

ORDINANCE

TOWN OF MOULTONBOROUGH, NEW HAMPSHIRE

An Ordinance Relative to the Regulation of Nuisance/False Alarms

The purpose of this ordinance is to establish regulations relative to the installation, activation and use of fire and/or police automated signal devices.

Section 12.1 As used herein, the following terms shall have the meanings indicated.:

Alarm Systems - Any assembly of equipment and devices arranged to signal the police and/or fire departments of the presence of a hazard requiring urgent attention and to which the police and/or fire departments are expected to respond.

Digital Encoder Alarms - Those alarm systems which automatically communicate an emergency situation, by transmitting a sequential toning signal over a telephone line to a digital communicator, for the purpose of signaling the police and/or fire departments.

Direct Dialer Tape Alarms - 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.

False Alarm - The activation of an 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 an 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 causes beyond the control of the owner or lessee of the alarm system.

Section 12.2 False Alarm Charge

Any person who owns or maintains an alarm connected to the police and/or fire alarm system, to an alarm agent, alarm business or a person responding to audible alarms, which has caused any signal, message, or alarm to be transmitted to the police department or fire department either by direct telephone or other communication and which is proven to be a false alarm shall pay a false alarm charge to the Town of Moultonborough as follows.

Commencing with the effective date of this ordinance and for one (1) year thereafter the service charge for false alarms shall be: First three (3) false alarms - No charge. Thereafter, for more than three false alarms during any twelve month period, the service charge shall be one hundred dollars (\$100.00) on the fourth occurrence, two hundred dollars (\$200.00) on the fifth occurrence.

Section 12.3 Notice to Disconnect For Excess False Alarm

Whenever a particular alarm system has resulted in six (6) or more false alarms during a period of twelve (12) consecutive months, the Chief of Police or Fire Chief shall send to the party responsible for that alarm system a notice by certified letter, with return receipt, that the alarm will be disconnected from the police and/or fire alarm system. Any person receiving such a disconnect notice shall have thirty (30) days to show just cause why that alarm should not be disconnected. In the absence of just cause, the alarm will be disconnected at the end of the thirty (30) day period.

Section 12.4 Notice of Disconnect - Failure to Pay

In the event that any person responsible for the operation of an alarm system fails to pay within thirty (30) days from the date of the above sections, the Chief of Police and/or Fire Chief shall cause to be sent to that person a notice by certified letter, with return receipt, that the alarm will be disconnected from the police and/or fire alarm system. Any person receiving such a disconnect notice shall have thirty (30) days to show just cause why that alarm should not be disconnected. In the absence of just cause, the alarm will be disconnected at the end of the thirty (30) day period.

Section 12.5 Appeals Board

Any person aggrieved by decision to impose a fee under the provision of this ordinance may appeal that decision to an appeal board consisting of the Chief of Police, Fire Chief and three (3) other members who shall be appointed by the Board of Selectmen, one (1) of whom shall have a working knowledge of alarm systems and two (2) of whom shall be members of the general public.

Section 12.6 Written Permission Necessary and Installation Requirements

No alarm system as defined above may be installed or operated within the Town of Moultonborough without prior written permission received from the Fire Department and/or Police Department. Furthermore, all new installations after June 13, 2003, shall require the installation of a "Supra Key Box," a key safe box, accessible by the Fire Department.

All alarm systems, both new and existing, must be registered with both the Fire and Police Departments as to location, type of alarm, and responsible person(s) to be contacted.

Section 12.7 Tape Dialer Prohibited

The use of direct dialer tape alarms directed to Town Offices within the Town of Moultonborough is prohibited and permission will not be given for their use. Any person responsible for the misuse of such alarm shall be guilty of a criminal violation in accordance with RSA 370-A.

Approved and effective this 31st day of January 1992.

Ernest E. Davis, Jr., Chairman
Allen R. Wiggin
Tina C. Borrin

BOARD OF SELECTMEN

This Ordinance received review, revision and update. The Ordinance, as revised, received acceptance and enactment on September 21, 2006

Karel A. Crawford, Chairman
Edward J. Charest
Ernest E. Davis, Jr.
James F. Gray
Joel R. Mudgett
BOARD OF SELECTMEN