

LOCAL LAW 6-83

LOCAL LAW REGULATING BURGLARY & ROBBERY ALARM SYSTEMS

**A LOCAL LAW REGULATING BURGLARY AND ROBBERY
ALARM/SECURITY SYSTEMS, BUSINESSES, AGENTS AND SUBSCRIBERS
IN ONONDAGA COUNTY AS AMENDED BY LOCAL LAW NO.2 OF 1991,
LOCAL LAW NO. 5 OF 1992, LOCAL LAW NO.18 OF 1992, LOCAL LAW NO.5
OF 1995, AND LOCAL LAW NO. 6 OF 1995**

CHAPTER 1

TITLE AND PURPOSE

SECTION 1.00 Short Title This Local Law shall be known as “**The Burglary and Robbery Alarm Law.**”

SECTION 1.10 Purpose The purpose of this Local Law is to set forth regulations governing burglary and robbery alarm/security systems, businesses, agents and subscribers within the County of Onondaga, excluding the City of Syracuse, require permits therefore, establish fees and provide for penalties for violations of this Local Law.

CHAPTER II

DEFINITIONS

SECTION 2.00 For the purpose of this Local law, certain words and phrases shall be construed herein as set fort in this section unless it is apparent from the context that a different meaning is intended;

- A. Alarm/Security Systems** means an mechanical or electrical device which is designed or used for the detection of an unauthorized entry into or exit from a building, structure or facility or for alerting others to the commission of an unlawful act within a building structure or facility or both, and which emits a sound or transmits a signal or message when activated. Alarm/Security Systems include but are not limited to direct dial telephone devices, audible alarms, proprietary alarms, central station alarms by means of hard lease wire or radio frequency carrier or carriers.
- B. Subscriber** means any person who purchases, lease, contract for or otherwise obtains an alarm/security system from any source whatsoever.
- C. Licensing Authority** means the Sheriff of Onondaga County or his designee except that the Sheriff shall require no license for alarm businesses, agents or subscribers or answering service which perform their function wholly within the City of Syracuse.
- D. False Alarm** means an alarm signal from an alarm/security system or notification by an answering service which calls for a response by a Law Enforcement Agency within the County of Onondaga where an emergency situation does not exist.
 - 1. Subscribers and/or permittees shall notify the police agency in which such alarm/security system terminates prior to any service, test, repair, maintenance, adjustment, alteration or installation which might actuate a false alarm.
 - 2. For the purpose of this law, any alarm actuated where such prior notice has been given shall not constitute a false alarm.
- E. Exempt Agencies** includes all governmental entities and tax-exempt agencies.
- F. Alarm Identifier** means the number assigned to an alarm/security which corresponds to property data contained in the Onondaga Law Enforcement Information System (**OLEIS**). Such property data shall include but in not limited

to a description of the protected premises, its location, the name and telephone numbers of persons to be notified to render repairs or service and to secure the premises during any hour of the day or night that the security system activated. The Alarm Identifier shall be displayed at or near the front entrance of the premises.

G. Property Identifier means the number assigned to a business or residence not protected by an alarm/security system which corresponds to property data contained in the Onondaga Law Enforcement Information System. Such property data shall include but is not limited to a description of the business or residence, its location, the name and telephone numbers of persons to be notified if the Sheriff or any Law Enforcement Agency responds to an intrusion incident at said business or premises.

H. Aged and Handicapped Persons

1. An aged person is one who has obtained the age of 65 years or over.
2. A handicapped person is one who is certified by a doctor to be under physical or mental disability.

I. Terminating Agency means the law enforcement agency, the Sheriff and/or a local Police Department, which will be contacted by the alarm or summoned thereby.

J. Permittee means any person who is required to obtain a permit pursuant to Chapter IV of this law.

K. Eligible Battered Spouses An Eligible Battered Spouse is any person who has been battered or abused by his/her spouse or co-habiting partner and, at the sole determination of the District Attorney or his designee, requires a special personal alarm system to minimize the threat of further abuse, battering, or threats. Such determination by the District Attorney shall be communicated to the Sheriff.

CHAPTER III
STANDARDS, REGULATIONS, REQUIREMENTS AND DUTIES

SECTION 3.00 Alarm/Security System Standards and Regulations. The construction and maintenance of all alarm/security systems installed in the county subject to the provisions of this Local Law shall be governed by the following minimum standards, except where the following is in conflict with UL standards on a UL certified system:

- A. Loop status and armed status indicators must be installed at all arming stations.
- B. Rechargeable backup battery, with a “float” or trickle charge circuit shall be required.
- C. Exterior audible alarms shall automatically shut down after a maximum of fifteen minutes.
- D. On all alarm/security systems there will be either an entry or exit delay with audible pre-alarm warning or immediate sounding of a local audible with an appropriate delay before transmitting an alarm to another location, except call for police type alarms.
- E. On any system which reports an alarm condition with other than an audible signal,

the system must be capable of sending a separately identifiable signal for each different type of alarm condition and must also automatically transmit a loss of power and/or low battery signal when such condition exists.

