COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2010, Legislative Day No. 17

Bill No. 107-10

Mr. John Olszewski, Sr., Chairman
By Request of County Executive

By the County Council, October 18, 2010

A BILL
ENTITLED

AN ACT concerning

False alarms - Amendments

FOR the purpose of reducing the number of days under which a false alarm is not considered a false alarm; altering the authority of the Administrative Officer to adopt regulations; eliminating certain obsolete dates; altering certain registration requirements to be permit requirements; providing for the terms of certain permits; altering certain language regarding enforcement; authorizing the Administrative Officer to establish certain fees; clarifying the requirements for certain alarm system users; repealing the terms for certain registration; repealing the alarm reduction school; altering certain requirements for landlords; defining a certain term; providing for the application of this Act; and generally relating to false alarms.

By repealing and reenacting, with amendments

Sections 13-11-201(i) and (j) and 13-11-202 through 13-11-210
Subtitle 2. False Alarms
Title 11. Alarms
Article 13. Public Health, Safety and the Environment
Baltimore County Code, 2003

By renumbering

Section 13-11-201(k), (l), and (m)
Subtitle 2. False Alarms
Title 11. Alarms
Article 13. Public Health, Safety and the Environment
Baltimore County Code, 2003

to be Section 13-11-201(j), (k), and (l)

By adding

Section 13-11-201(m)
Subtitle 2. False Alarms
Title 11. Alarms
Article 13. Public Health, Safety and the Environment
Baltimore County Code, 2003

1   SECTION 1. BE IN ENACTED BY THE COUNTY COUNCIL OF BALTIMORE

2 COUNTY, MARYLAND, that Sections 13-11-201(i) and (j) and 13-11-202 through 13-11-210,

3 of Subtitle 2. False Alarms, of Title 11. Alarms, of Article 13. Public Health, Safety and the

4 Environment, of the Baltimore County Code, 2003, as amended, are hereby repealed and

5 reenacted, with amendments, to read as follows:

6 § 13-11-201.

7   (i)   ["Department" means the Baltimore County Police Department.

8   (j)]   (1)   "False alarm" means any alarm signal:

9   (i)   That is electronically programmed to summon police personnel or

10 that results in a police response to the alarm system user's property; and

11   (ii)   For which there is no evidence found, after reasonable

12 investigation, of criminal activity, property damage, or medical emergency which would justify a

13 police response.

14   (2) "False alarm" does not include:

15   (i)   An alarm signal [which] THAT is canceled by the alarm system

16 monitor or the alarm system user prior to the time the responding police officer arrives at the

17 alarm location; or

18   (ii)   An alarm signal [which] THAT occurs within [30] 10 days [of]

19 AFTER the original alarm installation BY AN ALARM SYSTEM USER REGISTERED WITH

20 THE ADMINISTRATIVE OFFICER.

1   § 13-11-202.

2   The Administrative Officer may adopt regulations, in accordance with this subtitle and

3   Article 3, Title 7 of the Code, [which] THAT:

4   (1)   Establish the form and content of the registrations AND PERMITS required by

5   this subtitle;

6   (2)   Establish procedures AND STANDARDS for the operation of alarm system

7   contractors and alarm system monitors;

8   (3)   Establish the criteria for revocation of any registration OR PERMIT required by

9   this subtitle;

10   (4)   Establish the criteria for reinstatement of A registration OR PERMIT

11   REQUIRED BY THIS SUBTITLE after revocation;

12   (5)   Establish the procedures that regulate the request for police response to an alarm

13   location; AND

14   (6)   [Establish an alarm reduction school; and

15   (7)]   Further the Administrative Officer's ability to carry out and enforce the provisions

16   of this subtitle.

17   § 13-11-203.

18   (a)   [On or before April 1, 1998, an] AN alarm system contractor shall [register with

19   the Administrative Officer] POSSESS A BALTIMORE COUNTY ALARM SYSTEM

20   CONTRACTOR'S PERMIT before the installation, maintenance, alteration, inspection,

21   administration, sale, or service of any alarm system in Baltimore County.

22   (b)   (1)   The [registration of an alarm system contractor expires 3 years]

23   BALTIMORE COUNTY ALARM SYSTEM CONTRACTOR'S PERMIT SHALL EXPIRE 3

24   YEARS after [the effective date of the registration] ISSUANCE.

25   (2)   Before the [registration] BALTIMORE COUNTY ALARM SYSTEM

26   CONTRACTOR'S PERMIT expires, the alarm system contractor may renew it for an additional

27   3 years if the contractor pays a renewal fee.

