

DELIVER TO	DEPARTMENT AND DIVISION	No.
	CITY CLEANS' OFFICE	
	NAME	DATE
	W. ANTONIA	1/28/2011
ROOM NUMBER, BUILDING, AND ADDRESS		
H 311		
RECORDS TITLE		DATE OF RECORD
CITY COUNCIL - RESOLUTION		9/24/1993
FILED	HANDLED BY	INITIALS
Alpha <input type="checkbox"/> Numerical <input checked="" type="checkbox"/>	Visit <input checked="" type="checkbox"/> Delivery <input type="checkbox"/>	
DETAIL IDENTIFICATION		BOX LOCATION
Chapter 1993-31 CITY COUNCIL FINAL PAPERS		
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	<i>W. Santoro</i>	
REFERENCE SERVICE REQUEST CHARGE-OUT DO NOT DETACH	CITY OF PROVIDENCE ARCHIVES CITY HALL, PROVIDENCE, R.I.	

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 1993-31

No. 626 **AN ORDINANCE** REGULATING SECURITY ALARM SYSTEMS
WITHIN THE CITY OF PROVIDENCE, RHODE ISLAND, AS
AMENDED.

Approved September 24, 1993

Be it ordained by the City of Providence:

SECTION 1. DECLARATION OF POLICY.

The Providence City Council has determined that the number of false or needless alarms being generated in the City of Providence are causing a drain on both the manpower and the resources of the Providence Police Department. In order to reduce this drain the Council has drafted and passed the following:

SECTION 2. DEFINITIONS. Unless the context clearly indicated otherwise, the words and phrases used in this chapter shall have the following meanings:

1. ALARM BUSINESS means the business of any individual, partnership, corporation or other entity engaged in the sale, lease, maintenance, service, repair, alter, replacement, moving or installation of any alarm system or in causing any alarm system to be sold, leased, maintained, serviced, repaired, altered, replaced, moved, or installed in or on any building, structure or facility.
2. ALARM SYSTEM means any assembly of equipment, whether mechanical, electrical or otherwise arranged or designed to signal the occurrence of any illegal entry or other non-consensual activity requiring urgent attention and to which the police department is expected to respond, but does not include alarms installed in conveyances or fire alarms.
3. ALARM USER means the person, firm, partnership, association, corporation, company or organization of any kind in control of any building, structure or facility or portion thereof wherein an alarm system is maintained.
4. AUTOMATIC TELEPHONE DIALING ALARM SYSTEM means the automatic dialing or any automatic telephone dialing alarm system and shall include any system which, upon being activated, automatically transmits by telephone or telephone line to the Providence Police Department, a recorded message or code signal indicating a need for emergency response; or a system which, upon activation, connects to an answering service whose function it is to transmit to the Providence Police Department a need for emergency response.
5. FALSE ALARM means an alarm signal eliciting a response by police where a situation requiring a response by the Police does not in fact exist; but this definition does not include an alarm signal caused by unusually violent conditions of nature not does it include other extraordinary circumstances not reasonably subject to control by the alarm user or his or her agents.

No.

CHAPTER

AN ORDINANCE

6. APPEAL OFFICER means the Chief of Police or an individual designated by the Chief of Police to act in the capacity as an impartial arbitrator to review appeals related to the enforcement of this Ordinance.

7. ALARM PERMIT means a permit issued by the City allowing the operation of an alarm system within the City.

8. ALARM PERMIT FUND means the fund within the budget of the police department which shall be the recipient of all fines and charges assessed under this ordinance. all monies collected by the Alarm Permit Fund shall be used for the implementation of the necessary functions related to the program.

SECTION 3. ALARM USER PERMITS REQUIRED; FEE; RENEWAL;

a). It shall be unlawful for any person to operate or utilize an alarm system without registering that alarm system with the Police Department.

b). If a business has one (1) or more alarm systems protecting two (2) or more separate structures having different addresses, a separate permit will be required for each structure protected.

SECTION 4. APPLICATION FOR ALARM PERMIT; EMERGENCY MODIFICATION AND REPORTING SERVICE INFORMATION.

(a) Applications. Applications for alarm permits shall be made on forms provided by the Police Department. The application shall state the name, address and telephone number of the applicant's property to be serviced by the alarm and the name, address and telephone number of the applicant's residence, if different. If the applicant's alarm is serviced by an alarm company, the applicant shall also include the name, address and telephone number of that company. Each permit is valid only for use by the individual or entity which is initially permitted.

(b) Emergency notification. Each application shall list an emergency telephone number of the user or his representative to permit prompt notification of alarm calls and facilities assisting the police in the inspection of the property. Changes in emergency telephone numbers shall be kept current and failure to provide updated information may constitute grounds for revocation of the permit.

(c) Reporting service information. Each holder of an alarm user permit shall immediately notify the police department in writing of any and all changes in the information on file with the City regarding such permit. Failure to do so shall constitute grounds for revocation of the permit.

