



## BALTIMORE HOUSING

STEPHANIE RAWLINGS-BLAKE  
Mayor

PAUL T. GRAZIANO  
Executive Director, HABC  
Commissioner, HCDC

April 2, 2014

Avery Aisenstark, Director  
Legislative Reference  
City Hall  
Room 626  
Baltimore, MD 21202

Re: DHCD Rule and Regulation #6:  
Burglar Alarms

Dear Avery:

Enclosed for filing with Legislative Reference is a copy of DHCD Rule and Regulation #6: Burglar Alarms. These rules are intended to replace any existing rules on burglar alarms.

DHCD has taken over management of the False Alarm Reduction program from BPD and their contractors.

Thank you.

Sincerely,

Jason Hessler  
Assistant Commissioner  
Permits & Code Enforcement, Legal Section

Enclosure





**Rule and Regulations Promulgated by the  
Department of Housing and Community Development  
RULE AND REGULATION #6: BURGLAR ALARMS**

**Authority**

These rules and regulations are issued pursuant to the authority granted the Commissioner of the Department of Housing and Community Development by Ordinance 12-0064, effective November 26, 2012.

**Section 1. Definitions**

All definitions relative to this regulation are to be found in Article 19 § 8-1 and 8-9(a) of the Baltimore City Code.

**Section 2. Alarm Contractor Registration Requirements**

2.1 Any person engaging in the business of alarm contractor in Baltimore City must apply to the Baltimore City Department of Housing and Community Development or designee to register to operate as an alarm business. Such application must be signed by either (1) the owner of the business for a sole proprietorship, (2) one partner for a partnership, or (3) a corporate officer for a corporation. The registration application must be completed on the electronic form provided by the Department of Housing and Community Development and include the following information:

(a) The name, address, fax number, telephone number, and email of the alarm business, the form of business entity (sole proprietorship, partnership, or corporation), the Employer ID number (EIN);

(b) The name, address, fax number telephone number, and email of the official responsible for the operation of the alarm business in Baltimore City.

2.2 Registration applications for alarm contractors must be accompanied by a registration fee of \$50.00. If the registration has been revoked or suspended, a reinstatement fee of \$50.00 must accompany a reinstatement application. In addition:

(a) An applicant may not conduct business in Baltimore City until the registration requirements are completed and the application has been approved by the Department of Housing and Community Development.

(b) In the case of a change to the information submitted as part of the registration application, the alarm business must submit written notice to the Department of Housing and Community Development or designee within ten days of the change.

(c) Registration shall be valid for a period of one year. Registrations must be renewed prior to the end of each one year period.

2.3 (a) An alarm contractor that sells or leases an alarm system or equipment to an alarm user in Baltimore City must post conspicuously at their place of business and on their website notice to alarm system purchasers of their obligation to register their alarm with the False Alarm

Reduction Unit of the Baltimore Department of Housing and Community Development or its designee.

(b) Prior to completion of the sale of the alarm system, the contractor must provide the purchaser printed notice of the user's obligation to register the alarm system with the False Alarm Reduction Unit of the Baltimore Department of Housing and Community Development or its designee.

(c) If the alarm business that sells or leases an alarm system is not under contract to monitor the system, the business must report the transaction to the Baltimore City Department of Housing and Community Development or designee within ten days of the sale or lease. The report must be completed on the electronic form provided by the Department of Housing and Community Development and contain: the purchasers name; address; telephone number; email address; and make/model of the system.

### **Section 3. Monitor Registration Requirements**

3.1 Any person engaging in the business of alarm monitoring in Baltimore City must register with the Baltimore City Department of Housing and Community Development or its designee to operate as an alarm business. Such application must be signed by either (1) the owner of the business for a sole proprietorship, (2) one partner for a partnership, or (3) a corporate officer for a corporation. The registration application must include both applicant information and list of Baltimore City customers.

3.2 Applicant information must be completed on the electronic form provided by the Baltimore City Department of Housing and Community Development and include the following information:

(a) The name, address, fax number, telephone number, and email address of the alarm business, the form of business entity (sole proprietorship, partnership, or corporation), the Employer ID number (EIN); and

(b) The name, address, fax number, telephone number and email of the official responsible for the operation of the alarm business in Baltimore City.

3.3 Baltimore City customer list must include a listing of the name, address, apartment or suite number, telephone number, activation date, customer account number (unique identifier) and registration number of all Baltimore City customers receiving service at the time of registration.

3.4 Registration applications for alarm monitors must be accompanied by a registration fee of \$50.00. If the registration has been revoked or suspended, a reinstatement fee of \$50.00 must accompany a reinstatement application. In addition:

(a) An applicant may not conduct business in Baltimore City until the registration requirements are completed and the application has been approved by the Department of Housing and Community Development.

(b) In the case of change to the applicant information submitted as part of the registration application, the alarm monitor must submit written notice to the Department of Housing and Community Development or designee within ten days of the change.

(c) This rule requires that monitors provide notification of changes to their Baltimore City customer list to the Baltimore City Department of Housing and Community Development or its designee within ten days of the change.

(d) Registration shall be valid for a period of one year. Registrations must be renewed prior to the end of each one year period.

