

TOWN OF WEST WINDSOR BURGLAR ALARM ORDINANCE

1. Purpose and Authority

The Selectboard of the Town of West Windsor finds that when appropriate Burglar Alarm Systems are properly installed and maintained, and their presence is made known to designated officials, they provide valuable assistance to law enforcement in the performance of their duties and deter criminal activity in the community. However, the frequent activation of Burglar Alarm Systems for other than their intended purpose significantly interferes with the efficient provision of law enforcement in the community and for this reason jeopardizes the public health, safety, and welfare.

The purpose of this Ordinance is to ensure that Burglar Alarm Systems installed in the Town of West Windsor are registered, maintained and used so that such systems will promote the public health, safety, and welfare. This Ordinance is adopted by the West Windsor Selectboard under authority conferred by 24 V.S.A. §2291(14). This Ordinance shall constitute a civil ordinance within the meaning of 24 V.S.A. Chapter 59.

2. Definitions

For the purposes of this Ordinance, the following words and phrases shall apply:

Burglar Alarm System Any assembly of equipment - mechanical, electrical, or battery operated - arranged to signal the occurrence of an emergency requiring immediate attention and to which law enforcement is expected to respond.

False Burglar Alarm A Burglar Alarm System activated in the absence of an emergency, whether willfully or by inadvertence, negligence, or an unintentional act, including the malfunction or unannounced testing of the Burglar Alarm System, to which law enforcement responds.

Judicial Bureau That department of the Vermont judiciary having jurisdiction to hear municipal ordinance violations and other civil offenses. Information about the Judicial Bureau is available at www.vermontjudiciary.org/judicial-bureau.

3. Registration of Burglar Alarm Systems

(A) No person shall install or use a Burglar Alarm System in any property in the Town of West Windsor unless the owner of such property has filed a properly completed Burglar Alarm System registration form with the Windsor Police Department.

(B) The registration of Burglar Alarm Systems under this Ordinance shall not constitute a representation or affirmative commitment by the Town of West Windsor or the Town of Windsor that it will respond to emergency situations on the premises of any property owner, nor does any such registration constitute a representation by the Town of Windsor or the Town of West Windsor that the Burglar Alarm Systems selected and installed by the property owner are suitable or appropriate for the intended purpose.

4. Responsibility to Prevent False Burglar Alarms

(A) An owner of property in which a Burglar Alarm System is installed shall be responsible for maintaining the system in proper operating condition. The Owner shall notify the Windsor Police Department before performing any system maintenance or test that could result in a False Burglar Alarm.

(B) Users of the property where a Burglar Alarm System is installed shall be responsible for taking those actions that are required to prevent the occurrence of False Burglar Alarms when they are present at the property. No person shall intentionally or negligently activate or trigger any Burglar Alarm System or allow the activation of said system except for its intended purpose.

(C) The Windsor Police Department may order a faulty Burglar Alarm System be disconnected until repaired. Written notice of this order shall be mailed seven (7) days before the discontinuance date.

5. Enforcement

(A) The following shall constitute violations of this Ordinance:

- (1) Failure to register a Burglar Alarm System as required by Section 3;
- (2) Failure to maintain a Burglar Alarm System in proper working order as required by Section 4;
- (3) Failure to take actions necessary to prevent the occurrence of False Burglar Alarms as required by Section 4;
- (4) Failure to disconnect a faulty Burglar Alarm System as required under Section 4.

(B) Any person who violates a provision of this Ordinance shall be subject to a civil penalty of up to \$500 per day for each day that such violation continues. Law Enforcement Officers of the Town of West Windsor shall be authorized to act as Issuing Municipal Officials to issue and pursue before the Judicial Bureau a municipal complaint. Each day the violation continues shall constitute a separate violation. An Issuing Municipal Official is authorized to recover civil penalties and waiver fees in the following amounts for each violation:

	<u>Civil Penalty</u>	<u>Waiver Fee</u>
First offense	No Charge	No Charge
Second offense	\$ 50.00	\$25.00
Third offense	\$ 100.00	\$ 50.00
Fourth offense	\$ 250.00	\$ 200.00
Fifth and subsequent offenses	\$500.00	\$ 400.00

(C) In addition to enforcement procedures available before the Judicial Bureau, the West Windsor Selectboard may commence a civil action to obtain injunctive and other appropriate relief, including, without limitation, permanent deactivation or removal of a Burglar Alarm System.

6. Other Laws

This Ordinance is in addition to all other ordinances of the Town of West Windsor and all applicable laws of the State of Vermont.

7. Severability

If any section of this Ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this Ordinance.

8. Effective Date

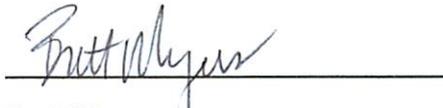
This Ordinance shall become effective sixty (60) days after adoption by the Town of West Windsor Selectboard. If a petition is filed under 24 V.S.A. §1973, that statute shall govern the taking effect of this Ordinance.

Adopted this 10th day of December, 2018.

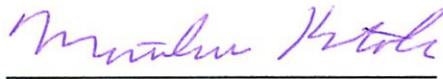
Town of West Windsor Selectboard



Edwin Johnson, Chair



Brett Myers



Matthew Kantola

Adoption History:

Agenda item at regular Selectboard meeting held on December 10, 2018.

Read and approved at regular Selectboard meeting on December 10, 2018 and entered in the minutes of that meeting which were approved on Dec. 27, 2018

Posted in public places on Dec. 12, 2018.

Notice of adoption published in the Vermont Standard newspaper on Dec. 26, 2018 with a notice of the right to petition.

Other actions [petitions, etc.]