Dispatch Request, promptly advise the law enforcement agency if the Monitoring Company knows that the Alarm User or the Responder is on the way to the Alarm Site;
- (10) attempt to contact the Alarm User or Responder within 24 hours via mail, fax, telephone or other electronic means when an Alarm Dispatch Request is made; and
- (11) upon the effective date of this Ordinance, Monitoring Companies must maintain for a period of at least one (1) year from the date of the Alarm Dispatch Request, records relating to Alarm Dispatch Requests. Records must include the name, address and telephone number of the Alarm User, the Alarm System Zone(s) activated, the time of Alarm Dispatch Request and evidence of an attempt to Verify. The Alarm Administrator may request copies of such records for individually named Alarm Users. If the request is made within sixty (60) days of an Alarm Dispatch Request, the Monitoring Company shall furnish requested records within three (3) business days of receiving the request. If the records are requested between sixty (60) days to one (1) year after an Alarm Dispatch Request, the Monitoring Company shall furnish the requested records within thirty (30) days of receiving the request.

(I) An Alarm Installation Company and/or Monitoring Company that purchases Alarm System accounts from another Person shall notify the Alarm Administrator of such purchase and provide details as may be reasonably requested by the Alarm Administrator.

(J) Each Alarm Installing Company and Alarm Monitoring Company must designate one individual as the Alarm Response Manager (ARM) for the company who will manage alarm related issues and act as the point of contact for the Alarm Administrator. The appointed individual must be knowledgeable of the general provisions of the Ordinance, as well as have the knowledge and authority to deal with false alarm issues and respond to requests from the alarm administrator. The name, phone number, and email address of the designated ARM must be provided to the Alarm Administrator.

(K) An Alarm Installation Company and/or Monitoring Company shall provide the Alarm Administrator with a customer list in a format acceptable to the Alarm Administrator, upon request, to assist the Alarm Administrator with creating the law enforcement's tracking data. This requirement is contingent upon state or local law that protects this customer information as confidential.

(L) Alarm Companies shall assist in obtaining the initial Alarm Registration and registration fee from the alarm user and submit it to the Alarm Administrator within ten (10) days of the activation of an alarm system.

SECTION 5.1 LICENSE OR LICENSING

All Alarm Installation Companies and Monitoring Companies shall maintain a License. **[See Appendix D for Licensing of Alarm Companies]**

Note: Delete all references to the term License in this Ordinance if there is no such license in your state or jurisdiction.

SECTION 6. DUTIES AND AUTHORITY OF THE ALARM ADMINISTRATOR

(A) The Alarm Administrator shall:

- (1) designate a manner, form and telephone numbers for the communication of Alarm Dispatch Requests; and
- (2) establish a procedure to accept Cancellation of Alarm Dispatch Requests.

(B) The Alarm Administrator shall establish a procedure to record such information on Alarm Dispatch Requests necessary to permit the Alarm Administrator to maintain records, including, but not limited to, the information listed below.

- (1) identification of the registration number for the Alarm Site;
- (2) identification of the Alarm Site;
- (3) date and time Alarm Dispatch Request was received, including the name of the Monitoring Company and the Monitoring operator name or number;
- (4) date and time of law enforcement officer arrival at the Alarm Site;
- (5) Zone and Zone description, if available;
- (6) weather conditions;
- (7) name of Alarm User's representative at Alarm Site, if any;
- (8) identification of the responsible Alarm Installation Company or Monitoring Company;
- (9) whether law enforcement officer was unable to locate the address of the Alarm Site; and
- (10) cause of alarm signal, if known.

(C) The Alarm Administrator shall establish a procedure for the notification to the Alarm User of a False Alarm. The notice shall include the following information:

- (1) the date and time of law enforcement response to the False Alarm;
- (2) the identification number of the responding law enforcement officer; and
- (3) a statement urging the Alarm User to ensure that the Alarm System is properly operated, inspected, and serviced in order to avoid False Alarms and resulting fines.

(D) The Alarm Administrator may require a conference with an Alarm User and the Alarm Installation Company and/or Monitoring Company responsible for the repair or monitoring of the Alarm System to review the circumstances of each False Alarm. For these purposes, the alarm company must have a designated contact on record with the Alarm Administrator. (See Alarm Response Manager).

