



Legislation Text

File #: 21-0050, Version: 0

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **Warning:** This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*

**City of Baltimore
Council Bill**

Introduced by: The Council President

At the request of: The Administration (Executive Office of the Mayor)

A Bill Entitled

An Ordinance concerning

Burglar Alarms Registration and Regulation - False Alarms

For the purpose of revising the fees assessed to alarm system users for repeated false alarms; altering the number of false alarms within year that will result in the placement of the premises into a no-response status; requiring that alarm system monitors make certain additional attempts to verify the need for a police response; making certain stylistic changes; and providing for a special effective date.

By repealing and re-ordaining, with amendments,

Article 19 - Police Ordinances
Sections 8-8, 8-9, 8-11
Baltimore City Code
(Edition 2000)

Section 1. Be it ordained by the Mayor and City Council of Baltimore, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 19. Police Ordinances

Subtitle 8. Burglar Alarms - Registration and Regulation

§ 8-8. False alarm fees.

(a) *User responsible.*

- (1) The user of an alarm system is responsible for payment to the City of the false alarm fees imposed under this section. Failure to pay a false alarm fee or any attendant late fee within 60 days of imposition is a violation of this subtitle.
- (2) For purposes of this section, 2 or more false alarms that occur within the same calendar day as a result of a single event are considered a single false alarm.

(b) *Residential user fee [Fee] schedule.*

After 1 false alarm in any 12-month period, a false alarm fee is imposed on any residential user for each false alarm, based on the following schedule:

False alarms within 12-month period		Fee
2 nd or 3 rd	[\$ 50]	\$75
4 th	[100]	\$150
5 th	[150]	\$250
6 th		200
7 th		250
8 th		300
9 th		350
10 th		400
11 th		450
12 th and above, for residential users		500
12 th , 13 th , or 14 th , for non-residential users	1,000	
15 th and above, for non-residential users	2,000]	

(c) *Non-Residential user fee schedule.*

After 1 false alarm in any 12-month period, a false alarm fee is imposed on any non-residential user for each false alarm, based on the following schedule:

**False alarms within
12-month period Fee**

2 nd or 3 rd	\$150
4 th	\$300
5 th	\$500

(d) [(c)] *Waiver.*

(1) The Commissioner must waive 1 false alarm fee if the alarm system user:

- (i) has the alarm system inspected by a registered contractor or monitor; and
- (ii) obtains from the contractor or monitor a certification that the alarm system has been inspected and is functioning properly.

(2) If a false alarm fee is waived under this subsection and the user is subject to a subsequent false alarm fee, that subsequent fee will be assessed as if the previous fee had not been waived.

(e) [(d)] *Late fee.*

(1) The Commissioner may assess a late fee of \$25 for any false alarm fee that is not paid:

- (i) within 30 days of the Commissioner's notice that the false alarm fee has been imposed; or
 - (ii) if a timely appeal has been made, within 30 days of the final decision in that appeal.
- (2) If the false alarm or late fee is not paid within 10 business days of the Commissioner's notice that the late fee has been imposed, the Commissioner may place the user's alarm system on no-response status, as provided in § 8-9 {"No-response status"} of this subtitle.
- (f) [(e)] *Warning of no-response status.*
- (1) After a [10th] second false alarm within any 12-month period, the Commissioner must send a warning notice by certified mail, return receipt requested, to the user, with a copy by regular mail to the monitor.
 - (2) The notice must state that:
 - (i) a [10th] second false alarm has occurred;
 - (ii) if a total of 5 [more] false alarms occur within the same 12-month period, the user's alarm system will be placed on no-response status, as provided in § 8-9 {"No-response status"} of this subtitle; and
 - (iii) reinstatement may only be obtained on written application to the Commissioner.

§ 8-9. No-response status.

- (a) *"No-response status" defined.*

In this section, "no-response status" means that, except for a hold-up alarm or a panic alarm, police will not be dispatched to investigate an alarm signal

- (b) *When required.*

(1) An alarm system will be placed on no-response status if, after a warning notice has been sent [in accord with § 8-8(e)] pursuant to § 8-8(f) of this subtitle, the alarm system has had [15] 5 or more false alarms in any 12-month period.

(2) The Commissioner may reinstate the alarm system only if:

- (i) the user applies in writing for reinstatement; and
- (ii) the Commissioner finds that the alarm system has been repaired, upgraded, or replaced and the cause of the false alarms corrected.

- (c) *When authorized.*

The Commissioner may place an alarm system on no-response status if:

- (1) the alarm system user has made any false statement of material fact in the user's registration application;
- (2) the user's registration is revoked; or

(3) the user fails to pay timely any fee imposed under § 8-8 {"False alarm fees"} of this subtitle.

§ 8-11. Verification of alarm signal.

(a) *Scope.*

This section does not apply to a hold-up alarm or panic alarm.

(b) *Monitor to attempt to verify.*

(1) *In general.*

Before requesting a police response to an alarm signal, a monitor must attempt to contact the alarm system site or user, by telephone, electronically, or visually, to verify the need for a police response.

(2) *Second attempt required.*

For the purpose of this section, verification shall require, at a minimum, that a second attempt be made to a different number if the first attempt fails to reach an alarm user or an individual at the alarm system site who can properly identify themselves to determine whether an alarm signal is valid before requesting a police response.

Section 2. And be it further ordained, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

Section 3. And be it further ordained, That this Ordinance takes effect on the 120th day after the date it is enacted.