

Town of Dover Burglar Alarm Ordinance

I. AUTHORITY:

This ordinance is adopted by the Selectboard of the Town of Dover, Vermont under authority granted in 24 VSA §§ 1971 and 2291 (14), (15).

II. PURPOSE:

The purpose of this ordinance is to encourage Alarm Users, along with Alarm Companies, to properly use and maintain the operational effectiveness and proper utilization of Alarm Systems and to reduce or eliminate False Alarms which may unduly divert law enforcement from responding to criminal activity. This ordinance governs systems intended to summon law enforcement response, and requires registration, establishes fees, provides for penalties for violations, establishes a system of administration, and sets conditions for suspension or loss of registration.

III. DEFINITIONS:

Alarm Administrator means a Person or Persons designated by the Town's Legislative Body to administer, control and review False Alarm reduction efforts.

Alarm Company means the business, by an individual, partnership, corporation or other entity of sells, leases, maintains, services, repairs, alters, replaces, moves, installs or monitors an Alarm System in an Alarm Site.

Alarm Dispatch Request means a notification to a law enforcement agency that an alarm, either manual or automatic, has been activated at a particular Alarm Site.

Alarm Registration means the notification to the Alarm Administrator by an Alarm Company or an Alarm User on a form created by the Alarm Administrator that an Alarm System has been installed and is in use.

Alarm Registration Fee means the monies paid to the Town of Dover by the Alarm User which must accompany the Alarm Registration.

Alarm Registration/Renewal Form means the form developed by the Alarm Administrator for the purpose of registering an Alarm System.

Alarm Site means a single fixed premises or location served by an Alarm System or systems. Each tenancy, if served by a separate Alarm System in a multi-tenant building, condominium or complex shall be considered a separate Alarm Site.

Alarm System means a device or series of devices, including, but not limited to, systems interconnected with a radio frequency method such as cellular or private radio signs, which emit or transmit a remote or local audible, visual or electronic signal indicating an

alarm condition and intended to summon law enforcement service of the municipality, including Local Alarm System. Alarm System does not include an alarm installed on a vehicle unless the vehicle is permanently located at a site.

Alarm User means any Person, firm, partnership, corporation or other entity who (which) uses or is in control of any Alarm System at its Alarm Site.

Automatic Voice Dialer means any electrical, electronic, mechanical or other device capable of being programmed to send a prerecorded voice message, when activated, over a telephone line, radio or other communication system, to a law enforcement agency.

Cancellation is the process by which an Alarm Company providing Monitoring verifies with the Alarm User or responsible party that a false dispatch has occurred and that there is not an existing situation at the Alarm Site requiring law enforcement agency response.

Conversion means the transaction or process by which an Alarm Company begins Monitoring of a previously unmonitored Alarm System or an Alarm System previously monitored by another Alarm Company

False Alarm means an Alarm Dispatch Request to a law enforcement agency, when the responding officer finds no evidence of a criminal offense after having completed a timely investigation of the Alarm Site.

Holdup Alarm or Panic means a silent alarm or audible alarm signal generated by the manual activation of a device intended to signal a robbery in progress.

Law Enforcement Authority means the Chief of Police or an authorized representative.

Local Alarm System means any Alarm System that annunciates an alarm only by an internal or external audio device.

Monitoring means the process by which an Alarm Company receives signals from an Alarm System and relays an Alarm Dispatch Request to the Law Enforcement Authority for the purpose of summoning law enforcement response to the Alarm Site.

Person means an individual, corporation, partnership, association, organization or similar entity.

Takeover means the transaction or process by which an Alarm User takes over control of an existing Alarm System, which was previously controlled by another Alarm User.

Verify means an attempt, by the Alarm Company, or its representative, to contact the Alarm Site by telephonic or other electronic means, whether or not actual contact with a Person is made, before requesting law enforcement dispatch, in an attempt to avoid an unnecessary Alarm Dispatch Request.

IV. AUTOMATIC VOICE DIALER PROHIBITION:

It shall be unlawful to install, operator, or use an Automatic Voice Dialer in the Town of Dover. The installation, operation or use of an Automatic Voice Dialer shall results in the imposition of an Automatic Voice Dialer Penalty.

V. ALARM SYSTEM REGISTRATION:

No Alarm User shall operate, or cause to be operated, an Alarm System at an Alarm Site without a valid Alarm Registration issued by the Alarm Administrator. A separate Alarm Registration is required for each alarm site.

