

CHAPTER 3 ALARMS

Sec. 3-1. Regulation of Fire Alarm Systems

1. This ordinance shall be known as the "Ordinance Regulating Fire Alarm Systems."
2. The purpose of this Ordinance is to provide for the public safety and welfare by (a) reducing the number of false fire alarms; (b) allowing for effective deployment of Fire Department personnel; (c) reducing the hazard to the public and to Fire Department personnel which occurs during response to false alarms; (d) promoting the responsible use of fire alarm devices; and (e) reducing noise which may be a nuisance to neighbors.
3. For the purpose of this Ordinance the following meanings shall apply:

Alarm Business shall mean to engage in the supplying, installation, maintenance or servicing of fire alarm devices or systems.

Alarm System shall mean any device which, when activated by fire, heat or smoke, automatically transmits a telephone signal, or audio or visual signal to which the Fire Department is expected to respond. Excluded from the scope of this definition are devices designed and intended solely to alert or signal persons within the premises in which the device is installed.

Alarm User shall mean that person whose name appears on the Registration Form as the "user" or, if there is no such registration, the owner of the premises upon which the alarm system is located.

Automatic Dialing Device means an alarm system using a telephone device or attachment that reproduces a prerecorded voice message to report a fire or other emergency calling for Fire Department response.

False Alarm means the activation of an alarm system through mechanical failure, malfunction, improper installation, or the criminal, malicious, mischievous or negligent conduct of the alarm user, or his guests, tenants, employees or agents. The term "false alarm" does not include alarms caused by hurricane, tornado, earthquake, lightning or other violent condition of nature. The term "false alarm" does not include an alarm which is transmitted as a result of fire.

Person means any person, firm, partnership, association, corporation, company or organization of any kind.

4. No person shall install, operate or alter an existing installation of an alarm system within the Town of Kent until he has first registered such alarm with the Fire Marshal for the Town of Kent. Such registration shall be made through the Building Official at the time application is made for an electrical permit for such alarm. The registration shall include the name, telephone number and address of the alarm user and at least two other persons who shall have access to the alarm system in order to reset the alarm or disconnect the same when necessary. If the alarm system is maintained by an alarm company, the name, address and phone number of the alarm company and a copy of the alarm system maintenance agreement shall be provided as part of the registration. Said registration shall contain such other information as may be requested by the Fire Marshal.

Each alarm user shall file updated and current registration information at least annually or as otherwise requested by the Fire Marshal.

5. No alarm system shall be installed or used within the Town of Kent unless an electrical permit is first issued by the Building Official and said system meets the specifications applicable to alarm systems as promulgated by the National Fire Protection Association and the Connecticut Basic Building Code. All alarm system equipment must be listed by the Underwriters Laboratory. No alarm system shall be installed or used until the alarm system has been registered as provided in Section 4 hereof.

6. All alarm systems, as defined in this Ordinance, which sound an audible signal which may be heard outside of the protected premises, shall be equipped with a device which shall limit the duration of such audible signal to not more than fifteen (15) minutes.

7. No automatic telephone dialing device shall be inter-connected to any number maintained by the Kent Volunteer Fire Department.

8. Alarm users shall be responsible for maintaining their alarm systems in good working order.

9. It shall be the obligation of the Chief of the Kent Volunteer Fire Department to notify the Fire Marshal of each alarm activated by an alarm system to which the Fire Department responds within a reasonable time of such response. Such notice shall include the name and address of the alarm user, the particulars involved in the activation of such alarm and such other information as may be required by the Fire Marshal.

10. Except as hereinafter provided, any person violating the provisions of this Ordinance by transmitting a false alarm shall be fined one hundred (\$100.00) dollars.

(a) Whenever the Fire Marshal determines that a false alarm has been transmitted in violation of this Ordinance the Fire Marshal shall serve a notice of violation upon the alarm user, in person or by certified mail, return receipt requested. The notice of violation shall specify that the applicable violation fee shall be paid within ten (10) days unless within such ten-day period such owner or operator shall request a hearing pursuant to subsection (c) hereof.

(b) The applicable violation fee for a violation of this ordinance shall be as follows:

(1) For the first false alarm: a written warning. In addition, the Fire Marshal shall mail the alarm user a copy of this Ordinance;

(2) For a second false alarm: a violation fee of \$25.00, which fee will be remitted if the alarm user submits written evidence from an alarm maintenance company or licensed electrician that the cause of the false alarm has been corrected; and

(3) For a third and each subsequent false alarm within twelve months of the first or any subsequent false alarm: a violation of \$50.00.

(c) An alarm user to which a notice of violation is issued who wishes to contest his liability on account of such violation may request a hearing before the Board of Selectmen. Such hearing shall be requested by returning the notice of violation, unpaid, to the Fire Marshal within ten (10) days of issuance, indicating thereon that a hearing to

contest the notice of violation is requested and the name, address and telephone number of the person requesting such hearing. Upon receipt of the request for hearing, the Fire Marshal shall immediately forward same to the First Selectman. Upon receipt of such request for hearing, the First Selectman shall give the person requesting the same written notice of the date, time and place of hearing. At any such hearing, the alarm user to whom such notice of violation was issued shall have the burden of establishing that such notice of violation was improperly or erroneously issued or that such violation fee shall be abated for good cause.

(d) An alarm user to whom a notice of violation is issued shall pay the established violation fee, or, in the case of a second false alarm, pay the violation fee or submit written evidence of correction, within ten (10) days of the issuance of the notice of violation. If a hearing is requested and the notice of violation is not vacated, abated or remitted, such person shall pay the established violation fee within ten (10) days of such adverse hearing decision. Upon payment of such violation fee within ten (10) days, a prosecution under Section 10 this Ordinance shall be barred. Should the alarm user elect not to pay the violation fee or does not pay the violation fee within the time permitted, the Fire Marshal shall be authorized to seek an arrest warrant to prosecute the alarm user for transmission of the false alarm is in violation of this Ordinance.

(e) Notwithstanding the foregoing provisions of this section, a first false alarm occurring within one month after the issuance of a permit shall not be taken into account for the purpose of determining the number of false alarms transmitted by an alarm user or an alarm device.

11. Any person who performs or causes to be performed any of the following acts shall be subject to a fine of One Hundred (\$100.00) Dollars for each such act:

(a) failure to obtain an electrical permit or failure to register an alarm system or to file current registration information in accordance with the requirements of this ordinance; each day of such failure shall constitute a separate violation; and

(b) use of an automatic dial alarm or an exterior audible alarm device in violation of the provisions of this ordinance; each day of such use shall constitute a separate violation.

12. Notwithstanding the provisions of this Ordinance, the Town, its departments, officers, agents, and employees shall be under no obligation whatsoever concerning the adequacy, operation or maintenance of any alarm device or of alarm monitoring facilities. No liability whatsoever is assumed for the failure of such alarm devices or monitoring facilities, or for failure to respond to alarms or for any other act or omission in connection with such alarm devices.

13. If, for any reason, any word, clause, paragraph or section of this Ordinance shall be held to make the same unconstitutional, this Ordinance shall not hereby be invalidated and the remainder of the Ordinance shall continue in effect. Any provision herein which is in conflict with the General Statutes is hereby repealed, it being understood that said general statutes take precedence over this Ordinance.