

Town of Randolph, Vermont  
False Alarm Ordinance

**SECTION I – AUTHORITY** – This ordinance is adopted by the Selectboard of the Town of Randolph under authority granted in 24 V.S.A. § 1971 and 2291 (14), (15).

**SECTION II – PURPOSE**

The erroneous or mistaken use of burglar alarm systems as well as malfunctions and intentional misuse of these systems has resulted in increased service calls by the Randolph Police Department, thereby creating a potential hazard to the members of the department and the general public.

**SECTION III – DEFINITIONS**

301. Burglar Alarm System: Any assembly or equipment, mechanical or electrical, arranged to signal the occurrence of any illegal entry, robbery or other emergency requiring urgent attention, to which the Police Department is expected to respond.
302. False Alarm: Any activation of an alarm system by error or intention where no illegal entry, robbery or other emergency exists requiring urgent attention, to which the Police Department is expected to respond.
303. Error or Mistake: Any action by any person, firm or corporation or other entity owning, occupying, or operating any dwelling, building, or place or any corporation or other entity, which results in the activation of an alarm system where no emergency exists.
304. Malfunction: Any unintentional activation of any alarm system caused by a flaw in design, installation, or activation caused by violent conditions of nature or other extraordinary circumstances, not reasonably subject to the control of the alarm user.
305. Intentional: Any intentional activation of any alarm system when no burglary, robbery, or other emergency is in progress.

**SECTION IV – REGULATIONS**

401. No false alarm should be sounded in any dwelling, building, or place where no burglary, robbery or other emergency exists which results in the response of the Randolph Police Department.
402. Any person testing a burglar alarm must first notify the Randolph Police Department of such test and receive approval for the same, otherwise be subject to intentional false alarm penalties.

**SECTION V – ERRORS, MISTAKES, OR MALFUNCTIONS: PENALTIES AND ENFORCEMENT**

A violation of this ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. § 1974a and 1977 et seq. Any law enforcement officer of the Town of Randolph shall be authorized to issue municipal complaints pursuant to this Ordinance.

501. One (1) false alarm per calendar year, no charge. After the second (2) false alarm a written warning shall be sent to the person, firm, corporation or other entity owning, occupying or operating the dwelling, building, or place wherein said alarm system is installed.
502. The third (3) false alarm and every subsequent false alarm that calendar year will be charged at a rate of fifty (\$50) dollars per incident. Except there shall be a charge of one hundred dollars (\$100) when it involves an off duty officer to be called in to respond.

**SECTION VI – INTENTIONAL: PENALTIES**

- 601. Any person who tests an alarm system without notifying the Randolph Police Department and obtaining approval for the same shall be subject to a fine of one hundred dollars (\$100).
- 602. Any person who knowingly or intentional activates any alarm system where no emergency situation exists shall be fined one hundred dollars (\$100) and shall additionally be subject to prosecution as provided by law.

**SECTION VII – SEVERANCE CLAUSE**

If any section, sentence, or phrase of this policy shall for any reason be held invalid or unconstitutional by a decree or decision of any court of competent jurisdiction, such decree or decision shall not affect or impair the validity or any other section or remaining portion of this policy.

**SECTION VIII – PUBLICATION AND POSTING**

This ordinance shall be entered in the Selectboard minutes, filed with the Town Clerk, and posted in at least five (5) conspicuous places within the Town. A copy of this Ordinance shall be published in the *Herald of Randolph*, no later than fourteen (14) days following the date specified below when this Ordinance is adopted.

**SECTION IX – RIGHT TO PETITION**

Citizens of the Town of Randolph are hereby notified that within forty-four (44) days from the date of adoption they may petition for a vote on the above Ordinance at an annual or special town meeting as provided in 24 V.S.A. § 1973.

**SECTION X – ADOPTION AND EFFECTIVE DATE**

This ordinance is hereby adopted by the Selectboard of the Town of Randolph on the 5<sup>th</sup> day of August, 2008, and shall, unless a petition is filed by law, become effective sixty (60) days after this date.

Town of Randolph  
Selectboard

/s/Kenneth Goss

/s/James Hutchinson

/s/Lawrence Townsend

/s/Joseph Voci

/s/Stephen Webster