

**THE TOWN COUNCIL OF THE TOWN OF NEWPORT
ENACTS AND ADOPTS THE FOLLOWING ORDINANCE
REGARDING BURGULAR ALARM SYSTEMS.**

A. PERMITS

1. No automatic burglar alarm system or automatic burglar alarm shall be located in Newport without first obtaining a permit from the Town Clerk and registering the system. Each permit shall be numbered, and this number shall be given by the permittee to the alarm company.
2. Burglar Alarm System Permits will be issued by the Town Clerk for a period of one (1) year. Applications for a permit will be on a form provided by the Town Clerk.
3. Renewals will be valid for a period of one (1) year.
4. A separate Alarm Permit shall be required for each premise on which a burglar alarm system is used or installed. Burglar Alarm System Permits are nontransferable.

B. RESPONSIBILITIES OF ALARM USERS

The permit holder, to whom a permit is issued, shall be responsible for compliance with the regulations of this alarm ordinance.

1. The alarm mechanism will be adjusted to suppress false indications of trouble so that the alarm system will not be activated due to:
 - a. Flashes of light.
 - b. Rattling and vibrating windows or doors caused by wind.
 - c. Vehicular noise.
 - d. Electrical power fluctuations.
 - e. Other forces unrelated to an actual emergency.
2. The permit holder shall be responsible for all false activations due to faulty equipment, improper adjustment of equipment or human error.
3. An authorized person must respond to the site of the alarm within 30 minutes if requested to do so by the Police Department.

4. The alarm system shall be adjusted to allow an intermittent sound audible outside of an enclosed building for no longer than 30 minutes after activation.
5. Except for testing at normal intervals during the hours from 9 am until 5 pm Monday through Friday, the alarm must not be manually activated for any reason other than the occurrence of an event that the system was intended to report (i.e. robbery, holdup, burglary, break in).
6. Property where the alarm device is located must be properly secured to prevent birds, animals, rats, rodents, and other animals from entering the premises or activating the alarm system.
7. The permit holder shall authorize the Chief of Police or his designee to contact the alarm company for any purpose, including, but not limited to, obtaining records and information about alarm calls or activation.
8. The permit holder shall request the alarm company to attempt to verify that the alarm signal is valid by telephoning the alarm user before requesting a dispatch. A second call to a different number shall be standard operating procedure by the alarm company if the first call fails to reach an alarm user who can properly identify himself or herself, except in the case of panic or holdup, burglary or robbery in progress.

C. VIOLATIONS

1. A person who operates an alarm system with a permit (permit holder) will be in violation of the ordinance if any of the following occurs.
 - a. Activating an alarm system:
 - (i) when no burglary, robbery or other crime dangerous to life or property is being committed or attempted on the premises, except for normal, periodic testing during prescribed hours, or
 - (ii) otherwise causing an alarm when there is no burglary, robbery or other emergency for which the alarm system is designed to detect, or
 - b. Failure to keep the information on alarm applications current.
 - c. Using an audible alarm system which can sound continually for more than ten (10) minutes or intermittently for more than thirty (30) minutes and in any case for more than thirty (30) minutes total time.
 - d. Using an automatic telephone dialing device that reports, activates a signal, direct dials, makes contact with, or causes to be transmitted a

recorded message or otherwise makes direct contact with the Newport Police Department and/or the Carteret County 911 Center or any other central receiving station.

2. It shall be unlawful for any person to activate an alarm system for the purpose of summoning police personnel when no burglary, robbery or other crime causing danger to life or property is in progress or is being attempted on the premises.
3. A permit may be suspended for:
 - a. False statement in the application.
 - b. Violation of any of the sections dealing with the responsibilities of the alarm user.

D. FEES AND PENALTIES

1. Excessive false alarms, i.e. an alarm when no burglary, robbery or other crime is in progress, or is being attempted on the premises. It is hereby found and determined that three or more false alarms within a twelve-month period is excessive, constitutes a public nuisance, and shall be unlawful. Civil penalties for false alarms within any twelve-month period may be assessed against an alarm user as follows:

Third, fourth and fifth false alarm	\$ 50.00 each
Sixth and seventh false alarm	100.00 each
Eighth and ninth false alarm	250.00 each
Tenth or more false alarms	500.00 each

2. Failure to Register – Civil Penalty 100.00
3. Other Civil Penalty(ies): Violations of other parts of this Ordinance will be enforced through the assessment of Civil Penalty(ies) in the amount of 100.00
4. Suspension Fee (to lift suspension) 100.00

E. INSTRUCTIONS FOR COMPLETING ALARM PERMIT APPLICATIONS

1. “*Permit Holder*” should be the person charged with the responsibility of maintaining the premises and the operation of the alarm system. This person will also be held responsible should service fees, civil penalties or fines be assessed.

For a residential alarm, the “Permit Holder” shall be the head of the household or any resident responsible adult. For a business alarm, the “Permit Holder” shall be

the owner, manager, security director, building manager, or one who is responsible adult.

2. *“Contact Person”* – The first person in this category should be the person most readily available to answer the alarm, should the police department require someone. This person must have access to the building and the alarm device, be prepared to inactivate or repair any malfunctioning alarm, and provide security to the building. For the homeowner, this should be a close neighbor, friend, or relative – or the alarm company representative if the alarm company is willing to send someone with those qualifications. The person designated must be able to reach the location with 30 minutes after being requested by the Police Department.
 3. The second person designated as a “Contact Person” should meet the same requirements as the first. He/She will be contacted should #1 not be available. There must be a MINIMUM OF TWO persons listed on the permit application as a “Contact Person.”
 4. An alarm registration/permit cannot be transferred to another alarm user. The alarm user shall inform the Police Department within three (3) days of any change that alters any information listed on the application. No fee will be assessed for such changes.
 5. The person responsible for the maintenance of the alarm must be the permit holder. A 24-hour, 7-day telephone number must be kept on file with the Police Department.
 6. All information provided to the city of Newport on alarm permit applications is confidential information and is not available to any other agency or individual except as may be required by law or court order.
- F. Burglar alarm systems existing on the effective date of this ordinance shall have sixty (60) days to comply with this ordinance, except that automatic telephone dialing systems shall be discontinued within fourteen (14) days.
- G. This Ordinance shall become effective upon its adoption.

Adopted this _____ day of _____, 20____, by a vote of Councilmen _____ voting for,
 Councilmen _____
 voting against.

TOWN OF NEWPORT

By _____
 Mayor

ATTEST:

 Town Clerk