

CHAPTER 99 ALARM SYSTEMS

[HISTORY: Adopted by the Township Committee of the Township of Hamilton as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Police Department — See Ch. [70](#).

Noise — See Ch. [214](#).

Nuisances — See Ch 217.

Smoke detector systems — See Ch. [254](#).

ARTICLE I Operation and Maintenance (§ 99-1 — § 99-12)

[Adopted 2-19-1991 by Ord. No. 1062-91

Editor's Note: This ordinance repealed former Art. I, Master Alarm Panel Franchise, adopted 7-2-1973 by Ord. No. 438-73, amended in its entirety 3-19-1979 by Ord. No. 734-79.

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§ 99-1 Definitions.

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

ALARM SYSTEM

Any device, such as a bell, siren, whistle, horn, gong or Klaxon, employed to call attention to or provide warning of intrusion by any person or by fire, smoke, flood or other peril, whether the same provides a visual or audio response, alarm or warning, if such warning is capable of being heard or received at any point beyond the interior walls of the house, apartment, office, store, industrial building or other structure in or on which the alarm system has been placed.

DIAL ALARM

That type of automatic telephone dialing service using the telephone system to transmit an alarm of intrusion, fire, smoke, flood or other peril to the Police Department or any third party.

LOCAL ALARM

Any alarm device which, when actuated, produces an audible signal to give a warning of intrusion, fire, smoke, flood or other peril.

PERSON

Any individual, person, firm, association, partnership, corporation, joint venture, society, club, trustee, trust or incorporated activity.

REGISTRANT

Any person owning, operating, leasing or maintaining an alarm system within the scope of this article who has been issued a registration certificate to operate and maintain such alarm system.

§ 99-2 Registration required; application; certificate; fee.**A.**

Any person who desires to own, operate, lease or maintain an alarm system in the Township of Hamilton shall file a registration application on the form provided by the Township of Hamilton Police Department. The application shall contain the location of the alarm system, the installer's name and address, the monitoring company's name, address and phone number, the type of device, information relating to false alarms and testing procedures, a list of the names, addresses and telephone numbers of persons to be contacted in the event of an alarm, at least one of whom shall have an address and phone number different than the registrant's, and such other necessary information as may be required by the Police Department. All out-of-state monitoring companies shall be required to provide an 800 number as part of the registration application. It shall be the registrant's obligation to file a

written amendment with the Police Department within 10 days, indicative of any changes contained in his present registration application.

B.

The Police Department shall issue a registration certificate for the ownership, operation or maintenance of an alarm system to any person desiring to own, operate, lease or maintain an alarm system if the Police Department is satisfied that the registration information is complete and that the alarm system is capable of being operated in conformance with this article. The registration certificate may be granted subject to any special conditions stated thereon, if this is deemed necessary by the Police Department.

C.

A registration certificate shall be valid for as long as the registrant occupies the premises for which the certificate has been issued, provided that all required amendments thereto have been filed. A registration certificate shall automatically terminate upon a change in occupancy for the premises for which the certificate was issued.

D.

The Township of Hamilton shall not charge any fee to any person filing a registration application or an amendment thereto.

§ 99-3 Record maintenance required.

All monitoring companies shall keep and maintain monitoring records of all alarms called to the Hamilton Township Police Department and make these records available, on a forthwith basis, upon written request by the Hamilton Township Police Department. All records shall be kept for a minimum of 18 months from the date of the call.

§ 99-4 Applicability.

The provisions of this article shall apply to any person who owns, operates, leases or maintains any alarm system situate in the Township of Hamilton if the alarm system has an audible signaling device or a device which requires a response by the Police Department, the Fire Department, the First Aid Squad or other township agency. The provisions of this article shall in no way prohibit service by a private source to persons within or without the township, so long as such activity is not in violation of this article; and provided, further, that any person owning, operating, leasing or maintaining a premises protected by an alarm system shall be responsible for the registration thereof in accordance with this article.

§ 99-5 Maintenance; malfunctions; disconnection.