(E) The Alarm Administrator may create and implement an Alarm User Awareness Class. The Alarm Administrator may request the assistance of Associations, alarm companies and law enforcement

agencies in developing and implementing the class. The class shall inform Alarm Users of the problems created by False Alarms and teach Alarm Users how to avoid generating False Alarms.

(F) The Alarm Administrator may require an Alarm User to remove a Holdup Alarm device that is a single action, non-recessed button, or have it replaced with an acceptable dual-action or recessed device after the occurrence of a false Holdup Alarm.

(G) The Alarm Administrator may require an Alarm User to remove the Duress or Panic Alarm capability from their Alarm System after the occurrence of a false alarm.

(H) The Alarm Administrator will make a copy of this Ordinance and/or an Ordinance summary sheet available to the Alarm User.

SECTION 7. FINES

(A) An Alarm User shall be subject to fines, depending on the number of False Alarms within a 12-month period, based upon the following schedule:

(1) False Alarm Fines **(See Appendix E – Fines and Fees)**

(B) In addition, any Person operating an Unregistered Alarm System will be subject to a fine of **(See Appendix E – Fines and Fees)** for each False Alarm in addition to any other fines. The Alarm Administrator may waive this additional fine for an Unregistered Alarm System if the Alarm User submits an application for Alarm Registration within ten (10) days of notification of such violation.

(C) An Alarm User may have the option of attending an Alarm User Awareness Class in lieu of paying one prescribed fine.

(D) If Cancellation of an Alarm Dispatch Request occurs prior to law enforcement arriving at the scene, no false alarm will be assessed.

(E) The Alarm Installation Company shall be assessed a fine of **(See Appendix E – Fines and Fees)** if the officer responding to the False Alarm determines that an on-site employee of the Alarm Installation Company directly caused the False Alarm. In this situation, the False Alarm will not be counted against the Alarm User.

(F) The Monitoring Company shall be issued a fine of **(See Appendix E – Fines and Fees)** for each failure to Verify Alarm System signals as specified in Section 5(H)(2).

(G) The Alarm Installation Company shall be issued a fine of **(See Appendix E – Fines and Fees)** if the Alarm Administrator determines that an Alarm Installation Company employee knowingly made a false statement concerning the inspection of an Alarm Site or the performance of an Alarm System.

(H) Notice of the right of Appeal under this Ordinance will be included with any fines.

SECTION 8. NOTIFICATION

The Alarm Administrator shall notify the Alarm User in writing after each False Alarm. The notification shall include: the amount of the fine for the False Alarm, notice that the Alarm User can attend Alarm User Awareness Class to waive a fine, the fact that response will be suspended after the [*] False Alarm, excluding Duress, Holdup and Panic Alarms, and a description of the appeals procedure available to the Alarm User.

The Alarm Administrator will notify the Alarm User and the Alarm Installation Company or Monitoring Company in writing [*] days before the alarm response is to be suspended. This notice of suspension will also include the amount of the fine for each False Alarm and a description of the appeals procedure available to the Alarm User and the Alarm Installation Company or Monitoring Company.

** Number of days shall be determined by each jurisdiction. Please call NBFAA, FARA or your state association for sample numbers that are used by other jurisdictions similar to yours.*

SECTION 9. SUSPENSION OF RESPONSE

(A) The Alarm Administrator may suspend law enforcement response to an Alarm Site by revoking the Alarm Registration if it is determined that:

- (1) the Alarm User has [*] or more False Alarms in a twelve (12) month period;

** Number of False Alarms shall be determined by each jurisdiction. Please call NBFAA, FARA or your state association for sample numbers that are used by other jurisdictions similar to yours.*

- (2) there is a statement of a material fact known to be false in the application for a registration;
- (3) the Alarm User has failed to make timely payment of a fine assessed under Section 7 or fee assessed under Section 3; or
- (4) the Alarm User has failed to submit a written certification from an Alarm Installation Company, that complies with the requirements of this article, stating that the Alarm System has been inspected and repaired (if necessary) and/or additional training has been conducted by the Alarm Installation Company.

(B) A Person commits an offense if he/she operates an Alarm System during the period in which the alarm registration is revoked and is subject to enforcement and penalties set in Sections 7 and 12. A Monitoring Company commits an offense if it continues Alarm Dispatch Requests to an Alarm Site after notification by the Alarm Administrator that the registration has been revoked and is subject to enforcement and penalties set forth in Section 12.

