

Emergency Bill No. 30-02  
Concerning: Alarms - Revisions  
Revised: Nov. 22, 2002 Draft No. 2  
Introduced: September 17, 2002  
Enacted: November 26, 2002  
Executive: December 5, 2002  
Effective: December 5, 2002  
Sunset Date: None  
Ch. 33, Laws of Mont. Co. 2002

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the Request of the County Executive

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**AN EMERGENCY ACT** to:

- (1) repeal the statutory prohibition on imposing a false-alarm fee for the first two false alarms in a calendar year and require regulations to establish how many, if any, false-alarm responses may occur during a calendar year before the County imposes a response fee; ~~[[and]]~~
- (2) authorize regulations to require periodic renewal of alarm system registrations; and
- (3) generally amend County law regarding alarms and false-alarm response fees.

By amending

Montgomery County Code

Chapter 3A, Alarms

~~[[Section]]~~ Sections 3A-3, 3A-4, and 3A-9

|   |  |
|---|--|
| <b>Boldface</b>                         | <i>Heading or defined term.</i>                            |
| <u>Underlining</u>                      | <i>Added to existing law by original bill.</i>             |
| <del>[Single boldface brackets]</del>   | <i>Deleted from existing law by original bill.</i>         |
| <u>Double underlining</u>               | <i>Added by amendment.</i>                                 |
| <del>[[Double boldface brackets]]</del> | <i>Deleted from existing law or the bill by amendment.</i> |
| * * *                                   | <i>Existing law unaffected by bill.</i>                    |

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Section 1.** ~~[[Section]]~~ Sections 3A-3, 3A-4 ~~[[is ]], and 3A-9~~ **are amended**  
 2 **as follows:**

3 **3A-3.           Alarm user registration.**

4           Every **alarm user** must register the **user's alarm system** with the enforcing  
 5 agency before the **user** begins using the **system**~~[[,]]~~ and must renew the registration  
 6 periodically as provided by regulation. The **alarm user** must pay ~~[[an]]~~ alarm user  
 7 registration ~~[[fee]]~~ and renewal fees. The County Executive must establish  
 8 procedures in regulations adopted under method (2) for **alarm businesses** to issue  
 9 County alarm user registration forms, and return completed forms and registration  
 10 fees to the **enforcing agency**. The Executive must set ~~[[a]]~~ residential ~~[[alarm user~~  
 11 ~~registration fee]]~~ and ~~[[a]]~~ nonresidential alarm user registration ~~[[fee]]~~ and renewal  
 12 fees by regulation adopted under method (2).

13 **3A-4.           Alarm response fee; request for police response.**

- 14           (a) The **enforcing agency** must collect an alarm response fee from the  
 15 **alarm user** for [the third and each later] **false [alarm] alarms** from the  
 16 **user's alarm system** in a calendar year, unless the **enforcing agency**  
 17 excuses the **false alarm** for good cause. The Executive must establish  
 18 in regulations adopted under method (2):

19           (1) whether an **alarm system** may produce a certain number of **false**  
 20 **alarms** during a calendar year before alarm response fees apply;

21           and

22           (2) the conditions under which the **enforcing agency** will excuse a  
 23 **false alarm**, including an **alarm signal** caused by severe  
 24 weather.

25           A **false alarm** excused by the **enforcing agency** under paragraph (2)  
 26 does not count toward any fee or sanction under this Chapter for a later  
 27 **false alarm.**

28 (b) The Executive must set alarm response fees by regulation adopted under  
 29 method (2). The Executive may set lower alarm response fees for  
 30 **residential alarm users** than the corresponding fees for **nonresidential**  
 31 **alarm users**. The alarm response fee must increase for larger numbers  
 32 of **false alarms** from an **alarm user’s alarm system**. In addition to any  
 33 other fee required under this Chapter, the regulation may impose a  
 34 special fee for any police response to a **false alarm** from an  
 35 unregistered **alarm system**, including a **system** whose registration has  
 36 expired.

37 \* \* \*

38 **3A-9. Penalties.**

- 39 (a) An **alarm user** who violates Section 3A-3 or Section 3A-6(c) is subject  
 40 to punishment for a class B violation.
- 41 (b) The Police Department must not respond to an **alarm signal** from an  
 42 **alarm system** if the **alarm user** has [[not]]:
- 43 (1) never registered the **user’s alarm system** under Section 3A-3;
  - 44 (2) not paid an alarm response fee due under Section 3A-4 after  
 45 expiration of the time allowed for, or the conclusion of, any  
 46 appeal under Section 3A-5; or
  - 47 (3) not conformed the **user’s alarm system** to County installation  
 48 standards under Section 3A-6(d).

49 \* \* \*

50 **Sec. 2. Emergency Effective Date.**

51 The Council declares that an emergency exists and that this legislation is  
 52 necessary for the immediate protection of the public health and safety. This Act  
 53 takes effect on the date on which it becomes law.

54 *Approved:*

55 /S/ November 26, 2002

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Steven A. Silverman, President, County Council Date

56 *Approved:*

57 /S/ December 5, 2002

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Douglas M. Duncan, County Executive Date

58 *This is a correct copy of Council action.*

59 /S/ December 9, 2002

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Mary A. Edgar, CMC, Clerk of the Council Date