SECTION 5. ISSUANCE OF PERMIT DECALS.

A decal with the alarm user's permit number, name and permit address will be issued with the alarm user permit. This decal must be prominently posted on or near the front entrance to the premises so that the information provided on the decal is visible from the outside of the structure. Failure to comply within 30 days of the decal being sent by the police department shall result in a warning for the first violation and a Twenty-Five Dollar (\$25.00) fine for each additional violation.

SECTION 6. ITEMS NECESSARY FOR ALARM SYSTEMS TO QUALIFY FOR AN ALARM USER PERMIT.

(a) All alarm systems shall have a backup power supply that will become effective in the event of a power failure or outage in the source of electricity from the utility company.

(b) All alarm systems which utilize an audible bell, horn, siren or other sound emitting device shall be equipped with an automatic shut-off device which will deactivate the alarm system within Fifteen (15) minutes after activation. All alarm users with audible bells, horns, sirens or other sound emitting devices shall install and maintain such automatic shut-off device within ninety (90) days of the effective date of this Ordinance.

(c) The police department shall send to each permitted alarm user a decal with the alarm users permit number. The decal will be sent to the alarm user within 30 days of application.

SECTION 7. REQUIREMENTS.

A. ALARM INFORMATION LISTS: There shall be maintained a list to be known as the "Alarm Information List" which will consist of the following information for each security alarm system signal:

- 1). The street address, apartment number if any, office, suite number or the exact location of the security alarm system.
- 2). The name of the person, firm, partnership, association, corporation, company or organization of any kind protected by the alarm security system.
- 3). The entire name, street address, city/town and state of the subscriber as well as the area code and the telephone number.
- 4). The entire names, street addresses, cities/towns and states as well as the area codes and the telephone number of at least two (2) separate individuals or alarm monitoring company within a 30 mile radius (aside from the subscriber as indicated in #3 of this section) who can be reached twenty-four (24) hours a day and who are authorized to respond to an alarm signal, and who have access into the premises or location in which the alarm is located.

Within ninety (90) days of enactment of this Ordinance, every individual, partnership, corporation or other entity doing business in the City of Providence as an alarm business, or providing subscribers with central station alarm service, shall provide the Chief of Police with an alarm company name, telephone number and license.

Further, said companies shall notify the Commissioner of Public Safety by certified mail, or any change in status or additions or deletions to the alarm information list within five (5) working days.

Not later than January 1st of each year, said companies, doing business in the City of Providence, shall file a notice with the Chief of Police updating the accuracy of the alarm information list.

B. TESTING OF EQUIPMENT: Every security alarm user, except alarm monitoring companies, shall notify the Chief of Police, in writing, at least two (2) days but not more than fifteen (15) days in advance of testing of security alarm equipment. Failure to notify the Chief of Police in advance of testing, as established, shall constitute a false alarm and be subject to the assessment schedule contained herein in sub-section (d).

SECTION 8. RESPONSE TO ALARM: DETERMINATION AND VALIDITY.

(a) Whenever an alarm is activated in the City, thereby requiring an emergency response to the location by the police department, and the police department does respond, a police officer on the scene of the activated alarm system shall inspect the area protected by the System and shall determine whether the emergency response was in fact required as indicated by the alarm system or whether in some way the alarm system malfunctioned and thereby activated a false alarm.

(b) Should the police officer at the scene of the activated alarm system determines the alarm to be false, said officer shall make a report of the false alarm, a notification of which shall be mailed or delivered to the alarm user, at the address of the said alarm system installation location, advising the alarm user of the false alarm.

SECTION 9. FALSE ALARM ASSESSMENT SCHEDULE.

After the Chief of Police has recorded three (3) separate false alarms from a security alarm system from one user then the alarm user will be notified by the Chief of Police, via certified mail, of such facts and require the alarm user to submit within ten (10) working days, of receipt of such notice, a report describing the alarm users efforts to discover and eliminate the cause or causes of the false alarms. This notice shall contain the dates and time of each alleged false alarm. In the event that the Chief of Police determines that a report submitted in accordance with the preceding paragraph is unsatisfactory or that the alarm user has failed to show, by the report that reasonable steps have been taken to eliminate or reduce false alarms, then the Chief of Police will inform the alarm user that subsequent false alarms will cause the alarm user to be assessed monetary charges as follows:

- \$ 25.00 for the fifth false alarm in a calendar year.
- \$ 50.00 for the sixth false alarm in a calendar year.
- \$100.00 for each subsequent false alarm in a calendar year.

All charges assessed hereunder shall be made payable to the City of Providence for deposit into the general fund.

If the alarm user submits a report as required, the Chief of Police shall determine whether or not the action taken or to be taken within reasonable period of time constraints will substantially reduce the likelihood of false alarms. The Chief of Police shall then notify the alarm user, in writing, that no assessment will be made at that time, the alarm user will however, be subject to assessment procedures on the next false alarm signal transmitted.

