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

The County Council for Montgomery County, Maryland approves the following Act:
Section 1.  [[Section]] Sections 3A-3, 3A-4 [[is]], and 3A-9 are amended as follows:

3A-3.  Alarm user registration.

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

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

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

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

and

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

A false alarm excused by the enforcing agency under paragraph (2) does not count toward any fee or sanction under this Chapter for a later false alarm.
(b) The Executive must set alarm response fees by regulation adopted under method (2). The Executive may set lower alarm response fees for residential alarm users than the corresponding fees for nonresidential alarm users. The alarm response fee must increase for larger numbers of false alarms from an alarm user’s alarm system. In addition to any other fee required under this Chapter, the regulation may impose a special fee for any police response to a false alarm from an unregistered alarm system, including a system whose registration has expired.

* * *


(a) An alarm user who violates Section 3A-3 or Section 3A-6(c) is subject to punishment for a class B violation.

(b) The Police Department must not respond to an alarm signal from an alarm system if the alarm user has [[not]]:

(1) never registered the user’s alarm system under Section 3A-3;
(2) not paid an alarm response fee due under Section 3A-4 after expiration of the time allowed for, or the conclusion of, any appeal under Section 3A-5; or
(3) not conformed the user’s alarm system to County installation standards under Section 3A-6(d).

* * *

Sec. 2. Emergency Effective Date.

The Council declares that an emergency exists and that this legislation is necessary for the immediate protection of the public health and safety. This Act takes effect on the date on which it becomes law.
EMERGENCY BILL NO. 30-02

54 Approved:

55 /S/ November 26, 2002

Steven A. Silverman, President, County Council

56 Approved:

57 /S/ December 5, 2002

Douglas M. Duncan, County Executive

58 This is a correct copy of Council action.

59 /S/ December 9, 2002

Mary A. Edgar, CMC, Clerk of the Council