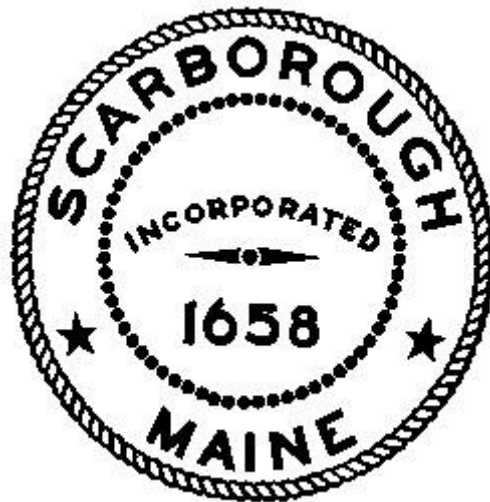


CHAPTER 607

TOWN OF SCARBOROUGH

ALARM SYSTEMS ORDINANCE



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TABLE OF CONTENTS

SECTION I. Purpose.	1
SECTION II. Definitions.	1
(a) “AHJ” (Adopted 03/04/2020).....	1
(b) “Alarm System”	1
(c) “Appropriate Departments”	1
(d) “Appropriate Chief”	1
(c) “Center”	2
(f) “Town-Wide, Wireless, Radio Mesh Alarm System” (Adopted 03/04/2020).....	2
SECTION III. Applicability (Adopted 03/04/2020).....	2
SECTION IV. Transmission by Mode and Display Data. (Adopted 03/04/2020).....	2
SECTION V. Permit Required.	2
SECTION VI. Municipal, Wireless, Radio Mesh, Alarm System (Adopted 03/04/2020).....	2
SECTION VII. Application Procedure.....	3
SECTION VIII. Prohibited Systems.....	4
SECTION IX. Alarm Response.....	4
SECTION X. False Alarms.	4
SECTION XI. Systems Inspections and Acceptance Testing (Adopted 03/04/2020).	4
SECTION XII. Permit Revocation.	5
SECTION XIII. Appeal.	5
SECTION XIV. Civil Violations.....	6
SECTION XV. No Enlargement of Liability.....	6

**CHAPTER 607
TOWN OF SCARBOROUGH
ALARM SYSTEMS ORDINANCE**

ARTICLE ALARM SYSTEMS ORDINANCE. [Adopted effective December 1, 1989, under 30-A, M.R.S.A., Chapter 141, Section 3001; Revised August 1, 1990].

Title. This ordinance shall be known and may be cited as the “Alarm Systems Ordinance of the Town of Scarborough, Maine.”

SECTION I. Purpose. [Amended 03/04/2020]

This ordinance recognizes the need for regulation of the installation and use of Alarm Systems in order to assure compatibility of equipment with the facilities of the Public Safety Communications Center, to avoid use of improper equipment, to assure adequate installation of equipment, to minimize false alarms and to compensate for the inappropriate use of municipal resources in response to false alarms, and to clarify the rights and responsibilities of the property owner and of the Town.

This revision also includes language formerly included in Chapter 607A, Fire Suppression & Detection Ordinance to consolidate both into one document.

SECTION II. Definitions. [Amended 03/04/2020]

As used herein, the following terms shall have the following meanings:

(a) “AHJ”

Means Authority Having Jurisdiction. In Scarborough the Authority having jurisdiction is the Fire Chief. The Fire Chief may designate these duties to the Fire Inspector. [Adopted 03/04/2020]

(b) “Alarm System”

Means any mechanism, equipment or device designed to automatically transmit a signal, message or warning indicating fire, burglary, health emergency or like need for public safety assistance, from any mode, telephone, dialer, private third party monitors, Municipal Fire Alarm, etc., directly or indirectly to the Scarborough Public Safety Communications Center.

Alarm systems supervise the detection, suppression, or alarm functions by generating data about the location and type of mechanism which has been activated including the mode of a particular alarm component such as, but not limited to, a smoke detector, heat detector, tamper switch, water flow sensor, or manual pull switch. [Adopted 03/04/2020]

(c) “Appropriate Departments”

Means the Fire Department for fire or rescue alarms and the Police Department for alarms of unlawful entry, theft or other criminal activity.

(d) “Appropriate Chief”

Means the Chief of the Appropriate Department.

(e) “Center”

Means the Public Safety Communications Center of the Town of Scarborough.

(f) “Town-wide, wireless, radio mesh alarm system”

Means the municipal receiving system for fire and/or burglar alarms being reported to the Town of Scarborough Communications Center. [Adopted 03/04/2020]

SECTION III. Applicability. [Adopted 03/04/2020]

This Ordinance shall apply to any System which is:

- (a) Required to be installed by any law, code, or ordinance and is installed after the effective date of this Ordinance;
- (b) Installed voluntarily after the effective date of this Ordinance; or
- (c) Replaced, modified, enlarged or updated after the effective date of this Ordinance.

