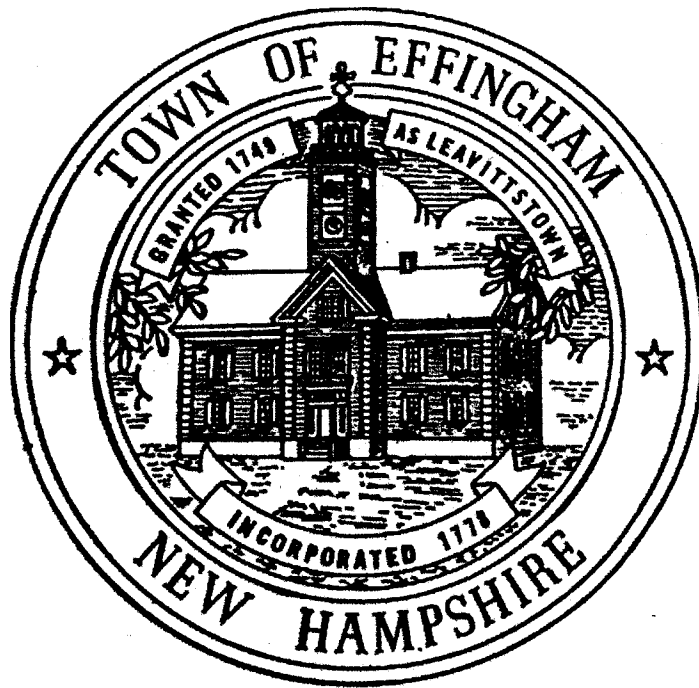


# Town of Effingham

68 School Street  
Effingham, New Hampshire 03882  
(603) 539-7770 (603) 539-7799 fax



## **EFFINGHAM POLICE DEPARTMENT & FIRE DEPARTMENT ALARM ORDINANCE**

# False Alarm Ordinance

## Effingham Police & Fire Departments

### I. TITLE

This ordinance shall be referred to as "Effingham Police Department & Fire Department Alarm Ordinance" ("Ordinance").

### II. PURPOSE

The purpose of this Ordinance is to:

- A. Ensure efficient, responsible responses to emergency alarms.
- B. Minimize the Town taxpayer expense related to responding to false alarms.
- C. Reduce any health and safety hazards as a result of responding to non-emergency calls for service.

### III. Definitions applying to both Police and Fire Departments:

**Measurement Year:** Reported alarms will be based on alarms received during each calendar year beginning January 1 and running through December 31.

**False alarm** means the transmittal of a request for response or assistance to the Effingham Police Department, Effingham Fire Department, Effingham Fire Dispatch or Carroll County Dispatch Center under circumstances where no emergency warranting law enforcement action or fire emergency services action existed at the time of such transmittal, and where such transmittal is made either automatically by an alarm system or by an individual in reliance upon an alarm system.

**Response/Respond** means the dispatch of a law enforcement officer and/or the fire department to the premises where an alarm system has been activated.

**Transmit/Transmittal** means to send either manually or automatically, by any device or method, a signal to request a response or assistance from law enforcement.

#### **IV. Police Department Alarms:**

**It shall be a violation of this ordinance for anyone to:**

(1) Transmit a false alarm.

(2) Notify the Effingham Police Department or the Carroll County Dispatch Center directly through emergency phone lines, including but not limited to lines bearing the prefix 911, of any alarm activation by means of any auto-dialer, telephonic recording, electronic or textual message, signal, or warning.

(3) Activate, except in the event of an actual emergency, any alarm system for the purpose of summoning a member of the Effingham Police Department, or to aid or abet in the commission of such act.

#### **Penalties:**

**First and Second false alarm - Notice of False Alarm left on site**

**Third false alarm - \$100 fine**

**Fourth and subsequent false alarms - \$250 fine**

The notices left on site for the false alarms shall contain the fine schedule, date and time of the alarm, and which number alarm it is. If it is found that an alarm has occurred and no notice was left due to an outside agency responding, a notice may be mailed to the resident or delivered at a later date by the Effingham Police Department.