- F. All alarm/security systems capable of reporting more than one type of alarm shall have the capability of reporting each type of alarm under separate OLEIS codes i.e. separate code shall be required for but not limited to burglary, robbery, call for police.
- G. Every subscriber of an alarm/security system with the capability of notifying any law enforcement agency either directly or indirectly shall have listed with OLEIS the name and telephone number of the person, persons, or company responsible for 24-hour emergency service to that system.
There shall be no testing of any alarm/security by any alarm business or subscribers or the subscribers' agents that would normally summon law enforcement unless such test is first cleared and verified through the communication center of the law enforcement agency where alarm/security system terminates.
- H. At the subscribers' option, there may be installed not less than three feet above the roof a strobe light, color white only, used to guide the response of law enforcement aviation units when an alarm/security system activates.
- I. Nothing in this Local Law shall prevent a subscriber from choosing his terminating agency or agencies with the permission of said agencies. The Sheriff shall have the authority to amend these minimum standards as specified in Chapter III, Section 3.00 of this Local Law from time to time as may be deemed necessary to effectuate the purpose of this Local Law. Such amendments shall be presented to the Public Safety Committee of the Onondaga County Legislature and to all permit holding alarm companies at least sixty (60) days prior to their enactment.

SECTION 3.10 Equipment Requirements.

- A. Any system installed six months preceding the date of the enactment of the Burglary and Robbery Alarm Law which communicates to another location must provide a system to inhibit arming into a violated condition, unless a clear report of such arming is immediately transmitted to the agency receiving the alarm transmission.
- B. Any wireless equipment installed six months preceding enactment date shall be a Supervised type, with minimum capability of indicating to the receiving unit, at all times, the current condition of the protection device and low battery condition.
- C. Any alarm/security installed six months preceding enactment date shall have an a alarm control panel.

SECTION 3.30 Display of Alarm/Security Systems Permit An alarm/security system permit shall be kept on the premises where the alarm/security system is located. The Sheriff shall issue an appropriate permit identification form to be kept with the alarm/security system.

SECTION 3.40 Operations and Maintenance of an Alarm/Security System Each alarm/security system permit holder is responsible for the operation and maintenance of the alarm/security system for which they hold a valid permit.

SECTION 3.50 Alarm/Security System Central Station Operations Each alarm/security system central station shall provide the following information and perform the following duties when reporting an alarm/security system activation to a law agency.

- A. Specify the:
 - 1. OLEIS number of the activated alarm/security system
 - 2. Type of Alarm (Burglary,Robbery etc)
 - 3. Residence or Business Name
 - 4. Address and nearest cross street
- B. Contact the closest available subscriber (emergency notification) to respond to the alarm/ security system activation.
- C. Recall the law enforcement agency communication center and advise of the subscribers estimated time of arrival to the alarm activation or advise if there will be no subscriber response.

CHAPTER IV

PERMITS REQUIRED

SECTION 4.20 Alarm System Permit It shall be a violation of the Local Law for any subscriber to maintain an alarm/security system at his residential or business premises without first obtaining an alarm/security system permit pursuant to the provisions of this Local Law. Further, it shall be a violation of this Local Law for any alarm business to render operational any alarm/security system until such time that the subscriber has been issued a valid permit by the licensing authority. The granting of an Alarm System Permit is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to an alarm activation is hereby disclaimed and governmental immunity as provided by law is retained. The subscriber acknowledges that law enforcement response may be based on such factors as:

- A. Availability of police units
- B. Priority of call
- C. Weather
- D. Traffic Conditions
- E. Emergency conditions
- F. Staffing levels

CHAPTER V

ISSUANCE OF PERMITS

SECTION 5.00 Application Fees Application for all permits under this Chapter shall be made to the Sheriff of Onondaga County. The Sheriff shall prescribe the form of the application and request such information as is necessary to evaluate and act upon the Permit Application. Aged and handicapped persons as defined in Section 2.00, Subsection J, shall be exempt from the fees described in this Chapter so long as their combined household income shall be Twenty Thousand Dollars (\$20,000.00) or less per year and they shall so state on their application form.

- A. **Property Identifier Fee** The application for a property identifier shall be

Accompanied by a non-refundable fee of \$10.00. Any modifications or change of location, property data or information concerning the persons notified shall require payment of an additional fee of \$10.00. Nothing in this section shall require any person to obtain such property identifier. The local law enforcement agencies shall have authority to add information regarding property identifiers upon notice of the Onondaga County Sheriff.

