

Private Alarm Ordinance for The Town of Lincoln, New Hampshire

The Town of Lincoln Ordains:

SECTION 1. DEFINITIONS

A. Private Alarm System: For the purpose of this ordinance. Private Alarm Systems shall include any assembly of equipment and devices arranged to signal the police and /or fire departments of the presence of unauthorized intrusion, robbery, fire, medical, low temperature or other emergency conditions requiring urgent attention and to which the police and/or fire departments are expected to respond.

B. Owner: The person, firm, or corporation listed in the Town of Lincoln tax records as the legal owner of the property protected by a Private Alarm System.

C. Audible Alarm System: An audible alarm system is any alarm system which incorporates an audible signal device that is audible outside the protected premises.

D. Direct Dial Alarm: Those alarm systems which automatically seize a telephone line connected to the police and/or fire department and reproduce a prerecorded voice message indicating the existence of an emergency situation.

E. Off-Premises Answering System: This is a telephone answering service providing, among its services, the services of receiving emergency signals from Private Alarm Systems and thereafter relaying the message by voice or otherwise to the Communications Center of the police and fire departments.

F. False Alarm: The activation of a Private Alarm System through mechanical failure, accidental tripping, mis-operation, malfunction, misuse, or the neglect of the owner or lessee of an alarm system or of his employees or agents. It shall include any situation in which the alarm is signaled when, upon subsequent investigation of the police or fire department, there is no evidence of intrusion or other legitimate need or legitimate cause of activating the system. It shall not, however, include alarms caused by earthquakes, violent winds or external cause beyond the control of the owner or lessee of the Private Alarm System.

SECTION 2. REGISTRATION

The owner of any premises protected by a Private Alarm System for unauthorized intrusion, burglar, panic, fire, medical or any other emergency conditions, within the Town of Lincoln shall register the Private Alarm System as set forth below:

A. All Private Alarm Systems which report the detection of unauthorized intrusion, robbery, low temperature, fire, medical or other emergency conditions by an off-premises answering service shall be registered with the Town of Lincoln Communications Center.

B. All registrations will include the following:

- a.** Identification of the owner, address, and phone number.
- b.** Identification of the site.
- c.** Identification of any unusual fire, life safety, or theft hazard kept on the premises.
- d.** Identification of the alarm company and telephone number.
- e.** The names, addresses, and phone numbers of two persons other than the owners of the premises who are generally available to allow emergency personnel to make access to the premises.
- f.** Classification of the type of site (residential, commercial, apartment)
- g.** Purpose of the system.

- C.** Each applicant will pay to the Town of Lincoln, a registration fee of twenty-five dollars (\$25.00)
- D.** There shall be an annual renewal fee of ten dollars (\$10.00).
- E.** If a residential Private Alarm System user is sixty-five (65) years old or older, and is the primary resident of the dwelling, and if no business is conducted in the residence, the registration fee may be waived.
- F.** All town, state, county, federal, and/or government owned or maintained buildings will be exempt from the service charges, fees and registration requirements imposed in this ordinance. These buildings include but are not limited to; the Lincoln Town Hall, Lincoln Public Library, Lincoln/Woodstock Solid Waste Facility, Lincoln Water Treatment Plant, Public Works Facility, Community Center, Kanc Recreation Area, Boise Brook Pump House, and all school buildings. However, these institutes will comply with all other aspects of this ordinance concerning the operation and maintenance of their alarm systems.
- G.** The owner of any Private Alarm System who fails to register the alarm system shall pay a fee of fifty dollars (\$50.00) each time the alarm is responded to by any agency of the Town of Lincoln without benefit of notification. This fee will be waived if the alarm is registered within five days of the alarm response.
- H.** The use of direct dial systems, which automatically engage available telephone lines and/or the use of outside audible alarms are prohibited in the Town of Lincoln.
- I.** Pre-Existing Private Alarm Systems presently operating shall conform to this ordinance.
- J.** No Private Alarm System shall be installed or operated that is not so arranged as to automatically reset or deactivate the audible signal device within fifteen (15) minutes after the activation of the alarm system.