(C) Unless there is separate indication that there is a crime in progress, the Law Enforcement Authority will refuse law enforcement response to an Alarm Dispatch Request at an Alarm Site for which the Alarm Registration is revoked.

(D) If the Alarm Registration is reinstated pursuant to Section 11, the Alarm Administrator may again suspend law enforcement response to the Alarm Site by again revoking the Alarm Registration if it is determined that [*] False Alarms have occurred within [*] days after the reinstatement date.

** Number of False Alarms and number of days shall be determined by each jurisdiction. Please call NBFAA, FARA or your state association for sample numbers that are used by other jurisdictions similar to yours.*

SECTION 10. APPEALS

(A) If the Alarm Administrator assesses a fine or denies the issuance, renewal or reinstatement of an Alarm Registration, the Alarm Administrator shall send written notice of the action and a statement of the right to an appeal to either the affected applicant or Alarm User and the Alarm Installation Company and/or Monitoring Company.

(B) The Alarm User, Alarm Installation Company or Monitoring Company may appeal an assessment of a fine or the revocation of an Alarm Registration to the Alarm Administrator by setting forth in writing the reasons for the appeal within fifteen (15) business days after notice of the fine or of revocation.

(C) The Alarm User or the Alarm Installation Company or Monitoring Company may appeal the decision of the Alarm Administrator to the Law Enforcement Authority as follows:

- (1) The applicant, Alarm User, Alarm Installation Company or the Monitoring Company may file a written request for a review by paying an appeal fee of [1/2X* (**See Appendix E – Fines and Fees**)] and setting forth the reasons for the appeal within

twenty (20) business days after the date of notification of the decision from the Alarm Administrator. Appeal fees will be returned to the appealing Alarm User, Alarm Installation Company or Monitoring Company if the appeal is upheld.

- (2) The Law Enforcement Authority shall conduct a formal hearing within thirty (30) days of the receipt of the request and consider the evidence by any interested Person(s). The Law Enforcement Authority shall make its decision on the basis of the preponderance of evidence presented at the hearing. The Law Enforcement Authority must render a decision within fifteen (15) days after the date of the hearing. The Law Enforcement Authority shall affirm or reverse the decision of the Alarm Administrator.

[Note: Your municipal attorney should carefully review the stated appeal process to assure compliance with due process]

(D) Filing of a request for appeal shall stay the action by the Alarm Administrator revoking an Alarm Registration or requiring payment of a fine, until the Law Enforcement Authority has completed its review. If a request for appeal is not made within the twenty (20) business day period, the action of the Alarm Administrator is final.

(E) Alarm Administrator or Law Enforcement Authority may adjust the count of False Alarms based on:

- (1) Evidence that a False Alarm was caused by an Act of God;
- (2) Evidence that a False Alarm was caused by action of the telephone company;
- (3) Evidence that a False Alarm was caused by a power outage lasting longer than four (4) hours;
- (4) Evidence that the Alarm Dispatch Request was not a False Alarm;
- (5) Evidence that the law enforcement officer response was not completed in a timely fashion; and/or
- (6) In determining the number of False Alarms, multiple alarms occurring in any twenty-four (24) hour period shall be counted as one False Alarm; to allow the Alarm User time to take corrective action unless the False Alarms are directly caused by the Alarm User.

(F) With respect to fines of an Alarm Installation Company or Monitoring Company the Alarm Administrator or Law Enforcement Authority may take into consideration whether the alarm company had engaged in a consistent pattern of violations.

SECTION 11. REINSTATEMENT

(A) A Person whose Alarm Registration has been revoked may, at the discretion of the Law Enforcement Authority, have the Alarm Registration reinstated by the Alarm Administrator if the Person:

- (1) pays a reinstatement fee **(See Appendix E – Fines and Fees)**;
- (2) pays, or otherwise resolves, all outstanding citations and fines; and
- (3) provides satisfactory evidence to the Alarm Administrator that the Alarm System has been inspected and repaired (if necessary) by the Alarm Installation Company; and/or that additional training in the proper use of the alarm system was provided by the Alarm Installing Company for all Alarm Users.