#### **Appeals:**

If the property owner so chooses; a request for appeal may be made directly to the Chief of Police for review within 15 days of the alarm. This request must be made in writing. The Chief of Police will make a determination within 15 days of the appeal being received on whether or not the alarm was truly a false alarm. The burden shall be on the property owner to provide any evidence that the alarm was a genuine alarm (i.e. Damage to property, theft occurred, evidence that a trespasser was on scene, etc.). If it is determined that the alarm was legitimate and necessary, the alarm will not be counted as a false alarm.

#### **V. Fire Department Alarms:**

##### **A. Fire Alarm Systems**

(a) Whereas not specified by the adopted codes, all new non-residential construction and renovations of structures shall install an approved fire alarm system.

(b) All fire alarm systems required by codes and town ordinances shall provide for automatic

emergency forces transmittal.

- (c) All Existing fire alarm systems must be maintained in a manner consistent with their original approval and acceptance.
- (d) All Fire alarm systems shall be zoned to the effect of separation from early warning devices, i.e. heat and smoke, and alerting devices, i.e. pull stations and horn strobes. There shall be a separation of zoning between floors.

**B. Fines for False Alarm Notifications**

- (a) The Effingham Fire Chief shall assess fines when personnel and equipment are dispatched to respond to a structure due to alarm system notifications being received by Effingham Fire Dispatch due to system malfunctions or inadvertent triggering of initiation devices.

The fines to be assessed for false alarms are as follows:

First through Third reported Alarm	no fine	
Fourth Alarm	\$250	fine
Fifth Alarm	\$500	fine
Sixth Alarm	\$1,000	fine
Subsequent Alarms, each	\$1,000	fine

- (b) If in the opinion of the Effingham Fire Chief, the automatic initiation and subsequent dispatch of personnel and equipment is due to blatant disregard for the protection of alarm system integrity and the lack of prudent precautions to prevent inadvertent device initiation, then the fine shall be a minimum of \$500 for each and every event.
- (c) The alarm system owner or occupant of a building serviced by an alarm will be notified of a false alarm either in person by responding fire personnel, by a written notice or written notice using regular mail. If the fine has not been paid within thirty days of notice and there is no appeal pending on the validity of the alarm, the Fire Chief may initiate the no response or alarm system disconnect process and may also initiate the enforcement penalties.
- (d) The Fire Chief has the right to waive and or all false alarm assessments if determined to be in the best interest of the Town of Effingham.

**Appeals:**

If the property owner so chooses; a request for appeal may be made directly to the Fire Chief for review within 15 days of the alarm. This request must be made in writing. The Fire Chief will make a determination within 15 days of the appeal being received on whether or not the alarm was truly a false alarm. The burden shall be on the property owner to provide any evidence that the alarm was a genuine. If it is determined that the alarm was legitimate and necessary, the alarm

will not be counted as a false alarm.

**VI. CONFLICT and SEVERABILITY**

The invalidity of any provision of this regulation shall neither affect the validity of any other provision hereof, nor the validity of the ordinance as a whole.

**VII. AMENDMENT**

This Ordinance may be amended in the same manner as any other Ordinance of the Town, by a majority vote of the Board of Selectmen at a properly posted and noticed meeting of the Board for that purpose.

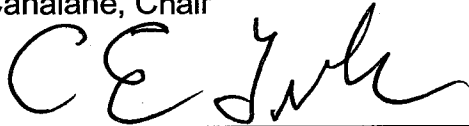
**VIII. EFFECTIVE DATE**

This ordinance shall become effective upon passage.


**Town of Effingham  
Board of Selectmen**

  
\_\_\_\_\_

Michael Cahalane, Chair

  
\_\_\_\_\_

Charles Fuller

  
\_\_\_\_\_

Thomas Hart

History of Adoption/Amendments:

This Ordinance Adopted 21 July 2020