SECTION 3. FALSE ALARMS

Owners of Private Alarm Systems maintaining an alarm system located wholly or in part within the Town of Lincoln will be subject to the following provisions:

- A.** Such Private Alarm Systems will be maintained in strict conformance to any operating standards that may be, from time to time, promulgated by the Town of Lincoln.
- B.** All Private Alarm Systems will be maintained in conformance with industry and/or manufacturer standards and all local, state, and federal permits and requirements must be met.
- C.** Any Private Alarm System owner having an alarm system with the intent of eliciting a police and/or fire department response, shall pay to the Town of Lincoln a charge for each and every false alarm to which the police and/or fire department respond in any calendar year, in accordance with the following schedule:

Fee Schedule:

- * The first two in a calendar year will be at no charge.**
- * The third and fourth false alarms per calendar year will result in a \$50.00 fine per occurrence.**
- * After four false alarms per calendar year, the rate will rise to \$100.00 per occurrence.**

An owner may appeal false alarm service charges in writing to the Chief of Police or the Fire Chief within ten (10) calendar days of receipt of notice of penalty.

SECTION 4. ADMINISTRATION

- A.** The Administrative Assistant will be responsible for maintaining records of accounts receivable and accounts payable to insure that the fines imposed are paid in full by the due date specified.
- B.** It will be the responsibility of the Communications Supervisor to research, document and maintain false alarm records and send an Impairment Notice to any resident or business that has accrued the maximum allowable false alarm calls for service. This letter will notify the property owner of false alarm charges.
- C.** A copy of this ordinance will be given by the Town of Lincoln to any new business owners who apply to operate a business within the Town of Lincoln and to subjects seeking to build a new home.

SECTION 5. WAIVER

The Chief of Police or Fire Chief may waive the imposition of any fine outlines within this ordinance for good and sufficient reason.

SECTION 6. RESERVATION OF RIGHT TO DISCONNECT

The Chief of Police or Fire Chief or his/her designee reserves the right to notify the owner and order a disconnect of any alarm that is in, or remains in disrepair, if the owner is a habitual false alarm violator or fails to comply consistently with this ordinance or any specific section hereof.

SECTION 7. LIMITATION OF LIABILITY

The Police Department of the Town of Lincoln shall take every reasonable precaution to assure that the alarm notifications received by the Police Department are given appropriate attention and are acted upon with dispatch. Nevertheless, the Police Department, the Town of Lincoln, or any of its officers or agents shall not be liable for any defects in operation of the alarm devices, for any failure or neglect to respond appropriately upon receipt of an alarm notification, for the failure or neglect of any person in connection with the installation and operation of alarm devices or their components, the transmission of alarm signals, or the relaying of such signals and notification.

ORDINANCE REVIEWED AND APPROVED ON THIS 6th DAY OF JANUARY, 2014.

**By the Board of Selectmen of the
Town of Lincoln, New Hampshire**



Two handwritten signatures are present on horizontal lines. The first signature is in black ink and appears to read "Patricia McKeague". The second signature is in blue ink and appears to read "Pamela A. Ham".

PRIVATE ALARM SYSTEM ORDINANCE FOR Town of Lincoln, New Hampshire

The Town of Lincoln Ordinalns:

Section 1 Definitions

- A. "Private Alarm Systems": For the purpose of this ordinance private alarm systems shall include: Any electrical/mechanical device designed to detect and/or report: fire, unauthorized intrusion, robbery, medical emergencies, low temperature, or other emergency conditions.
- B. Individual fire detectors which are not part of a monitored system shall not be considered private, alarm systems for the purpose of this ordinance.
- C. "Off Premises Reporting": Any electrical/mechanical means by which the activation of an alarm system is reported to an outside location, including but not limited to: telephone digital communications, radio signal, direct wire, and tape dialers.
- D. "Owner": The person, firm, or corporation listed in the blotter book as the legal owner of the property protected by the alarm system.
- E. "False Alarm": Any activation of an alarm system caused by equipment malfunction, operating error of the system user, power failure, or environmental disturbance which causes the reporting of a condition not in existence.