(B) In addition, the Alarm Administrator may require one or more of the following as a condition to reinstatement:

- (1) proof that an employee of the Alarm Installation Company or Monitoring Company caused the False Alarm;

- (2) a certificate showing that the Alarm User has successfully completed the Alarm User Awareness Class as provided under Section 6(E);
- (3) upgrade the alarm control panel to meet ANSI/SIA Control Panel Standard CP-01;
- (4) a written statement from an independent inspector designated by the Law Enforcement Authority that the Alarm System has been inspected and is in good working order;
- (5) confirmation that all motion detectors are "dual technology" type;
- (6) confirmation that the Monitoring Company will not make an Alarm Dispatch Request unless the need for law enforcement is confirmed by Audio or Video Verification.
- (7) confirmation that the Monitoring Company will not make an Alarm Dispatch Request unless the need for law enforcement is confirmed by a Person at the Alarm Site.

SECTION 12. ENFORCEMENT AND PENALTIES

Enforcement of this Ordinance may be by civil action as provided in [*], under municipal law.

** Reference appropriate section of your municipal or state penal code.*

SECTION 13. CONFIDENTIALITY

In the interest of public safety, all information contained in and gathered through the Alarm Registration applications, records relating to Alarm Dispatch Requests, and applications for appeals shall be held in confidence by all employees or representatives of the municipality and by any third-party administrator or employees of a third-party administrator with access to such information.

SECTION 14. GOVERNMENT IMMUNITY

Alarm Registration is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By applying for an Alarm Registration, the Alarm User acknowledges that law enforcement response may be influenced by factors such as: the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and prior response history.

SECTION 15. SEVERABILITY

The provisions of this Ordinance are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or that the application of any part of the provision to any Person or circumstance is invalid, the remaining provisions and the application of those provisions to other Persons or circumstances are not affected by that decision.

Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

This Ordinance shall take effect immediately.

Appendix A:

ADDITIONAL RESOURCE MATERIALS

The NBFAA/FARA Model Burglar Alarm Ordinance requires certain elements for which there is additional resource material available to assist you in the development and implementation of your alarm management program. Following is a list of the specific documents available and how to obtain them.

Alarm User Registration; Sec. 2(E), Sec. 3(A), Sec. 5(K)

FARA Universal Alarm User Permit/Registration Form Guide: In an effort to standardize forms used throughout North America, FARA has developed a Universal Alarm User Permit/Registration Form, hereinafter referred to as "permit." The reasons for such an undertaking are two-fold; first, it is much easier for new alarm units to develop a permit form that meets their needs if they have something to which to refer or to use in total. Alarm companies will also find it much easier to have only one form to carry, instead of a separate one for each jurisdiction in which they do business. Second, the standardization of permit forms and the information requested will facilitate the electronic filing of permits. Governments across the nation are moving toward paperless offices, where everything from taxes to bicycle registrations are filed on-line in an electronic format. The "wave of the future" for alarm permits will follow suit. The use of standard forms in this arena will greatly assist municipalities, alarm companies and alarm users in the electronic filing of alarm permit forms. (This guide is available free to FARA members. For more information visit FARA's web site at www.faraonline.org.)

FARA Model For Electronic Filing of Alarm User Registrations: Registration of alarm systems is required under most alarm management programs. As alarm registration programs are being implemented, local government agencies have grappled with a mechanism to easily and efficiently create databases of residential and commercial alarm users with active alarm systems. They have started requesting that alarm companies provide this information to the agencies in an electronic format, absent any type of standard for what information should be provided or in what format. This model provides a recommended protocol for sharing alarm system registration data and proposes standard data file formats for transfer of bulk information between the jurisdictions and the alarm business. It also provides guidance on issues related to "on demand" access to registration/permit information from either alarm businesses or alarm owners on features such as providing permit status changes and updates to information. (This guide is available free to FARA members. For more information visit FARA's web site at www.faraonline.org.)