1   (c)   (1)   Except as provided in paragraph (3) of this subsection, there shall be a

2   [registration] PERMIT fee for each alarm system [contractor who registers] CONTRACTOR'S

3   PERMIT under this section.

4   (2)   The amount of the fee prescribed by this section shall be determined by

5   the Administrative Officer, in accordance with § 3-1-202 of the Code.

6   (3)   The [registration] PERMIT fee shall be waived if the alarm system

7   contractor provides written documentation that the contractor holds a license to engage in

8   electrical work under Article 21, Title 7 of the Code.

9   (d)   (1)   Any person acting as an alarm system contractor without [registering

10   under the provisions of this section] A BALTIMORE COUNTY ALARM SYSTEM

11   CONTRACTOR'S PERMIT [shall] MAY be [guilty of] CHARGED WITH a civil violation

12   punishable by a fine not to exceed $1,000 BY THE ADMINISTRATIVE OFFICER.

13   (2)   Each event [which] THAT violates the provisions of this section shall be

14   deemed a separate [offense] VIOLATION.

15   (E) THE ADMINISTRATIVE OFFICER MAY REVOKE THE BALTIMORE

16   COUNTY ALARM SYSTEM CONTRACTOR'S PERMIT OF ANY ALARM SYSTEM

17   CONTRACTOR WHO VIOLATES ANY PROVISION OF THIS SUBTITLE OR ANY

18   REGULATION ADOPTED UNDER THE AUTHORITY OF THIS SUBTITLE.

19   (F) AN ALARM SYSTEM CONTRACTOR SHALL NOTIFY THE UNIT, IN A

20   MANNER REQUIRED BY THE UNIT, OF ANY CHANGES TO THE CONTENTS OF THE

21   BALTIMORE COUNTY ALARM SYSTEM CONTRACTOR'S PERMIT WITHIN 10 DAYS

22   AFTER THE CHANGE.

23   § 13-11-204.

24   (a)   [On or before April 1, 1998, an] AN alarm system monitor shall [register with the

25   Administrative Officer] POSSESS A BALTIMORE COUNTY ALARM SYSTEM

26   MONITOR'S PERMIT before monitoring any alarm system IN BALTIMORE COUNTY.

27   (b)   (1)   There shall be a [registration] PERMIT fee for each [alarm system

28   monitor who registers] BALTIMORE COUNTY ALARM SYSTEM MONITOR'S PERMIT

29   under this section.

4

1   (2)   The amount of the fee prescribed by this section shall be determined by

2   the Administrative Officer, in accordance with § 3-1-202 of the Code.

3   (c)   (1)   The [registration of an alarm system monitor expires 3 years]

4   BALTIMORE COUNTY ALARM SYSTEM MONITOR'S PERMIT SHALL EXPIRE 3

5   YEARS after [the effective date of the registration] ISSUANCE.

6   (2)   Before the [registration] BALTIMORE COUNTY ALARM SYSTEM

7   MONITOR'S PERMIT expires, the alarm system monitor may renew it for an additional 3 years

8   if the monitor pays a renewal fee.

9   (d)   [Failure to comply with the procedures is sufficient grounds for revocation of

10   registration.

11   (e)]   (1)   Any person acting as an alarm system monitor without [registering under

12   the provisions of this section] A BALTIMORE COUNTY ALARM SYSTEM MONITOR'S

13   PERMIT [shall] MAY be [guilty of] CHARGED WITH a civil violation punishable by a fine not

14   to exceed $1,000 BY THE ADMINISTRATIVE OFFICER.

15   (2) (I) Every contact by an [unregistered] alarm system monitor WHO DOES

16   NOT POSSESS A BALTIMORE COUNTY ALARM SYSTEM MONITOR'S PERMIT, on

17   behalf of an alarm system user, designed to summon police personnel shall be deemed a separate

18   [offense] VIOLATION.

19   (II) EACH EVENT THAT VIOLATES THE PROVISIONS OF THIS

20   SECTION SHALL BE DEEMED A SEPARATE VIOLATION.

21   (E) THE ADMINISTRATIVE OFFICER MAY REVOKE THE BALTIMORE

22   COUNTY ALARM SYSTEM MONITOR'S PERMIT OF ANY ALARM SYSTEM MONITOR

23   WHO VIOLATES ANY PROVISION OF THIS SUBTITLE OR ANY REGULATION

24   ADOPTED UNDER THE AUTHORITY OF THIS SUBTITLE.

25   (F) AN ALARM SYSTEM MONITOR SHALL NOTIFY THE UNIT, IN A MANNER

26   REQUIRED BY THE UNIT, OF ANY CHANGES TO THE CONTENTS OF THE

27   BALTIMORE COUNTY ALARM SYSTEM MONITOR'S PERMIT WITHIN 10 DAYS

28   AFTER THE CHANGE.

1   § 13-11-205.