Section 2 Registration Required

- The owner of any premises protected by a private alarm system shall register the alarm with the Town of Lincoln as set forth below:
- A. All alarm systems which report the detection of fire, smoke, or medical emergencies by use of off premises reporting, shall be registered with the Lincoln Communication Center. A \$10 registration fee must be submitted with the alarm permit application.
- B. All alarm systems which report the detection of unauthorized intrusion, robbery, low temperature or other emergencies by use of off premises reporting, shall be registered with the Lincoln Communications Center and Chief of Police. A \$10 registration fee will be charged with the permit application.
- C. Registration of alarm systems shall be in accordance with rules and regulations as set forth by the Chief of Police and Supervisor of the Lincoln Communications Center. Registration for all self-dialing alarm systems are required under RSA 370-A:2. All of these alarm must be tied into the dedicated line provided by the Town. All registrations will include: Identification of owner and site location, identification of any unusual fire, life safety, or theft hazard kept on the

premises, identification of the alarm company or a maintenance person who will be available 24 hours per day, the names, addresses and phone numbers of two persons other than the occupants of the premises who are generally available to allow emergency personnel to make access to the premises, and on site inspection by the Chief of Police or a designee.

- D. The owner of any Private Alarm System who fails to register his alarm system shall pay a fee of \$25 each time the alarm system is responded to by any agency of the Town of Lincoln. This fee will be waived if the alarm is registered within five days of the alarm response.
- E. The owner of any private alarm system registering with the Town of Lincoln will be required to sign an acknowledgement of response delay if they elect to have their alarm monitoring company place calls to their premises prior to notifying the Lincoln Communications Center. Additionally, this acknowledgement of response delay will allow for extra response time while the Lincoln Communications Center personnel verifies information received by the alarm monitoring company.
- F. Any owner registering an alarm system under this ordinance shall execute an acknowledgement that registration does not constitute a representation that the Town will provide any specific type of response. Such response shall be at the discretion of the appropriate investigative agency.
- ### Section 3 False Alarms
- Owners of alarm systems shall have alarms properly installed and maintained and all users of the system properly instructed in system use.
- A. A fee of \$25 shall be charged for the fourth and each succeeding false alarm received in one quarter (3 month period) of the calendar year and responded to by the Lincoln Police Department. A fee of \$100 will be charged for the third and each succeeding false fire alarm received in one calendar year and responded to by the Lincoln Fire Department. In the event of a false alarm(s) caused by a power outage, the Chief of Police or Fire Chief may recommend to the Board of Selectmen waiving the false alarm fee.
- B. The Communication Center personnel on duty at the time an alarm is sounded or reported shall make written notification to the owner or his representative at the time of the alarm classifying the alarm as valid, false, or undetermined. Classification may be appealed to the Chief of the responding department.
- C. Grace Period: New alarm installations shall be exempt from the false alarm fee for a period of thirty days from the date of the installation providing proper registration of the alarm system has been filed.
- D. Certification of Repair Required: Following any repair made to an alarm system, the owner shall notify the Lincoln Communications Center in writing that the system has been properly repaired. Certification by a licensed alarm installer under RSA 323-A stating that the system is fully repaired and operational will be required on a form generated by the Lincoln Communications Center.



Lincoln Police Department

PO Box 488, 148 Main Street, Lincoln NH, 03251 (603)745-2238 FAX (603)745-8694

Impairment Notice

Lincoln Police Department personnel responded to the address below and found a fire protection system or alarm to be impaired. This condition may place lives and property at risk. The Town of Lincoln Alarm Ordinance requires that all fire protection systems be maintained in reliable operating condition and must be replaced or repaired when defective. Failure to properly correct this impairment is a violation of the Town of Lincoln Ordinance which may subject the building owner to fines.

Part A: To be completed by Lincoln Police Department personnel on scene

Incident #: _____ Property Address: _____

Issued By: _____ Property Owner: _____

Box/Zone #: _____ Date: _____ Time: _____

☐ Fire Alarm System Impaired:

Service Company: _____

☐ Burglary Alarm System Impaired:

Service Company: _____

Impairment/Deficiency Description: _____

Service Company Notified: ☐ Yes ☐ No

Part B: To be completed by person receiving impairment notice ☐ Unavailable

Print Name: _____

Sign Name: _____ Date: _____

Fee Schedule:

* The first two in a calendar year will be at no charge.

* The third and fourth false alarms per calendar year will result in a \$50.00 fine per occurrence.

* After four false alarms per calendar year, the rate will rise to \$100.00 per occurrence.

The owner may appeal alarm service charges to the Police Chief or Fire Chief within 10 days of the receipt of penalty.

Fine Amount: _____

Officer Name: _____ Date: _____