Verification; Sec. 2(BB), Sec. 5(H)(2)

Alarm Verification and Notification Procedures (CS-V-01): This standard provides guidelines on verification procedures for burglar, holdup and fire alarm signals, including the use of Enhanced Call Verification and was created to provide for the development of consistent administration criteria for alarms. New technologies and successful efforts to reduce false alarms led to the standard. The intent is to achieve increased efficiencies by reducing costs and eliminating wasteful efforts associated with potential false alarms. The standard was prepared under the direction of the Security Industry Standards Council (SISC) with the participation of Central Station Alarm Association (CSAA), Security Industry Association (SIA), National Burglar and Fire Alarm Association (NBFAA), and Canadian Alarm Association (CANASA) members. (This guide is available free on the CSAA web site at www.csaaul.org.)

Appendix C:

CUSTOMER FALSE ALARM PREVENTION CHECKLIST

Yes No

- 1. I have been made aware of the applicable alarm Ordinance and I will comply with its requirements.
- 2. I understand it is my responsibility to prevent false alarms, and I understand it is critical and my responsibility to assure that all users of the system (such as residents, employees, guests, cleaning people, and repair people) are trained on the proper use of the system.
- 3. I understand that there is a 7-day no dispatch period for intrusion alarms, excluding Panic, Duress and Holdup signals, during which time the alarm company will have no obligation to and will not respond to any alarm signal from an alarm site and will not make an alarm dispatch request to law enforcement, even if the alarm signal is the result of an actual alarm event.
- 4. I have been trained in the proper operation of the system and have been given an operating sheet summarizing the proper use of the system, as well as the security system operating manual.
- 5. I know how to turn off motion detectors while leaving other sensors on. (Residential Only)
- 6. I know how to test the system, including the communication link with the monitoring center.
- 7. I understand that my entry time is _____ and my exit time is _____.
- 8. I have the alarm company phone number to request repair service or to ask questions about the alarm system.
- 9. I know how to cancel an accidental alarm activation and have the system cancellation code or code word.
- 10. I understand that indoor pets can cause false alarms and I will contact my alarm company to adjust the system if I acquire any additional indoor pets.
- 11. I understand that the main control panel and transformer are located in _____.
- 12. I have received an alarm sheet, which describes how the alarm company will communicate with me in the event of various alarm signals.
- 13. I understand the importance of:
 - keeping my emergency contact information updated and I know how to do this;
 - immediately advising the alarm company if my phone number changes (including area code changes); and
 - immediately advising the alarm company of any other changes to my telephone service such as call waiting or a fax line.
- 14. I will advise the alarm company if I do any remodeling (such as painting, moving walls, doors or windows).
- 15. I understand that certain building defects (such as loose fitting doors or windows, rodents, inadequate power, and roof leaks) can cause false alarms. I will correct these defects as I become aware of them.
- 16. The alarm company has given me written false alarm prevention techniques to help me prevent false alarms.

Comments: _____

ALARM COMPANY

By: _____

CUSTOMER

Print Name(s)

Signature(s)

Date

Appendix D:

LICENSING OF ALARM COMPANIES

NBFAA and FARA agree that licensing of alarm companies is an important part of the fight against false alarms.

Requirements included within the NBFAA/FARA Model Alarm Ordinance strike an appropriate balance between detection and false alarm prevention by focusing on abusers of alarm systems. Fines, restricted response and alarm user schools have all proven effective as false alarm reduction techniques at the local level. These techniques have proven reliable in a joint project of the alarm industry and the International Association of Chiefs of Police (IACP) in reducing false alarms.

NBFAA and FARA have found that during the discussion of regulation at the local municipal level, methods to certify the installation, service and monitoring of burglar alarms is often discussed. Some suggest that certification or listing by a testing laboratory such as Underwriters Laboratories is the best way to achieve the objectives of a local ordinance. It has been found however, that the benefits of a UL listing or certification are often misunderstood. While UL is currently conducting a debate on the incorporation of false alarm reduction technologies into its standards the UL standards are developed with detection of intrusion or fire and the reduction of losses as the primary objectives. It is not uncommon that efforts to verify that an alarm is in fact real are found to be contrary to a UL standard or requirement. When such standards are adopted at a state or local level, then some safeguards that are put in place to prevent false dispatches are prohibited.

NBFAA has reached the following conclusions on which government entities are best equipped to regulate which industry activities, after extensive review of existing requirements and discussion with public officials, code enforcement officials and industry representatives.