2   (a)   [Except as provided in subsection (b) of this section, on or before May 1, 1998, a

3   commercial alarm system user shall register with the Administrative Officer before the user's

4   alarm system causes contact with police personnel or results in a police response at the alarm

5   system user's property.

6   (b)(1)   On or before May 1, 1998, an alarm system contractor and an] AN alarm system

7   monitor [shall be responsible to register] IS RESPONSIBLE FOR REGISTERING with the

8   Administrative Officer each commercial alarm system user with whom the [contractor or]

9   ALARM SYSTEM monitor contracts BEFORE THE COMMERCIAL ALARM SYSTEM

10   USER'S ALARM SYSTEM CAUSES CONTACT WITH POLICE PERSONNEL OR

11   RESULTS IN A POLICE RESPONSE AT THE ALARM SYSTEM USER'S PROPERTY.

12   [(2)   An alarm system contractor and an alarm system monitor is not

13   responsible for the registration renewal of a commercial alarm system user.]

14   (B) AN ALARM SYSTEM MONITOR SHALL NOTIFY THE ~~UNIT~~ UNIT, IN A

15   MANNER REQUIRED BY THE UNIT, OF CHANGES IN EACH COMMERCIAL ALARM

16   SYSTEM USER'S REGISTRATION WITHIN 10 DAYS AFTER THE CHANGE.

17   (c)   [(1)   The registration of a commercial alarm system user expires 3 years after

18   the effective date of the registration.

19   (2)   Before the registration expires, the commercial alarm system user may

20   renew it for an additional 3 years.

21   (d)]   (1)   An alarm system [contractor or an alarm system] monitor that fails to

22   register a commercial alarm system user whose alarm system summons police OR WHO FAILS

23   TO NOTIFY THE ~~UNIT~~ UNIT, IN A MANNER REQUIRED BY THE UNIT, OF CHANGES

24   IN THE REGISTRATION OF AN ALARM SYSTEM USER [shall] MAY be [guilty of]

25   CHARGED WITH a civil violation punishable by a fine not to exceed $1,000 BY THE

26   ADMINISTRATIVE OFFICER.

27   (2)   Each event [which] THAT violates the provisions of this section shall be

28   deemed a separate [offense] VIOLATION.

1   §13-11-206.

2   (a)   (1)   [On or after May 1, 1998, an alarm system contractor and] EXCEPT AS

3   PROVIDED IN SUBSECTION (B) OF THIS SECTION, an alarm system monitor shall be

4   responsible [to register] FOR REGISTERING with the Administrative Officer each residential

5   alarm system user with whom the [contractor or] ALARM SYSTEM monitor contracts before

6   the residential ALARM SYSTEM user's alarm system causes contact with police personnel or

7   results in a police response at the alarm system user's property.

8   (2)   An alarm system monitor shall [be responsible to register with the

9   Administrative Officer] NOTIFY THE ~~UNIT~~ UNIT, IN A MANNER REQUIRED BY THE

10   UNIT, OF CHANGES IN each residential alarm system [user with whom the monitor contracts

11   if the residential alarm system user is changing alarm system monitors] USER'S

12   REGISTRATION WITHIN 10 DAYS AFTER THE CHANGE..

13   (b)   [Except as provided in subsection (c) of this section, on or before May 1, 1999, a

14   residential alarm system user shall register with the Administrative Officer before the residential

15   user's alarm system causes contact with police personnel or results in a police response at the

16   alarm system user's property.

17   (c)](1) This subsection applies to alarm system users where an alarm system is located on

18   the residential property of the landlord.

19   (2)   This subsection does not apply to alarm systems installed by the tenant.

20   (3)   (i)   [On or before December 1, 2001, a] A landlord shall register the

21   alarm system user with the Administrative Officer before the residential ALARM SYSTEM

22   user's alarm system causes contact with police personnel or results in a police response at the

23   alarm system user's property.

24   (ii)   The landlord shall notify the [Department] UNIT, in [writing] A

25   MANNER REQUIRED BY THE UNIT, within [30] 10 days after an alarm system user vacates

26   the landlord's premises.

27   (iii)   A landlord shall be responsible for any false alarm fees incurred by

28   an alarm system user if the landlord fails to:

29   1.   Register the new alarm system user; or

7

1   2.   Notify the [Department] UNIT in accordance with this

2 paragraph that the alarm system user has vacated the landlord's premises.

