TOWN OF STOWE, VERMONT
MUNICIPAL CODE
Chapter 2.5
POLICE SECURITY ALARM SYSTEMS

ARTICLE 1 GENERAL INFORMATION

1.1 The Selectboard of the Town of Stowe hereby ordains this Police Security Alarm Systems Ordinance to be in effect as of the date noted below pursuant to the authority granted under Section 202 (a), 203 (4) & (5) and Section 408 (a) (5) of the Charter of the Town of Stowe.

1.2 This Ordinance is established to ensure, in so much as possible:

(a) The proper operation and maintenance of all security alarm systems within the Town of Stowe in order to maximize their effectiveness as safety devices.

(b) The prevention of false alarms and system misuse to minimize the potential for loss of life or property damages that could result from emergency responses to non-emergency alarm activations or improper use of such systems.

1.3 This Ordinance shall amend in its entirety and replace an Alarm System Ordinance adopted by the Selectboard on August 11, 2003 and any other provisions of any Ordinances of the Town of Stowe in effect at the time of the enactment of this Ordinance as it pertains to the subject matter set forth herein are hereby repealed.

1.4 This Ordinance shall not constitute the creation, establishment or acceptance by the Town of Stowe of any liability or duty to respond to any alarm or maintain or operate any alarm equipment or to take any other action in connection therewith.

ARTICLE 2 DEFINITIONS

2.1 The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this Article, except where the context clearly indicates a different meaning. Other definitions shall have the meanings ascribed by Vermont law or in the event no legal definition exists, the meaning shall be ascribed by a recent edition of a modern English language dictionary.

(a) *Alarm System* shall mean any mechanism or device that is used in a building or premises for the detection of burglary, unauthorized entry or any other criminal activity whereby the system is designed to transmit a response from the Police Department.

(b) *Alarm System Owner and/or User* shall mean any person, partnership, firm, association, cooperative, corporation or any other entity in control of any building, structure, premises or facility wherein an alarm system exists.

(c) *Chief* shall mean the Chief of the Stowe ~~Police~~ Fire Department.

(d) *Department* shall mean the Stowe Police Department.

(e) *False Alarm* shall mean any alarm signal that results in a request or automatically elicits a response by the Department when the situation requiring such a response does not in fact exist. An alarm signal caused by a power outage, violent conditions of nature or other extraordinary circumstances beyond the control of the owner shall not constitute a false alarm.

ARTICLE 3 ALARM SYSTEM REGULATIONS

3.1 Prohibited Devices - No person shall install or operate an alarm system that transmits a pre-recorded message directly to the Department requesting a response.

3.2 Exemptions - Buildings owned by the Town of Stowe or the Stowe School District shall be exempt from the fees and penalties as set forth herein.

3.3 Alarm Activations - An alarm system owner shall be responsible for any and all alarms generated by the system under his/her control.

3.4 Residence Identification: If driveway is more than 100' in length the E911 home number will be posted at the end of the driveway in reflective 4" numbers and letters.

ARTICLE 4 VIOLATIONS

4.1 It shall be a violation of this Ordinance for any alarm system owner within the Town of Stowe to report or have cause to report a false alarm. However, no violation will be considered to have taken place as a result of an unintentional false alarm when such alarm is the first instance of an activation on a property within any calendar year and no false alarm has occurred on that property within the previous six (6) months.

ARTICLE 5 ADMINISTRATION AND ENFORCEMENT

5.1 The Chief, or designee from the Department shall charge and collect the following from the alarm system user the following user fees for false alarms:

a. Each alarm user shall be entitled to one (1) false alarm during a six (6) month period, with out being assessed a service fee.
b. Six month periods shall start January 1 and July 1 of each year.
c. Second false alarm with in six months shall result in a charge of $25.00, third will be $50.00, fourth and every one their after will be $100.

5.2 Nothing in this Ordinance is intended to prevent the Town from seeking injunctive relief or recovery of any damages or participation in any other forms of alarm related prosecutions as allowed by law in addition to the penalties noted in Section 5.1.

5.3 Notwithstanding the imposition of any other penalties as set forth herein, the Chief may notify the owner (in writing) that the Department will not respond to any alarm activations at a specific property for a period not to exceed six (6) months, for repeated violations (more than 3 within 6 months).

5.4 In addition to the penalties set forth in Section 5.1 of this Ordinance, the Selectboard declares the willful, malicious or mischievous activation of a false alarm to be an egregious offense against the laws of humanity deserving of the maximum penalty allowed by law as set forth in 13 VSA §1751-1754.

ARTICLE 6 SEVERABILITY AND RECESSION

6.1 In the event any portion of this Ordinance is found to be invalid or void by a court of competent jurisdiction or an act of a legislative body, the remaining provisions shall continue to be in full force and effect.

6.2 This Ordinance may be rescinded by a Town Meeting vote in accordance with the provisions of Section 204 (d) of the Charter of the Town of Stowe.

IN WITNESS WHEREOF, this ALARM SYSTEMS ORDINANCE is hereby approved and adopted by Selectboard of the Town of Stowe, on this, the 15th day of August, 2005; to be effective as of the 15th day of August, 2005; whereby a first reading of this Ordinance was held at a duly warned open meeting of the Selectboard on May 9th 2005 an advertisement for a public hearing to consider this Ordinance was published in the *Stowe Reporter* on August 11, 2005 and a second reading and Public Hearing was held at a duly warned open meeting of the Selectboard on Aug 15 2005 as prescribed in Section 204 of the Stowe Town Charter.

ATTEST:

The Stowe Selectboard:

Theodore J. Teffner, Chairman

Charlie Lusk, Selectboard Member

Heidi Scheuermann, Vice Chairman

Steven Riley, Selectboard Member

Richard C. Marron, Selectboard Member

UNDER SEAL OF THE TOWN, received, filed and recorded on this 29th day of September, 2005 at 3:35pm.; ATTEST:

Office of the Town Clerk