- B.** **Alarm/Security Subscriber Permit Fee** The application for an alarm/security system permit shall be accompanied by a non-refundable fee of Thirty Dollars (\$30.00). A change of address of an existing system shall require a new permit and additional fee of Thirty Dollars (\$30.00). The permit fee shall be payable to the Licensing authority. Exempt Agencies as defined in this Local Law shall not be subject to this fee.
- C.** All permits as prescribed under Chapter V shall be updated with the licensing authority within five days of any change.
- D.** Each subscriber must keep the alarm/security identifier up to date and notify the Licensing authority within five days of any change.
- E.** Each subscriber is responsible for informing their alarm/security system company Of any OLEIS card information changes within 5 days.
- F.** Each alarm company is responsible for sending updated OLEIS cards to the licensing authority no later than 5 days after receiving notice from the subscriber of a change in OLEIS card information.

SECTION 5.00-a Application Fees for Eligible Battered Spouses Eligible Battered Spouses, as defined in Section 2.00, Subsection M, shall be exempt from fees described in this chapter only insofar as they relate to a special personal alarm system.

SECTION 5.10 Application Forms Application for all permits required hereunder shall be filed with the licensing authority and shall be accompanied by the requisite fee. The licensing authority shall prescribe the form of the application and request such information as its necessary to evaluate and act upon the permit application.

SECTION 5.30 Subscriber Application Contents A complete OLEIS card is required for each subscriber application at a different location. Each applicant will also specify the person(s) designated to receive correspondence relative to the administration of the Local Law.

A. Contents of the OLEIS card:

1. OLEIS Number
2. Type of Alarm
3. Date
4. Residence/Business name
5. Phone number
6. Complete mailing address and property taxed by town/village
7. Installer/Maintained by
8. Installer phone number
9. Alarm location (area of premises protected)
10. Business days/hours of operation
11. Nearest cross street/complex
12. Names and phone number of 3 emergency contact persons

13. Special instructions about alarm or premise

CHAPTER VI

REVOCATION

SECTION 6.20 Procedure The following procedure shall be in effect for violation of this Law:

- A. The Licensing Authority shall serve the Subscriber or his designee with a notice of revocation. The notice will state the grounds for the revocation and the date, time, and location of the revocation hearing. The hearing will be held no later than ten days after the notice has been served.
- B. The Respondent shall be entitled to appear personally, have the right to counsel and may cross-examine witnesses against him and produce evidence and witnesses on his behalf.

SECTION 6.40 Penalty Any person who violates any of the provisions of, or who fails to perform any duty imposed by this Local Law or any order of determination of the licensing authority or the terms of any permit issued hereunder, shall be subject to a civil penalty not to exceed one hundred and fifty (\$150.00) dollars for each such violation. Such penalty may be imposed by the licensing authority following a hearing.

SECTION 6.60 Enforcement An action may be commenced by the County Attorney in any court of competent jurisdiction for the amount of any penalty assessed herein or *delinquent permit fee*.

CHAPTER VII

FALSE ALARM RESPONSE FEES

SECTION 7.00 Fee schedule Any subscriber whose alarm/security system activates a false alarm, as defined in this Local Law, within 365-day period, shall be subject to the following fee schedule:

1 st False Alarm	No Fee
2 nd False Alarm	Written Warning
3 rd False Alarm	\$100.00 Fee
4 th False Alarm	\$150.00 Fee
5 th False Alarm	\$200.00 Fee
6 th False Alarm	\$250.00 Fee
Over 6 False Alarms	\$500.00 Fee

SECTION 7.10 Revocation Failure to pay any false alarm fee within 21 calendar days will result in termination of automatic law enforcement response to an alarm/security system activation.

SECTION 7.20 Appeal Any subscriber may appeal the false alarm fee by filing a written objection within 10 calendar days of the issuance of the fee notice. The Licensing Authority shall respond in writing accepting or rejecting the appeal. Only verifiable emergency conditions will result in acceptance of an appeal.

SECTION 7.30 Enforcement An action may be commenced by the County Attorney in any Court of competent jurisdiction for the amount of any fee assessed herein.

CHAPTER VIII

APPEAL

SECTION 8.00 Any person may appeal an action of the Licensing Authority hereunder by commencing a proceeding pursuant to Article 78 of the New York Civil Practice Law and Rules within 30 days of the determination of the Licensing Authority.

CHAPTER IX

SEVERABILITY

SECTION 9.00 In the event that any portion of this Local Law or the application thereof to any person or circumstances is adjudged invalid by a Court of competent jurisdiction, such judgment shall be limited in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances.

CHAPTER X

EFFECTIVE DATE

SECTION 10.00 This Local Law shall take effect pursuant to Section 20 and 21 of the Municipal Home Rule Law and upon the requisite filings.