3   [(d)   (1)   The registration of a residential alarm system user expires 3 years after the

4 effective date of the registration.

5   (2)   Before the registration expires, the residential alarm system user may

6 renew it for an additional 3 years.

7   (3)   An alarm system contractor and an alarm system monitor is not

8 responsible for the registration renewal of a residential alarm system user.

9   (e)]   (C) (1)   An [alarm system contractor or an] alarm system monitor that fails

10 to register a residential alarm system user whose alarm system summons police OR WHO

11 FAILS TO NOTIFY THE UNIT OF CHANGES IN THE REGISTRATION OF AN ALARM

12 SYSTEM USER [shall] MAY be [guilty of] CHARGED WITH a civil violation punishable by a

13 fine not to exceed $1,000 BY THE ADMINISTRATIVE OFFICER.

14   (2)   Each [event] THAT which violates the provisions of this section shall be

15 deemed a separate [offense] VIOLATION.

16 § 13-11-207.

17   (a)   [Any registered alarm monitor who detects an alarm system activation from an

18 unregistered alarm system user or location shall:

19   (1)   Report the activity on to the Police Department in the normal manner; and

20   (2)   Report that activation to the Administrative Officer] A COMMERCIAL

21 OR RESIDENTIAL ALARM SYSTEM USER THAT DOES NOT RETAIN THE SERVICES

22 OF AN ALARM SYSTEM MONITOR SHALL:

23   (1) REGISTER WITH THE ADMINISTRATIVE OFFICER BEFORE THE

24 COMMERCIAL OR RESIDENTIAL ALARM SYSTEM USER'S ALARM SYSTEM CAUSES

25 CONTACT WITH POLICE PERSONNEL OR RESULTS IN A POLICE RESPONSE AT THE

26 ALARM SYSTEM USER'S PROPERTY; AND

1   (2) NOTIFY THE UNIT OF ANY CHANGES TO THE CONTENTS OF THE

2   REGISTRATION WITHIN 10 DAYS AFTER THE CHANGE.

3   (b)   (1) IN THIS SECTION, AN UNREGISTERED ALARM SYSTEM USER IS AN

4   ALARM SYSTEM USER:

5   (I) WHOSE REGISTRATION IS REVOKED; OR

6   (II) THAT IS NOT REGISTERED AS REQUIRED UNDER

7   SUBSECTION (A) OF THIS SECTION.

8   (2) It shall be unlawful for the alarm system of any unregistered alarm system

9   user to cause contact with or summon the [police services of the county] POLICE PERSONNEL.

10   (c)   (1)   Any unregistered alarm system user who violates this section [shall] MAY

11   be [guilty of] CHARGED WITH a civil violation punishable by a fine not to exceed [$500.00]

12    $500 BY THE ADMINISTRATIVE OFFICER.

13   (2)   Each event that causes contact with or summons the police services of the

14   county shall be deemed a separate [offense] VIOLATION.

15   § 13-8-208.

16   (a)   [It is unlawful for any] AN alarm system user [to] MAY NOT allow a false alarm

17   to occur from an alarm system [registered in alarm system user's name].

18   (b)   Except as provided in subsection (c) of this section, after two false alarms in any

19   calendar year, an alarm system user shall be subject to a fee [based on the following schedule]

20   DETERMINED BY THE ADMINISTRATIVE OFFICER IN ACCORDANCE WITH § 3-1-202

21   OF THE CODE for false alarms occurring during any calendar [year:

22   False Alarm Occurrence   Fee

23   1st $ 0.00

24   2nd . . .   0.00

25   3rd . . .   50.00

26   4th . . .   50.00

1	5th . . .	75.00
2	6th . . .	100.00
3	7th . . .	125.00
4	8th . . .	150.00
5	9th . . .	200.00
6	10th . . .	250.00
7	11th . . .	300.00
8	12th . . .	350.00
9	13th . . .	400.00
10	14th and above . . .	500.00] YEAR.

11   (c)   (1)   The Administrative Officer shall waive one false alarm fee in a calendar

12   YEAR if the alarm system user:

13   (i)   [Completes an alarm reduction school sponsored by the

14   Administrative Officer; or

15   (ii)   1.]   Has the alarm system inspected by a registered alarm

16   system contractor or an alarm system monitor; and

17   [2.] (II)   The ALARM SYSTEM contractor or the ALARM

18   SYSTEM monitor certifies that the alarm system has been inspected and is functioning properly.

19   (2)   The Administrative Officer shall count multiple false alarms occurring

20   within a calendar day as one false alarm.

