

## **ARTICLE II. SECURITY ALARMS**

### **Sec. 12.5-1. Purpose and Application.**

This Article provides for the regulation of non-residential security alarm systems operated by alarm company operators in order to enhance public safety and reduce the unnecessary expenditure of public resources in response to false alarms. This Article shall not apply to security alarms located in any single-family or multi-family dwellings; nor shall this Article apply to security alarm systems maintained by governmental agencies or departments.

### **Sec. 12.5-2. Definitions.**

For the purposes of this Article, the following words and phrases shall have the following meanings:

*County Administrator.*

The County Administrator or designee.

*False alarm.*

Any communication generated by or as a result of a security alarm system operated by alarm company operators on a non-residential premises that results in a response and investigation by a law enforcement officer which reveals no evidence or indication of criminal activity or other actual hazard. False alarms shall not include signals activated by unusually severe weather conditions or other causes that are identified by the County Administrator to be beyond the control of the user. An alarm dispatch request that is cancelled by an alarm company operator or other person acting on behalf of the owner of a non-residential security alarm system before the responding law enforcement officer reaches the alarm site shall not be considered a false alarm dispatch.

*Hazard.*

An event requiring urgent attention and to which a law enforcement officer is expected to respond.

*Law Enforcement:*

Any law enforcement officer duly authorized to uphold and enforce federal, state and local laws within Hanover County.

*Protected premises.*

The non-residential premises upon which a security alarm system operated by alarm company operators has been installed for the purpose of detecting a hazard.

*Security alarm system.* An assembly of equipment or devices designed or arranged to detect and signal unauthorized intrusion, attempted burglary, robbery, other criminal activity or hazard at the protected premises. For the purposes of this Article, the term "security alarm system" refers to all systems operated by alarm company operators that are designed to attract the attention and response of law enforcement, including alarm bells, horns, other signals, and similar equipment.

*Sheriff.*

The Hanover County Sheriff or designee.

### **Sec. 12.5-3. Intentional false alarms.**

Any person who without just cause and with intent to interfere with the operations of any law-enforcement officer calls or summons any law-enforcement official by engaging or activating a security alarm system shall be guilty of a class one misdemeanor.

### **Sec. 12.5-4. Permit required.**

(a) Every person who activates, utilizes, operates and/or maintains a non-residential security alarm system operated by alarm company operators within the County, excluding the Town of Ashland, shall obtain a security alarm permit. Application for the permit shall be made on forms prescribed by the County Administrator and shall include, at a minimum, the following information:

- (1) The applicant's name, mailing address, street address and home and business telephone numbers.
- (2) The names, addresses and telephone numbers of the owner(s) and tenant(s) of the protected premises and the address and telephone number of the protected premises.
- (3) The names, addresses and home and business telephone numbers of at least two (2) persons, authorized to secure the premises, to be contacted in the event of the activation of the alarm system.
- (4) A general description of the type of alarm system, including whether the system is audible or silent and whether the system is monitored and by whom.
- (5) Any additional relevant information required by the County Administrator.

(b) The County Administrator shall review the application for completeness and accuracy. The County Administrator shall approve the application if it is complete and in conformity with this Article.

(c) Any person proposing to initiate use of a non-residential security alarm system operated by alarm company operators shall obtain a security alarm permit prior to the date on which the security alarm system becomes operative.

(d) Should the information provided in the permit application change, the person to whom the security alarm permit was issued shall notify the County Administrator in writing of the change. If the County determines that information on a permit application is inaccurate and notifies the person to whom the security alarm permit was issued of the need to provide updated information, the person to whom the security alarm permit was issued shall have ten (10) days to provide such information to the County Administrator. Failure to notify the County Administrator within ten (10) days after receiving notice of a change to the name(s) and/or telephone number(s) of the contact person(s) listed on the permit application shall result in a civil penalty of fifty dollars (\$50.00) being assessed against the person to whom the security alarm permit was issued.

**(e) A civil penalty of fifty dollars (\$50.00) shall be assessed against a person who activates, utilizes, operates and/or maintains a non-residential security alarm system operated by alarm company operators who has failed to apply for a required permit within thirty (30) days from the date of receipt of notice that such permit is required.** If a civil penalty is assessed, it must be paid before the required permit will be issued. If the permit is not applied for within (30) days after notification that a civil penalty has been assessed, continued operation of the security alarm system by the owner or tenant of the protected premises shall constitute a class four misdemeanor.

(f) This permit requirement is intended to assist the Sheriff and the County Administrator in the administration of the provisions of this Article and shall not be deemed to create any special duty with respect to the protected premises beyond that owed to the general public.

**Sec. 12.5-5. Failure to respond.**

Any person who activates, utilizes, operates and/or maintains a non-residential security alarm system operated by alarm company operators within the County, excluding the Town of Ashland, **shall be assessed a civil penalty of two hundred dollars (\$200.00) if that individual or his designee(s) fail(s) to arrive at the protected premises within one hour of the activation of the security alarm system.**

**Sec. 12.5-6. Service charges.**

**A service charge of fifty dollars (\$50.00) for each occurrence shall be assessed against the person who activates, utilizes, operates and/or maintains a non-residential security alarm system operated by alarm company operators within the County, excluding the Town of Ashland, for the fourth, fifth and sixth false alarms, one hundred dollars (\$100.00) for the seventh and subsequent false alarms in each calendar year, other than an intentional false alarm, originating from the protected premises. The service charge shall be due thirty days from the date of mailing of the bill by the County Administrator and shall be payable to the Hanover County Treasurer.**

**Sec. 12.5-7. Failure to pay service charges or civil penalties; revocation of permit.**

All service charges and/or civil penalties assessed against the person who activates, utilizes, operates and/or maintains a non-residential security alarm system shall be due and owing to the Hanover County Treasurer. In the event legal action is necessary to collect the service charges and/or civil penalties, the owner or tenant shall be required to pay for any and all attorneys' fees and other costs expended by the County to collect such funds.

The failure of a permit holder to pay any service charge or civil penalty assessed under this Article when due shall constitute grounds for the revocation of a security alarm permit by the County Administrator. The continued operation of a security alarm system by the person who activates, utilizes and/or maintains a non-residential security alarm system after notification that the permit has been revoked shall constitute a class four misdemeanor.

**A security alarm permit that has been revoked pursuant to this section may be reinstated by the County Administrator upon payment of all outstanding civil penalties and service charges, a reinstatement fee of fifty (\$50.00) dollars, and compliance with all other requirements of this Article.**

**Sec. 12.5-8. Appeals.**

Upon application in writing by any person against whom a civil penalty or service charge has been assessed under this Article, the County Administrator may waive the civil penalty or service charge for good cause shown.