The Alarm Registration/Renewal Form and Alarm Registration Fee, established by the Selectboard of the Town of Dover, must be submitted to the Alarm Administrator within five (5) days after the installation of an Alarm System or an Alarm Takeover.

Upon receipt of a completed Alarm Registration/Renewal Form and payment of the Alarm Registration Fee, the Alarm Administrator shall register the applicant unless the applicant has:

- (1) Failed to pay a fine assessed as provided in this Ordinance; or
- (2) Had an alarm registration for the Alarm Site suspended or revoked, and the violation causing suspension or revocation has not been corrected; or
- (3) Has not complied with Section VI (8) of this ordinance.

The Alarm Registration period shall run July 1st through June 30th of the following year. Alarm Registrations must be renewed annually by submitting a new Alarm Registration/Renewal Form and Alarm Registration Fee to the Alarm Administrator. The Alarm Administrator shall notify each Alarm User of the need to renew at least thirty (30) days prior to the expiration date.

Any false statement of a material fact made by an Alarm User for the purpose of obtaining an Alarm Registration shall be sufficient cause for refusal to issue or renew a registration.

An Alarm Registration cannot be transferred to another Person or Alarm Site. An Alarm User shall inform the Alarm Administrator of any change that alters any information listed on the Alarm Registration/Renewal Form within five (5) business days.

No alarm registration shall be issued for any Alarm Site not in compliance with the Town of Dover Ordinance Regarding Street Naming and Street Addressing.

VI. DUTIES OF THE ALARM USER:

An Alarm User:

- (1) Shall maintain the premises and the Alarm System in a manner that will minimize or eliminate False Alarms;
- (2) Shall use every reasonable effort to respond or cause a representative to respond to the Alarm System's location within thirty (30) minutes when notified by the Law Enforcement Authority to deactivate a malfunctioning Alarm System, to provide access to the premises, or to provide alternative security for the premises;
- (3) Shall not manually activate an alarm for any reason other than an occurrence of an event that the Alarm System was intended to report;
- (4) Shall adjust the mechanism or cause the mechanism to be adjusted so that an alarm signal audible on the exterior of an Alarm Site will sound for no more than five (5) minutes after being activated (or fifteen (15) minutes for systems operating under Underwriters Laboratories, Inc. standards 365 or 609);
- (5) Shall have a properly trained Alarm Company inspect the Alarm System after two (2) False Alarms in a registration period from the date of registration issuance or renewal. The Alarm Administrator may waive an inspection requirement if it determines that a False Alarm(s) could not have been related to a defect or malfunction of the system. After four (4) False Alarms within a registration period from the date of registration issuance or renewal the Alarm User must have a properly trained Alarm Company modify the Alarm System to be more False Alarm resistant or provide additional user training as appropriate;
- (6) Shall maintain at each Alarm Site, a set of written operating instructions for each Alarm System;
- (7) Shall provide to the Alarm Administrator as part of the Alarm Registration/Renewal Form, the name and telephone numbers of no fewer than two (2) key holders/caretakers who are able and have agreed to receive notification of alarm activation **at any time**. Upon request, said key holders/caretakers shall respond to the Alarm Site within thirty (30) minutes and grant access to the Alarm Site and deactivate the Alarm System if such becomes necessary;
- (8) Shall post and maintain the locatable address of the property (E-911 number) in accordance with the Town of Dover Ordinance Regarding Street Naming and Street Addressing dated July 11, 2000 and as may be amended from time to time. In addition, the Alarm User shall remove any and all other numbered signs from the Alarm Site except those currently used in condominium projects within the town for cross-referencing; and
- (9) Shall notify the Alarm Company that the Alarm Site has been placed under suspension by the Alarm Administrator under Section VII of this Ordinance.

VII. DUTIES OF ALARM COMPANY:

After completion of the installation an Alarm Company employee shall review with the Alarm User the Customer False Alarm Prevention Checklist prepared by the Alarm Administrator.