[Amended 10-4-1999 by Ord. No. 1352-1999]

All components of an alarm system shall be maintained in good repair and shall operate in a proper manner. When evidence exists that there has been failure to comply with the maintenance and operation requirements of this article, the Police Department shall then be authorized to demand that such alarm system be disconnected until such time as compliance with the provisions of this article has been established. The Police Department shall have the right to disconnect any malfunctioning equipment from any alarm system until such time as the malfunction has been corrected and the alarm system is operating in accordance with the provisions of this article. Any disconnection or interruption of fire alarm system(s) protection must be with the approval of the Fire Official or designee in compliance with the New Jersey Uniform Fire Code.

§ 99-6 Time limit for audible alarms.

All audible signaling devices shall be equipped with a timing device to limit the sounding of the signaling device to 15 minutes or less.

§ 99-7 911 restriction.

It shall be the obligation of the monitoring company to direct all calls directly to the Hamilton Township Police

Department. The company shall refrain from utilizing the 911 number for that purpose.

§ 99-8 Rulemaking authority.

The Police Department shall have the authority to promulgate written rules and regulations and incorporate recommendations proposed by the Fire Department, the First Aid Squad or other township agencies, subject to the approval by a resolution adopted by the Mayor and Committee of the Township of Hamilton, which rules and regulations shall supplement this article and provide for recordkeeping and the efficient operation and management of alarm systems in the Township of Hamilton.

§ 99-9 False alarms; penalties; disconnection; appeal.

A.

In the case of a false alarm or of improper maintenance or operation of an alarm system, any person having knowledge thereof shall immediately notify the Police Department. The Police Department shall cause an investigation to be made of all false alarms and of all improper maintenance or operation of alarm systems and shall keep a record of such false alarms on file. Pursuant to this article, the owner of the property from which a false alarm emanates is presumed to be responsible for any false alarms. The penalties for the causing of said false alarms are established in accordance with § [99-25](#) of this chapter.

[Amended 2-6-1995 by Ord. No. 1194-95

Editor's Note: Said ordinance also repealed former Subsection B, pertaining to false alarm penalties. See § [99-25](#).

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B.

Where the investigation of the Police Department discloses a continued disregard by the owner for taking remedial steps for avoiding false alarms or for continued failure to maintain or operate an alarm system, the Police Department shall have the right to require disconnection of the alarm system for a limited or permanent time, giving the owner an opportunity to show cause to the Police Department why such action should not be taken. A person aggrieved by the decision of the Police Department shall have the right to appeal said decision to the Mayor and Township Committee within 10 days of the decision.

C.

Any unauthorized equipment pertaining to an alarm system may be ordered to be disconnected by the Police Department for noncompliance with this article. Any placing, installing or maintaining of unauthorized equipment or failing to file a required registration application or amendment thereto shall be a violation of this article and shall be subject to a fine not to exceed \$50, which shall be paid to the township. Each and every day that such equipment is installed or maintained shall be considered a separate violation. Any person placing, installing or maintaining any alarm system shall be deemed as having consented to inspection of the premises on which said alarm system is installed or maintained, at reasonable hours by the Police Department.

D.

Any act of God (i.e., flood, hurricane, earthquake, etc.) which affects the operation and performance of an approved alarm system shall not, after such determination by the Police Department, subject the owner, operator, lessee or maintainer to any fine or penalty as herein prescribed in this article.

§ 99-10 Existing alarm systems.

Within 120 days from the effective date of this article, all existing alarm systems presently connected to the master alarm panel in the Township of Hamilton Communications Department shall be disconnected therefrom at the sole expense of the property owner. However, this period shall be extended upon written proof being submitted as to the existence of any contract between a consumer and the present franchisee (ADT) and to the extent that if any such contract existed prior to the introduction of this article, its term shall be honored, after which the disconnection shall take place at the sole expense of the property owner. Proof of the existence of the aforementioned contracts shall be submitted to the Solicitor for the Township of Hamilton within 60 days of

adoption of this article. Notwithstanding the aforementioned, the township shall not be required to permit connection to the master alarm panel at such time as the communications equipment is relocated to the contemplated new Township Municipal Building.

§ 99-11 **Interpretation.**

Except as the same may be clearly inconsistent herewith, this article shall not be deemed to repeal any ordinance, rule or regulation which regulates any activity in the Township of Hamilton.