The provisions of this section shall not apply to security alarm systems owned and/or operated by agencies of the City of Providence.

SECTION 10. APPEALS PROCEDURE.

Any alarm user who is aggrieved by a decision of the Chief of Police, may, within (5) working days of the issuance of the Chief's decision, appeal to the Municipal Court.

The only grounds for appealing a decision of the Chief of Police are:

1. Proof that a false alarm was caused by a violent condition of nature or actions of the telephone company.

- 2. Written verification from the alarm user and the alarm business that all necessary steps have been taken to upgrade, improve and insure the accuracy of the security alarm system.

PENALTIES: The following acts and omissions shall constitute violations of this Ordinance, punishable by fine of up to Fifty (\$50.00) Dollars.

- 1. Failure to obey an order of the Chief of Police to discontinue use of a security alarm system after exhaustion of the right to appeal.
- 2. Failure to pay two (2) or more consecutive fines assessed under the Ordinance within sixty (60) days from the date of assessment.

REGULATIONS: The Chief of Police shall promulgate such regulations as may be necessary for the implementation of this Ordinance.

SECTION 11. There is hereby established the False Alarm Monitoring Program Advisory Committee which shall be comprised of seven members. Three of whom shall be appointed by the Mayor, of which one shall be a nominee of the Alarm Association of Rhode Island, three of whom shall be appointed by the President of the City Council, one of whom shall be a nominee of the Alarm Association of Rhode Island, and one of whom shall be appointed by the Chief of Police. The initial members shall serve until 1 January, 1995. The appropriate appointing authorities shall name successor nominees on 1 January, 1995 or as soon thereafter as is practicable and every four years thereafter. Successor appointees shall serve 4-year terms.

The Committee shall review the operation of the program and prepare an annual report to the City Council, the Mayor and the Chief of Police.

SECTION 12. SEVERABILITY OF PROVISIONS.

If any part of this ordinance shall be declared invalid, the invalidity shall in no way affect the validity of any other portion of this ordinance.

SECTION 13. This Ordinance shall take effect upon its passage.

IN CITY COUNCIL

2

FIRST READING
READ AND PASSED

Michael R. Clement
CLERK

IN CITY
COUNCIL

SEP 16 1993
FINAL READING
READ AND PASSED

James DeRosimilli
PRESIDENT
Michael R. Clement
CLERK

APPROVED
SEP 24 1993
Vincenzo DeLeonis
MAYOR

Charles R. Mansolillo
City Solicitor



Vincent A. Cianci, Jr.
Mayor

Department of Law
"Building Pride In Providence"

MEMORANDUM

TO: COUNCIL MEMBER INTRODUCING PROPOSED AMENDMENTS
FROM: JOHN T. D'AMICO, JR., SENIOR ASSISTANT CITY SOLICITOR

A handwritten signature in black ink, appearing to read "John T. D'Amico, Jr.", written over the "FROM" line of the memorandum.

DATE: SEPTEMBER 13, 1993

RE: SECURITY ALARM ORDINANCE

Enclosed please note certain proposed amendments to the Security Alarm Ordinance. The first amendment is addressed to page 4, Section 9, Paragraph 2, wherein the words "alarm permit fund of the police department" appear. These words shall be reworked and inserted in their stead shall be the words "general fund". The amendment should clarify any concern over the appropriate deposit of monies received under this Ordinance.

The second amendment is addressed to page 5, Section 11, Paragraph 1, wherein the appointment of the False Alarm Monitoring Program Advisory Committee is created. The amendment addresses some concerns as to the validity of having a nongovernmental body appoint members to the Advisory Committee. The language in this section has been reworked so as to increase appointments by the Mayor and the President of the City Council by one each and to delete from the Alarm Association of Rhode Island any appointive power. It also, however, now requires that one of the appointments by the Mayor and one of the appointments by the City Council President shall be a person nominated by the Alarm Association of Rhode Island!

Three of whom shall be appointed by the Mayor, of which one shall be a nominee of the Alarm Association of Rhode Island, three of whom shall be appointed by the President of the City Council, one of ~~which~~^{whom} shall be a nominee of the Alarm Association of Rhode Island, and one of whom shall be appointed by the Chief of Police. The initial members shall serve until 1 January, 1995. The appropriate appointing authorities shall name successor nominees on 1 January, 1995 or as soon thereafter as is practicable and every four years thereafter. Successor appointees shall serve 4-year terms.

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER

No.

AN ORDINANCE REGULATING SECURITY ALARM SYSTEMS WITHIN THE CITY OF PROVIDENCE, RHODE ISLAND.

*Barbara - 65
Please note -
charges on page
A-5. I have
enclosed
substitute
language.
John.*

Approved

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Further, said companies shall notify the Commissioner of Public Safety by certified mail, or any change in status or additions or deletions to the alarm information list within five (5) working days.

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