

Village of Canajoharie

Be it enacted by the Village Board of the Village of Canajoharie, Montgomery County, New York as follows:

SECTION ONE:

This local law shall be entitled **“ALARM SYSTEM/NUISANCE ALARMS”**

SECTION TWO: PURPOSE

It is the purpose of this law to protect and promote the health, safety, and general welfare of the residents of the Village of Canajoharie by reducing the number of Avoidable Alarms to emergency agencies. Avoidable Alarms contribute to inefficient utilization of public safety manpower and equipment. In addition, Avoidable Alarms require emergency responses which may contribute to a high accident rate and a delayed response to a genuine emergency. This law seeks to ensure that alarm systems will be properly maintained to reduce the frequency of Avoidable Alarms.

SECTION THREE: DEFINITIONS

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

ALARM DEVICE OR SYSTEM – Any type of alarm actuating equipment which provides warning of intrusion, fire, smoke, burglary, flood or like perils, including dial alarms, direct alarms and any audible alarms or other type of alarms.

ALARM USER – Any person who owns, leases, or uses an alarm device within the village of Canajoharie, except for a person whose alarmed device is on a motor vehicle. “Person” includes an individual, partnership, corporation, or any other legal entity situated or operating within the Village.

AUTOMATIC DIAL ALARM – Any alarm device which is a telephone device or a telephone attachment that automatically or electronically transmits a signal via preselected telephone lines connected to a central alarm station and produces a prerecorded message to report a criminal act or other emergency requiring police, fire, or medical emergency response.

AVOIDABLE ALARM – The activation of an alarm system through mechanical failure, malfunction, improper installation, or negligence of the owner, user, custodian, or lessees of any alarm system or their employees or agents or through any other cause which indicates that an emergency situation exists requiring an emergency response within the Village of Canajoharie, when in fact an emergency situation does not exist. An “Avoidable Alarm” also includes knowing or intentional activation of an alarm when the activator knows that an emergency does not exist. An “Avoidable Alarm” does not include alarms activated by: smoke, steam, or heat related to normal cooking activities; or violent conditions of nature, such as earthquakes, hurricanes or any other similar cause beyond the control of the user of an alarm system. Activation of an alarm system under any circumstance in which the activator reasonably believes that an emergency exists is not an “Avoidable Alarm.”

CENTRAL STATION – An office to which remote alarms and supervisor re-signaling devices are connected and where personnel are in attendance at all times to supervise the circuits and investigate signals.

SECTION SEVEN: AVOIDABLE ALARMS

- A. In the event that two (2) Avoidable Alarms are reported within a calendar year, for any premises, the owner or lessee at the premises covered by the alarm device shall be charged a fee, payable to the Village of Canajoharie Village Clerk, of \$500.00 for each subsequent Avoidable Alarm, which fee must be paid within 10 days. Failure to pay the fee shall be a violation of this chapter, punishable by an additional fine. Upon receipt of the fee, the Village Clerk shall transmit 75% thereof to the Fire Department which responded to the Avoidable Alarm as a partial reimbursement for the cost of equipment and services employed in responding to such alarm.

- B. **In the event that during maintenance operations the alarm was not taken offline, and the fire department is dispatched, an immediate fine of \$500 will be assessed.**

SECTION EIGHT: PENALTIES FOR OFFENSES

- A. A violation of this Local Law or any portion thereof is hereby declared to be an offence punishable by a fine of up to \$250.00 for each violation. Each day that such violation continues shall constitute a separate offense.

SECTION NINE: EFFECTIVE DATE

This law shall take effect immediately upon its adoption and filing with the Secretary of State of the State of New York.