§ 99-12 **Violations and penalties.**

Any person violating any of the provisions of this article shall, upon conviction thereof, be subject to the penalties set forth in § [99-9](#) above in the discretion of the Judge of the Township of Hamilton Municipal Court.

ARTICLE II **Police and Fire Alarms (§ 99-13 — § 99-25)**

[Adopted 2-16-1988 by Ord. No. 964-88]

§ 99-13 **Title.**

This article shall be known as the "Township of Hamilton Police and Fire Alarm Ordinance."

§ 99-14 **Applicability.**

All police or other alarms in the Township of Hamilton shall comply with this article.

§ 99-15 **Definitions.**

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

FALSE ALARM

Any burglary, fire or other alarm causing direct notification to the Township of Hamilton Communications Department, caused by misuse, accidental activation, inadvertence, negligence, lack of proper maintenance or any unintentional act of someone other than an intruder or by malfunctions of the alarm device or other relevant and related equipment, to which police and/or firemen respond, which is not the result of a fire or burglary or attempted burglary.

§ 99-16 **Prohibited connection.**

No automatic protection devices installed after the effective date of this article shall be keyed to a primary or secondary phone line of the Township of Hamilton Communications Department.

§ 99-17 **Devices using voice recordings.**

Automatic protection devices that utilize voice recordings are prohibited from being keyed to any primary, secondary, direct, leased or designated trunk lines at the Township of Hamilton Communications Department.

§ 99-18 **Devices using live voice dispatch.**

Automatic protection devices that use the services of intermediaries (live voice central dispatch) are prohibited from using any primary or secondary phone lines at the Township of Hamilton Communications Department. The purpose of this section is to have all alarms of whatever nature, connected to the master alarm panel situated at the police building within the Communications Department. All persons who desire alarm service from the Hamilton Township Communications Department must make application and receive a permit to be connected to the master alarm panel.

§ 99-19 **Audible alarms to be equipped with timing mechanisms.**

All owners or lessees must equip audible alarms with a timing mechanism that will disengage the audible alarm after a maximum period of 15 minutes. Audible alarms without such timing mechanisms shall be unlawful in the Township of Hamilton.

§ 99-20 **Log to be kept.**

The Communications Department shall maintain a log as to each owner or lessee and record therein the date and time of the alarm, the nature thereof, the department responding and the end result of the investigation by the Police Department or Fire Department responding.

§ 99-21 **Existing systems.**

All existing alarm systems of the type covered by this article shall be allowed to continue until replaced or removed.

§ 99-22 **Prohibited number of false alarms.**

Any person, corporation, partnership or other entity who owns or controls a fire, burglar or other similar alarm or device in the Township of Hamilton which causes six false alarms in any calendar year shall be deemed in violation of the provisions of this article for each false alarm thereafter.

§ 99-23 **Permission required for system tests or demonstrations.**

No person shall conduct any test or demonstration of any alarm without first having obtained approval from the Township of Hamilton Communications Department.

§ 99-24 **Persons to be notified in event of a false alarm.**

Owners and lessees of existing and future installations of audible alarms shall provide, on a form prescribed by the Chief Dispatcher, a list of two names of persons to be contacted in the event of activation of said alarm. The owner or lessee shall keep the list updated and notify the Chief Dispatcher or his designee within three days of any change.

§ 99-25 **Violations and penalties.**

A.

False alarms. Any person, corporation, partnership or entity violating § [99-22](#) of this article for a first offense (seventh false alarm in a calendar year) shall pay a fine of \$25 for a second offense (eighth false alarm in one calendar year) shall pay a fine of \$50; for a third and subsequent offense (ninth false alarm) shall pay a fine of not less than \$200 nor more than \$500. Penalties for a first and second violation may be paid through the Violations Bureau of the Municipal Court.

B.

All others. Any person, corporation, partnership or entity violating any other provisions of this article shall, upon conviction, pay a fine of not less than \$200 nor more than \$500 or be imprisoned in the county jail for a term not to exceed 30 days, or both.

C.

Continuing offense. Upon conviction, a violator shall have seven days to either remove the alarm or bring it into compliance with this article. Failure to do so shall constitute a new and subsequent offense.

D.

Jurisdiction. The Municipal Court of the Township of Hamilton shall have jurisdiction over this article.