

Chapter 51

ALARM SYSTEMS

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[HISTORY: Adopted by the Town Board of the Town of Rochester at time of adoption of Code 4-2-1998 by L.L. No. 2-1998 (see Ch. 1, General Provisions, Art. I). Amendments noted where applicable.]

§ 51-1. Title.

This chapter shall be known as the “Fire Alarm System Local Law of the Town of Rochester.”

§ 51-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ALARM SYSTEM — Any mechanical or electrical device or system which is designed or used for mechanically or electronically alerting others to the commission of an unlawful act or the existence of an emergency situation, whether installed within or without the building. This system produces a signal, message or warning, directly or indirectly, to the Ulster County Emergency Communications Center (UCECC) which requires immediate investigation and response by the Fire District(s) or Fire Company(s). Said alarm system shall include telephonic alarm systems, which are further defined to mean any mechanism, equipment or device which is designated to operate automatically through the use of public telephone facilities to transmit a signal, message or warning to another location.

FALSE ALARM — The activation of the alarm system necessitating response by the Accord Fire Company or District or the Kerhonkson Fire District or any fire company where an emergency does not exist due to, but not limited to, failure, malfunction, improper installation of the alarm system or other negligence. False alarms do not include alarms caused by hurricanes, tornadoes or other violent weather conditions or by interruptions in electrical service beyond the control of the person owning the system.

PERSON — A natural person, firm, partnership, association, corporation or government entity or representative or agent of said entities who is the owner or lessee occupant of a building or structure equipped with an alarm system.

§ 51-3. Notice of installation. [Added 12-30-1998 by L.L. No. 4-1998]

Both the installer of the system and the person on whose premises the system will be installed, in the event of a false alarm, as that term is previously defined, will indemnify the Fire

District(s) or Fire Company(ies) responding to said such false alarm and hold them harmless against any claim(s) for damages to person or property arising from the answer ring of said false alarm.

§ 51-4. Right of inspection.

The Chief of the Fire District(s) or Fire Company(s) or his designated deputies shall have the right to inspect the alarm system at the premises on which it is located upon consent of the owner, occupants or lessee of the property or, if such consent is not given, upon obtaining an administrative search warrant from a court of competent jurisdiction. Nothing set forth in this chapter shall be deemed or intended to restrict the ability of the Chief of the Fire District(s) or Fire Company(s) to inspect the alarm system on the subject premises without consent or without a warrant in case of an emergency.

§ 51-5. False alarms.

- A. Whenever the alarm system activates more than one false alarm in any twelve-month period, such shall be a violation of this chapter, and the person then operating, maintaining or allowing said system to be operated or maintained shall be subject to the penalties provided for in § 51-6 of this chapter.
- B. Any fire officer responding to any false alarm shall file a report indicating said incident and any actions taken by him or her with regard to said false alarm. The original copy of said report shall be filed with the Board of Commissioners of the Fire District(s) and a copy with the Code Enforcement Office, and a copy thereof shall be delivered to the property owner and/or occupant, in person or by certified mail, return receipt requested, at the address listed in said notice. The Code Enforcement Officer shall maintain a record of the same and initiate a complaint against the owner and/or occupant after the occurrence of the second false alarm. [Amended 12-30-1998 by L.L. No. 4-1998]

§ 51-6. Penalties for offenses. [Amended 12-30-1998 by L.L. No. 4-1998]

The failure of any person to comply with any provision of this chapter shall constitute a violation and shall subject the violator to a fine of \$100 for the first violation, a fine of \$200 for the second violation and for any subsequent violations thereafter a fine of \$500 and/or 10 days' imprisonment, or both. Each day that such violation continues shall constitute a separate offense.

system, in person or by certified mail, return receipt requested, at the address listed in said notice. In the event that the Board of Commissioners or Fire Chief shall have actual notice of a different address for said person other than that listed in the notice another copy of said incident report shall also be sent to said person at said address; however, the failure to send another notice to said person at an address other than that set forth in the notice shall not be deemed a lack of notice for purposes of enforcement of this chapter.

§ 51-7. Existing systems.

All persons operating or maintaining a fire alarm system may continue to do so without filing notice thereof, for a period of 90 days after the effective date of this chapter. Upon the expiration of this period, said persons shall be in violation of this chapter and subject to disconnection and other penalties under this chapter. If a person operating or maintaining an alarm system on or before the effective date of this chapter gives notice as provided for in § 51-3 of this chapter, within 90 days of the effective date and the Fire District(s) prior to the effective date has on file the required information pursuant to § 51-3, then there shall be no violation of this chapter. If a person operating or maintaining an alarm system after 90 days from the effective date, he or she shall be in violation of this chapter and subject to a fine.

§ 51-8. Penalties for offenses.

The failure of any person to comply with any provision of this chapter shall constitute a violation and shall subject the violator to a \$50 fine for the first violation thereof and for any violation thereafter to a fine of \$100 and/or 10 days imprisonment, or both. Each day that such violation continues shall constitute a separate offense.

§ 51-9. Effective date.

This chapter shall become effective immediately upon filing with the office of the Secretary of State of the State of New York, as provided by law.