- NBFAA encourages the adoption and enforcement of state licensing for the electronic security and life safety systems industry to require appropriate training, background checks and sufficient insurance.
- NBFAA encourages inter-state recognition or reciprocity of state licenses.
- NBFAA supports the adoption and enforcement of municipal ordinances designed to reduce the incidence of false alarms and consequently reduce unnecessary dispatches of public safety personnel.

NBFAA feels that language included in the International Association of Security and Investigative Regulators (IASIR) Model Security Systems Licensing Act sets out appropriate and effective requirements that can be adopted at the state level. NBFAA believes that it is inappropriate and unwise to try to duplicate the level of detail required for equitable and reasonable regulation of this area at the local level. Statewide regulation reduces consumer costs by eliminating redundant requirements and establishes an adequate pool of licensees to provide appropriate funding for enforcement of the regulations.

FARA's formal position on alarm company licensing is that alarm companies should be licensed at some level, and each municipality has the right to decide at what level alarm company licensing should be required.

Appendix E:

FINES AND FEES

Specific amounts of fines and fees are not listed in the text of this document in order to encourage a dialogue among law enforcement, municipal leaders, alarm users and alarm companies on the appropriate fine or fee to fit the circumstances of your jurisdiction.

FARA, NBF AA and your state alarm association can assist you in establishing the appropriate fines and fees for your jurisdiction.

Administration of the Ordinance will be simpler if the jurisdiction adopts a uniform period of time (i.e. one year) for the counting of multiple occurrences and the length of the registration period.

FINES

Fines are one of several tools to discourage false alarms, encourage compliance and hasten the application of corrective actions to avoid false alarms. In general;

- Fines should be directed at the individual or company whose behavior you desire to change, even if fining another would be more efficient or easier (i.e. fine the user if the user caused the false alarm not the alarm company)
- Each fine should be high enough to discourage the behavior that resulted in the fine, but reasonable enough so as to not create an undue hardship on the violator.
- Fines for false alarms should begin after the first false alarm. Allowing a greater number of “free” false alarms will only postpone the resolution of the problem(s) causing the false alarm. However, if there are currently numerous “free” false alarms it might be advisable to reduce them in increments over period of time until you reach the desired amount.
- Fines that are attached to multiple occurrences of the same act (i.e. multiple false alarms) should escalate after each occurrence. This will further encourage the violator to correct the problem.
- Some jurisdictions only allow cost recovery to be used as the basis for the fine, in other cases additional fines may be allowed.

FEES

Alarm registration and renewal fees can allow a jurisdiction to recoup some or all of the cost of administering the Ordinance and/or providing response. Some jurisdictions only allow cost recovery to be used as the basis for the fee, in other cases additional fees may be allowed.

Decisions Required on Fines and Fees

We believe that adopting a consistent ratio of fees and fines will enhance the acceptance of your ordinance and make it more defensible over any objections. We have considered the severity of an offense and the difficulty involved in an action in applying our ratios. As with all other sections of the Ordinance you are encouraged to modify this approach to meet the local needs. In the suggested ratios below “X” is used to represent a number selected by the local jurisdiction. A multiplier is used to establish the ratio.

| Description | Reference | Suggested Ratio | Example |
|---|-----------|-----------------|---------|
| Registration fee | 3-B-1 | Admin Cost | N/A |
| Renewal Fee | 3-B-2 | Admin Cost | N/A |
| Late Fee | 3.1 | ½ X | \$25 |
| Fine – 1 st False Alarm | 7-A-1 | 0 | \$0 |
| Fine – 2 nd False Alarm | 7-A-1 | X | \$50 |
| Fine – 3 rd False Alarm | 7-A-1 | 1.5 X | \$75 |
| Fine – 4 th False Alarm | 7-A-1 | 2 X | \$100 |
| Fine – 5 th or more False Alarm (s) | 7-A-1 | 6 X | \$300 |
| Operation of a Unregistered Alarm System | 7-B | 2 X | \$100 |
| False Alarm Caused By On Site Alarm Company Employee | 7-E | 2 X | \$100 |
| Monitoring Company Failure to Verify | 7-F | 2 X | \$100 |
| False Statement by an Alarm Co. Employee Making an On-Site Inspection | 7-G | 4 X | \$200 |
| Appeal Fee | 10-C-1 | ½ X | \$25 |
| Reinstatement Fee | 11-A-1 | X | \$50 |