An Alarm Company performing Monitoring services shall:

- (1) Offer a training period in which no request for dispatch by Law Enforcement will occur during the first seven (7) days after installation of an Alarm System, but rather will use that week to train the Alarm User on proper use of the Alarm System unless circumstances necessitate immediate requests for response as determined by the Alarm Administrator;
- (2) Attempt to Verify every alarm signal, except a Duress or Holdup Alarm activation before requesting a Law Enforcement response to an Alarm System signal;
- (3) Communicate Alarm Dispatch Requests and Cancellations to the Law Enforcement Authority by using telephone numbers designated by the Alarm Administrator;
- (4) Ensure that all Alarm Users of Alarm Systems equipped with a Holdup or Panic Alarm is given adequate training as to the proper use of the Duress or Holdup Alarm;
- (5) Communicate any available information (north, south, front, back, floor, etc.) about the location of the alarm activation and the type of alarm activation (interior, perimeter, motion, glass, etc.);
- (6) Contact the Alarm User when an Alarm Dispatch Request is made, which shall serve as notification to the Alarm User of the Alarm Dispatch Request and False Alarm if so determined; and
- (7) Upon enactment of this ordinance, Alarm Companies that perform Monitoring services must maintain for a period of at least one (1) year, records relating to Alarm Dispatch Request. Records must include the name, address and telephone number of the Alarm User, the Zone(s) activated, the time of Alarm Dispatch Request and evidence of an attempt to Verify. The Alarm Administrator may request copies of such records for individually named Alarm Users.

VIII. DUTIES OF THE ALARM ADMINISTRATOR:

The Alarm Administrator shall:

- (1) Designate telephone numbers for the communication of Alarm Dispatch Requests.
- (2) Accept Cancellations of Alarm Dispatch Request by telephone.

If there is reason to believe that an Alarm System is not being used or maintained in a manner that ensures proper operation and suppresses False Alarms, the Alarm Administrator may require a conference with an Alarm User and the Alarm Company responsible for the repair of the Alarm System to review the circumstances of each False Alarm.

Within five (5) days of receipt of an Alarm Registration/Renewal Form and Alarm Registration Fee, the Alarm Administrator shall visually inspect the Alarm Site to confirm the correct locatable address is posted at the Alarm Site in accordance with the Town of Dover Ordinance Regarding Street Naming and Street Addressing dated July 11, 2000, and that no other numbered signs are visible at the property except those currently used in condominium projects within the town for cross referencing.

IX. PENALTIES AND ENFORCEMENT:

A violation of this ordinance shall be a civil matter enforced in accordance with the provisions of 24 VSA §§ 1974A and 1977 et seq. The Law Enforcement Authority and the Alarm Administrator shall be authorized to issue municipal complaints pursuant to this Ordinance:

See Burglar Alarm Ordinance Schedule of Fees and Fines for penalty guidelines.

X. SUSPENSION OF RESPONSE:

The Alarm Administrator may suspend alarm response if any of the following items are determined:

- (1) The Alarm User has three (3) or more False Alarm in a registration period.
- (2) There is a false statement of material fact in the Alarm Registration/Renewal Form.
- (3) The Alarm User has failed to make timely payment of a fine assessed under Section IX or fee assessed under Section V.
- (4) The Alarm User has failed to submit a written certification from an Alarm Company, that complies with the requirements of this Ordinance, stating that the Alarm System has been inspected and repaired (if necessary) by the Alarm Company.
- (5) The Alarm Company failed to Verify prior to notification to the Law Enforcement Authority of an Alarm Dispatch Request.

A Person commits an offense if he/she operates an Alarm System during the period in which the Alarm Registration is suspended and is subject to enforcement and penalties set in Section IX. An Alarm Company commits an offense if it continues to request Law Enforcement dispatch to an Alarm Site after notification by the Alarm Administrator that the registration has been suspended or revoked and is subject to enforcement and penalties set in Section IX:

Unless there is indication that there is a crime in progress, the Law Enforcement Authority may refuse law enforcement response to an Alarm Dispatch Request at an Alarm Site for which the Alarm Registration is suspended.

If the alarm registration is reinstated pursuant to Section XII, the Alarm Administrator may suspend alarm response if it is determined that two (2) False Alarms occur within sixty (60) days after the reinstatement date.

The Alarm Administrator will notify the Alarm User in writing after the fourth False Alarm that alarm response has been suspended. This notice of suspension will also include a description of the appeals procedure available to the Alarm User.

XI. APPEAL OF A SUSPENSION:

An Alarm User may appeal the assessment of a fine, suspension, or request reinstatement to the Alarm Administrator. An appeal fee as established by the Selectboard of the Town of Dover will accompany the appeal by the Alarm User. The filing of an appeal with the Alarm Administrator will stay the assessment of the fine or suspension until the Alarm Administrator makes a final decision.

If the Alarm Administrator denies the issuance or renewal of an Alarm Registration, or suspends response, the Alarm Administrator shall send written notice of the action and a statement of the right to an appeal to the Alarm User.