21   (d)   Any unpaid fees shall be collected in a manner determined by the Office of

22   Budget and Finance, including placing a lien on the property in the same manner as taxes.

23   (e)   The COMMERCIAL OR RESIDENTIAL alarm system user shall be responsible

24   for any false alarm fees imposed under this section.

25   § 13-11-209.

26   (A)   (1) THE ADMINISTRATIVE OFFICER MAY REVOKE THE REGISTRATION

27   OF A COMMERCIAL OR RESIDENTIAL ALARM SYSTEM USER WHO FAILS TO PAY

28   TWO OR MORE FALSE ALARM FEES AS REQUIRED IN § 13-11-208 OF THIS

1   SUBTITLE.

2   (2) THE ADMINISTRATIVE OFFICER MAY REINSTATE A

3   REGISTRATION AND REQUIRE THE PAYMENT OF FEES IN ACCORDANCE WITH

4   REGULATIONS ADOPTED UNDER THE AUTHORITY OF THIS SUBTITLE.

5   (B) If [an] A COMMERCIAL OR RESIDENTIAL alarm system user has 5 false alarms

6   in any 365 day period, the Administrative Officer may petition [the] A court OF COMPETENT

7   JURISDICTION for injunctive relief including requiring:

8   (1)   The COMMERCIAL OR RESIDENTIAL alarm system user to repair a faulty

9   alarm system; or

10   (2)   The COMMERCIAL OR RESIDENTIAL alarm system user or the alarm system

11   monitor to disconnect the alarm system.

12   § 13-11-210.

13   (a)   (1)   [An] A COMMERCIAL OR RESIDENTIAL alarm system user who has

14   received a false alarm warning or been assessed a fee for a false alarm may appeal a false alarm

15   fee, in writing, to the Administrative Officer within 90 days after receipt of the notice of the

16   warning or fee.

17   (2)   Upon good cause shown by the appealing party, the Administrative

18   Officer, may waive the fee.

19   (3)   The Administrative Officer may waive fees when [an] THE

20   COMMERCIAL OR RESIDENTIAL alarm system user:

21   (i)   Installs a new alarm system; or

22   (ii)   Makes repairs to an existing alarm system.

23   (b)   (1)   Any alarm system monitor or an alarm system contractor whose

24   [registration] PERMIT has been revoked under the provisions of this subtitle may appeal the

25   revocation to the Administrative Officer.

26   (2)   Upon good cause shown by the appealing party, the Administrative

27   Officer may rescind the revocation.

28   (c)   Any decision of the Administrative Officer to deny an appeal authorized under

29   this section shall be appealable to the County Board of Appeals.

1   (d)   (1)   There shall be a reinstatement fee payable by any alarm system monitor or

2 contractor who, in accordance with ANY PROVISION OF THIS SUBTITLE OR ANY

3 regulations ADOPTED UNDER THE AUTHORITY OF THIS SUBTITLE, has their

4 [registration] PERMIT reinstated.

5   (2)   The amount of the reinstatement fee prescribed by this section shall be

6 determined by the Administrative Officer in accordance with § 3-1-202 of this Code.

7   SECTION 2. AND BE IT FURTHER ENACTED, that Section 13-11-201(k), (l), and (m),

8 of Subtitle 2. False Alarms, of Title 11. Alarms, of Article 13. Public Health, Safety and the

9 Environment, of the Baltimore County Code, 2003, as amended, is hereby renumbered to be Section

10 13-11-201(j), (k), and (l).

11   SECTION 3. AND BE IT FURTHER ENACTED, that Section 13-11-201(m) is hereby

12 added to Subtitle 2. False Alarms, of Title 11. Alarms, of Article 13. Public Health, Safety and the

13 Environment, of the Baltimore County Code, 2003, as amended, are hereby repealed and reenacted,

14 with amendments, to read as follows:

15 § 13-11-201.

16   (M) "UNIT" MEANS THE BALTIMORE COUNTY ALARM REDUCTION UNIT.

17   SECTION 4. AND BE IT FURTHER ENACTED, that notwithstanding the issuance of any

18 registration before the effective date of this Act, and notwithstanding Section 5 of this Act, every

19 alarm system contractor and alarm system monitor subject to Article 13, Title 11, Subtitle 2 of the

20 Baltimore County Code, 2003 on the effective date of this Act shall obtain the permit required by

21 this Act within 90 days after the effective date of this Act.

22   SECTION 5. AND BE IT FURTHER ENACTED, that this Act shall take effect forty-five

23 days after its enactment.

13