SECTION IV. Transmission by Mode and Display of Data. [Adopted 03/04/2020]

- (a) Any system subject to this Ordinance shall, for each alarm transmitted, identify in the transmission the Mode which has activated the alarm system.
- (b) Any fire alarm system subject to this ordinance shall provide on-site display, through an annunciator panel or similar device readily apparent to responding fire department personnel, of the Mode which has been activated and its location on the site.

SECTION V. Permit Required. [Amended 03/04/2020]

No person shall install, operate, maintain, alter, or replace an Alarm System within the Town of Scarborough without holding an effective permit from the Chief of the Appropriate Department. Upon receipt of a completed application, the Chief of the Appropriate Department will issue a permit to the owner.

- (a) Permit applications along with submittal information will be received and issued from the Town of Scarborough Code Enforcement Department.

SECTION VI. Municipal, Wireless, Radio Mesh, Alarm System.

[Adopted 03/04/2020]

The town of Scarborough is transitioning from a legacy, hard-wired, municipal fire alarm system to a modern, wireless, radio mesh, municipal fire alarm system as part of the transition to the new public safety building. This new modern digital system will be more reliable and less costly to maintain than the existing legacy system.

As part of this modernization, the Scarborough Public Safety Communications Center will offer direct alarm monitoring services for municipal and school facilities. That service is also offered voluntarily to individuals and businesses on an annual fee basis.

Due to their hazard classification the following occupancies are required to be monitored locally through the municipal fire alarm system:

- 1. Places of assembly that have an occupant load over 300 people
- 2. Educational facilities including post-secondary

3. Day-care centers, excluding day-care homes
4. Health Care Facilities
5. Nursing Homes
6. Large residential board and care facilities
7. Detention and correctional occupancies
8. Hotels, Motels, and dormitories
9. Apartments with more than 12 units
10. Mercantile (Class A)
11. High Hazard Industrial
12. High-rise buildings
13. Special structures as determined by the Fire Chief:
 - (a) Newly constructed buildings or applicable changes of use in those occupancies listed above shall be connected to the Town's wireless radio mesh alarm system prior to the issuance of a Certificate of Occupancy.
 - (b) Prior to December 31, 2019 all buildings required to be connected by master box alarm system shall convert their existing legacy mechanical or DET master box alarm systems to the Town of Scarborough municipal, wireless radio mesh alarm system.
 - (c) Each system shall be installed, maintained, inspected and tested in accordance with all applicable codes and regulations. Each alarm user shall, prior to occupancy, produce satisfactory evidence of compliance with this paragraph to the fire chief or his/her designee.
 - (d) Master box connection to the Scarborough Public Safety Communications Center.
 - i. New connections as required by section IV, (a) shall apply for a permit to connect said system to the Scarborough Public Safety Communications Center. No connections shall be made without prior payment of the new connections and annual monitoring fees prescribed in this section.
 - ii. All connections shall be made by the alarm user under the approval of the Fire Chief and at the alarm user's expense, except for the final connection to the dispatch center which shall be made by the Fire Chief or his/her designee.
 - iii. Connection and monitoring fees shall apply to each alarm system connected to the communications center. The current fees can be found in the Town's schedule of fees adopted annually through the budget process.

SECTION VII. Application Procedure. [Amended 03/04/2020]

Application for an Alarm System permit shall be made to the Code Enforcement Department by the owner of the premises to be protected or by the owner's authorized agent upon forms prepared by the Town, accompanied by a signed, dated receipt acknowledging that the owner or owner's authorized agent has received a copy of this ordinance and is aware of its terms.

The application form shall require the name, telephone number, and address of the owner of the premises to be protected, of her/his designated agent and of the proposed installer of the Alarm System. The application form shall also require a description of the principal use of the premises to be protected, a description of the proposed system and, in case of the Fire Department, the location of its installation [except that said location shall not be required for single family or two

family homes], and such other data as the Fire Chief may reasonably require in order to assure the use of appropriate equipment in responding to and combating a fire or other emergency. [Amended 11/01/17]

The Chief of the Appropriate Department shall issue a permit upon receipt of a fully completed application form.

SECTION VIII. Prohibited Systems.

The only systems approved for direct connection to the Scarborough Communications Center are from the wireless municipal fire and burglar alarm system. Each alarm shall be reported individually, and no system shall be permitted which uses a constant signal for one type of alarm and a pulsating signal for another. [Amended 03/04/2020]

SECTION IX. Alarm Response.

The property owner or her/his designated agent, as kept on file at the Communications Center, shall respond to each alarm at the request of the Appropriate Department for the purpose of securing the premises. [Amended 11/01/17]

SECTION X. False Alarms.