The applicant or Alarm User may appeal the decision of the Alarm Administrator to the Selectboard by filing a written request for a review setting forth the reasons for the appeal, within twenty (20) days after receipt of the notice from the Alarm Administrator.

The Selectboard shall conduct a formal hearing and consider the evidence by any interested Person(s). The Board must render a decision within thirty (30) days after the request for an appeal hearing is filed.

Filing of a request for appeal shall stay the action by the Alarm Administrator suspending any assessment of fines or suspension until the Selectboard has completed the review. If a request for appeal is not made within the twenty (20) days period, the action of the Alarm Administrator shall be final.

XII. REINSTATEMENT:

An Alarm User whose alarm response has been suspended may have alarm response reinstatement by the Alarm Administrator or the Selectboard if the Alarm User has abided by one or more of the following:

- (1) Submits an updated Alarm Registration and Alarm Registration Fee;
- (2) Pays, or otherwise resolves, all citations and fines;
- (3) Submits a certification from an Alarm Company, that complies with the requirements of this article, stating that the Alarm system has been inspected and repaired (if necessary) by the Alarm Company.
- (4) Submits proof that an employee of the Alarm Company caused the False Alarm.

XIII. CONFIDENTIALITY:

Information contained in registration application and applications for appeals related to passwords, access codes, user identifications, security procedures and similar information the disclosure of which would threaten the safety of persons shall be designated confidential information and shall be exempt from public inspection and copying in according with 1 VSA § 317(c)(1), (25). All other portions of registration applications and applications for appeals shall be available to the extent permitted by the Public Records Act (1VSA § 315 et seq.).

XIV. LIABILITY:

The Town's regulation of Alarm Systems shall not constitute acceptance by the Town of Dover for any liability to maintain any equipment, to answer alarms, or to take any action in connection therewith. Registration of an Alarm System is not intended to, nor will it, create a contract, duty or obligation, either express or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By registering an Alarm System, the Alarm User acknowledges that police response may be based on factors such as, but not limited to: availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, and staffing levels.

XV. SEVERABILITY:

If any section, subsection, phrase, or any part thereof is for any reason held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portion of this ordinance or any part thereof.

XVI. PUBLICATION AND POSTING:

This ordinance shall be entered in the Selectboard minutes, filed with the Town Clerk, and posted in at least five (5) conspicuous places within the Town. A copy of this Ordinance shall be published in the Deerfield Valley News, not later than fourteen (14) days following the date specified below when this Ordinance is adopted.

XVII. INFORMATION:

The Chief of Police, whose telephone number is 802-464-2020, and whose address is 246 Route 100, PO Box 124, West Dover, VT 05356, is a person knowledgeable about this Ordinance and is available to answer questions and provide persons with a full text thereof.

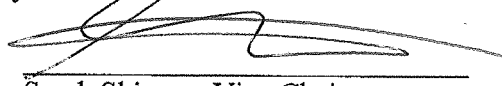
XVIII. RIGHT TO PETITION:

Citizens of the Town of Dover are further hereby notified that within forty-four (44) days from the date of adoption, they may petition for a vote on the above Ordinance at an annual or special town meeting as provided in 24 VSA § 1973.


XIX. ADOPTION AND EFFECTIVE DATE:

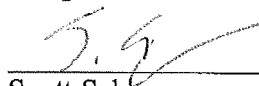
This Ordinance is hereby adopted by the Selectboard of the Town of Dover on this 20 day of February, 2024 and shall, unless a petition is filed as provided by law, become effective upon sixty (60) days from this date.


Victoria Capitani, Chairman


Sarah Shippee, Vice Chairman

Joseph Mahon


Daniel Balfotti


Scott Salway

Town of Dover
Burglar Alarm Ordinance
Schedule of Fees and Fines

Fees shall be as follows:

Alarm Registration Fee:

- \$25.00 at time of New Alarm Registration
- \$25.00 at time of annual Renewal of Alarm Registration

Fines for violations of the Ordinance shall be as follows:

No penalty shall be imposed against the Alarm User for the first false alarm within the current registration period being July 1st through June 30th of the following year, except for false alarms from Unregistered Alarm Systems.

The penalty for the second offense for Registered Alarms, including audible on-site alarms, within the current registration period shall be \$75.00 and the penalty for the third and subsequent offenses within the current registration period shall be \$100.00 for each offense. The waiver fee shall be established at \$50.00 for the second offense and \$75.00 for the third and subsequent offenses during the current registration period.

The penalty for the first offense for Unregistered Alarm Systems, including audible on-site alarms, within the current registration period shall be \$75.00 and the penalty for the second and subsequent offenses within the current registration period shall be \$100.00 for each offense. The waiver fee shall be established at \$50.00 for the first offense and \$75.00 for the second and subsequent offenses.

The penalty for the first offense for any audible on-site alarm that sounds for more than fifteen (15) minutes after activation within the current registration period shall be \$75.00 and the penalty for the second and subsequent offenses shall be \$100.00 for each offense. The waiver fee shall be established at \$50.00 for the first offense and \$75.00 for the second and subsequent offenses.

Date

Dear Dover Homeowner:

In accordance with the "revised" Town of Dover Burglar Alarm Ordinance of 2024, alarms in Dover must be registered with the Dover Police Department on an annual basis. This ordinance was enacted to encourage the responsible use of alarm systems and to reduce the frequency of false alarms. Please review the Ordinance on the Town of Dover website www.doververmont.com.

Enclosed is a "revised" Alarm Registration Form. Please complete this form accurately and entirely. Also, be sure to include your email address as all alarm renewal and registration notifications will be delivered electronically going forward. Without current and accurate information, we cannot provide you with an adequate level of service.

On this form, you will notice a question regarding your status in the Armed Forces. This is a question that the State of Vermont requires us to ask and is only used for court hearing scheduling purposes, in the event that we issue you a ticket for a violation of the ordinance and you request a hearing.

Please enclose your renewal/registration form along with a check or money order in the amount of \$25.00, made payable to the Dover Police Department (address listed above). The "revised" registration period will run July 1st through June 30th of the following year. If you have disconnected your alarm system or no longer own the property, please inform us of those changes as well.

You may contact me at the number shown above if you have questions about this ordinance or your prior registration,

Sincerely,

Susan M. Luchsinger

Office Manager
Dover Police Department

Dover Police Department
Alarm Registration/Renewal Application



246 Route 100, P.O. Box 124
West Dover, VT 05356
Emergency (802)464-2020
Business (802)464-8722, Fax (802)464-8915

Name of Business (If Applicable): _____

Name of Property Owner: _____ Date of Birth: _____

Owner's Mailing Address: _____
(Street, PO Box, City, State, Zip)

Telephone Numbers: Cell _____ Work _____ Alarm Location: _____

Owner's Email Address: _____

Are you (the property owner) currently on active duty in the United States Military? YES NO

CARETAKER OF PROPERTY/KEY HOLDER: (It is required to have at least two local caretakers/key holders or one 24-hour property management company in the event of an alarm. The Dover Police Department may need to notify a caretaker/key holder to have the alarm reset and/or gain access to the property.)

1. Name: _____ Telephone #: _____
Address: _____

2. Name: _____ Telephone #: _____
Address: _____

DESCRIPTION OF PROPERTY & LOCATION (Please be specific):

911 Locatable Address (The alarm registration application will not be accepted unless the correct 911 locatable address is posted at the property and visible from the street. Condominium cross references accepted.)

Unit or Lot Number: _____ Development or Street: _____

Directions: _____

Description of Building (color, style, number of stories, etc.): _____

ALARM INFORMATION:

Installer/Monitoring Company: _____ Telephone #: _____

TYPE OF ALARMS (Please circle all that apply):

Burglary Holdup/Panic Other: _____

TYPE OF PROPERTY (Please circle one):

Year-Round Residence

Seasonal Residence

Condominium

Retail

Office

Other: _____

I hereby certify that I am the property owner/business owner or authorized agent for the aforementioned property.

I request that in the event the alarm is activated, that an officer of the Dover Police Department be dispatched to investigate the cause of the alarm.

I acknowledge that the Town of Dover bears no responsibility for the performance of the alarm equipment.

I have read the Town of Dover Emergency Alarm Ordinance and understand that I am responsible to comply with the provisions of the ordinance.

Signed: _____

Date: _____

An application fee of \$25.00 is required. Please make check payable to the Dover Police Department and mail it with the application to:

**Dover Police Department
P O Box 124
West Dover, VT 05356**

If you have any questions, you can contact the Dover Police Department at (802) 464-8722.

FOR OFFICE USE ONLY

Alarm # _____

Date Processed: _____

Cash: _____ Check #: _____

Address Verified By: _____