Any alarm system whose alarm system causes the transmittal of a non-emergency alarm more than three (3) times in any calendar year, after a 30-day start-up period for new installations, shall pay a fee as specified in the *Schedule of License, Permit and Application Fees* established by the Town Council, for each instance of a non-emergency alarm in excess of that number, upon demand by the Chief of the Appropriate Department. The Chief of the Appropriate Department shall give suitable written warning to any permit holder, or to her/his designated agent, whose alarm system sends a third non-emergency alarm in any calendar year. Non-emergency alarm means any alarm transmitted to the Center when there is no actual emergency or no other circumstances requiring response from the appropriate department; it shall include, but shall not be limited to, false alarms caused by malfunctioning equipment, accidental or negligent activation of the alarm, or improperly monitored equipment. In the event an alarm is activated as a result of a natural or unnatural event beyond the property owner's control (i.e. disruption of the electrical service due to storm, motor vehicle accident, and the like); no fee shall be imposed at the discretion of the Chief of the Appropriate Department. [Amended 11/01/17]

Not only does this apply to alarm systems which transmit directly to the Public Safety Communications Center but it shall include reports received by the Center from private alarm companies which monitor alarm systems installed within a private residence or business.

SECTION XI. System Inspections and Acceptance Testing. [Adopted 03/04/2020]

- (a) The appropriate Chief may inspect or cause to be inspected any fire or burglar alarm system or any building connected thereby at all reasonable times to ensure compliance with the provisions of this ordinance.
- (b) At the time of annual monitoring fee payment, the property owner shall provide to the appropriate Chief evidence from a certified alarm testing or servicing company that the fire alarms servicing any building for which such alarms are required are in proper working order.

(c) Acceptance Tests.

- i. The installer shall complete and submit to the Fire Department official a certification of completion that stated the system has been 100% tested and in compliance with the system specifications and manufacturers recommendations.
- ii. The Fire Department or Code Enforcement Officer shall be contacted to witness a complete system test within (14) days of this certification. This test is to be conducted by the installer and/or representative of the owner. No test will take place less than 72 hours' notice.
- iii. No system will be approved unless all requirements of these regulations have been met.
- iv. No acceptance test will be conducted prior to installation of the finished floor and the completion of all construction work.
- v. If the panel does not have a walk-test feature, the installer and /or representative shall have adequate personnel and communication equipment to initiate the device, silence the alarm, reset the panel and communicate back to the person initiating the alarms as to what zone was activated.
- vi. No alarm system will be signed-off, approved or connected to the municipal alarm system until the names, home address and phone numbers of at least two individuals representing the building owner or designee are received by the appropriate department.

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SECTION XII. Permit Revocation.

The Chief of the Appropriate Department may revoke the permit for any Alarm System in the event that:

- (a) Payment of any penalty fee is not made within sixty (60) days after the due date therefore,
- (b) Any deficiency therein reported to the owner is not corrected within 48 hours, or such longer time as the Chief of the Appropriate Department may permit,
- (c) Such Alarm System causes the transmittal of more than 3 non-emergency alarms in any 24-hour period or more than 6 non-emergency alarms in any 7-day period or otherwise persistently interferes with the orderly operation of the Center,
- (d) Any data provided in the application form for such system is found to have been falsified willfully or through gross negligence of the applicant.
- (e) Such revocation shall not be effective until the Chief of the Appropriate Department has given the permit holder or her/his designated agent actual notice of the reason therefor and reasonable opportunity to justify the same. [Amended 11/01/17]

SECTION XIII. Appeal.

In the event of the refusal to issue or the revocation of any permit hereunder, the permit holder may appeal to the Town Manager within twelve (12) business days after actual notice of such decision is given to the permit holder or her/his designated agent. The Town Manager may

affirm, modify or rescind such decision, and her/his action thereon shall be final and conclusive without right of further appeal. [amended 11/01/17]

SECTION XIV. Civil Violations. [Amended 03/04/2020]

In addition to the foregoing grounds for revocation of a permit hereunder, the following events shall each constitute a civil violation, punishable in proceedings before the District Court by a fine not exceeding \$300.00. Each day a violation is allowed to continue after notice to correct the violation shall constitute a separate violation:

- (a) The installation, operation, maintenance, alteration, or replacement of an Alarm System in the absence of an effective permit therefore signed by the Chief of the Appropriate Department;
- (b) The falsification of any data provided on an application form for an Alarm System, done willfully or through gross negligence;
- (c) The release of any information concerning any Alarm System to one not concerned with the maintenance or operation thereof or with the enforcement of this ordinance.

SECTION XV. No Enlargement of Liability.

Neither the issuance of a permit under this Ordinance nor the installation of an alarm system pursuant to such a permit shall create any obligation, duty, or liability on the part of the Town of Scarborough, its officers, agents or employees which obligation, duty or liability would not exist in the absence of such a permit or installation.