(e) Monitors must provide Department of Housing and Community Development with a monthly update of all Baltimore City customers receiving service at that time. This update must include a listing of the: name; address; telephone number; activation date; customer account number (unique identifier) and registration number. Updates must be submitted by the 5<sup>th</sup> of each month in the method determined by the Baltimore City Department of Housing and Community Development or its designee.

3.5 Should an alarm monitor's registration be suspended, revoked, or refused, the alarm monitor must notify its Baltimore City customers by first class mail within five days that the monitoring company is unable to request Baltimore City Police Department dispatch for the duration of the period of suspension, revocation, or refusal.

#### **Section 4. Alarm Installation Standards**

4.1 An alarm technician, licensed by the State of Maryland, must be onsite to supervise the installation of any alarm system.

4.2 Any alarm contractor that installs an alarm system must provide the alarm user with a City of Baltimore Security Alarm Installation Certificate, a copy of which shall be retained by the contractor. The alarm business must certify that:

- (a) The alarm system has been installed in compliance with City law and regulations;
- (b) The person designated by the alarm user as responsible for alarm system operation has received training sufficient to prepare that alarm user to operate the system without false alarms caused by improper operation; and
- (c) The alarm user has been informed of the requirement to register the system with the Baltimore City Department of Housing and Community Development or designee and has been provided with a printed notice of how to register the alarm with the City.

#### **Section 5. Alarm User Registration**

5.1 Within 10 days of activating an alarm system the user must register the system with the Baltimore City Department of Housing and Community Development or its designee.

5.2 Any change in the information provided on the registration application or deactivation must be reported to the Department of Housing and Community Development within 10 days of said change in the method determined by the Baltimore City Department of Housing and Community Development or its designee.

5.3 All outstanding registration and alarm fees must be paid in order to maintain a valid registration.

5.4 Registration of an alarm system is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of police response nor is it a waiver of government immunity by the Baltimore Police Department, Department of Housing and Community Development or the Mayor and City Council of Baltimore. By registering an alarm system, the alarm user acknowledges that police response shall be based on normal and reasonable police procedures, and be affected by such factors as: the availability of police units, priority of calls, weather conditions and traffic conditions.

5.5 The registration form for the alarm user must be completed on the electronic form provided by the Department of Housing and Community Development and contain, but is not limited to, the following information:

#### RESIDENTIAL USER REGISTRATION

- Registration Number
- Street address where alarm system is located, including room or suite number.
- Name, address and telephone number of the alarm user for the alarmed location.
- Name, addresses and telephone number of at least one (1) person who is able to respond within an hour to an alarm site to deactivate the alarm.
- Dangerous or special conditions information at location.
- Type of alarm system: burglary, robbery, panic, a duress, medical alert, etc.
- Name, address, telephone number, and business license number(s) of the alarm business that installed and/or monitors the alarm system, if applicable.
- A statement as to whether the alarm user has ever previously registered an alarm system in Baltimore City.

#### COMMERCIAL USER REGISTRATION

- Registration Number
- Non-residential alarm user's name and trade name, if different.
- Name, addresses and telephone number of at least one (1) person who is able to respond within an hour to an alarm site to deactivate the alarm.
- Employer ID Number (EIN).
- Street address where alarm system is located, including room or suite number.
- Telephone number at the alarmed location.
- Type of business or activity conducted at an alarmed location.
- Type of alarm system: burglary, robbery, a duress, panic, etc.
- Dangerous or special conditions information at location
- Parent Company name, address and telephone number, and resident agent's name.
- Name and telephone number of person responsible at the parent company location for the alarm system at the alarmed location.
- Name, address, telephone number, and business license number(s) of the alarm business that installed and/or monitors the alarm system, if applicable.
- A statement as to whether the alarm user had ever previously registered an alarm system or been issued a permit in Baltimore City.

5.6 When a person or business listed on the registration or an amendment to the registration is unable or unwilling to perform required duties (such as provide one hour access to a particular

site to deactivate an alarm), the registrant must provide written notification to the Baltimore City Department of Housing and Community Development or designee within ten days. The notification must include the name of an alternate person or company that is able and willing to perform those duties.

5.7 Registration is valid only for the premises registered and is not transferable to another alarm user or premises. When a new owner takes control of a property, the former owner's registration becomes void, and the new owner must apply for a new registration.

5.8 All registered alarm users must keep a copy of the alarm registration form and installation certificate at the alarm site and must produce such registration information for inspection upon reasonable request by any Baltimore City police officer or special enforcement officer.

5.9 Alarm registrations, amendments and renewal forms that do not have complete or correct information are invalid and the alarm system will be deemed unregistered.

## **Section 6. Procedures to Request Police Response**

6.1 Before requesting a police response to an alarm signal, an alarm monitor must attempt to verify the need for a police response for every alarm signal except a hold-up or panic alarm activation, by contacting the alarm system site. Telephone verification shall require, as a minimum that a second call attempt be made to a different number if the first call fails to reach an alarm user who can properly identify themselves to determine whether an alarm signal is valid before requesting dispatch. In the case of a hold-up or panic alarm activation, the alarm monitor must attempt to verify the alarm signal only after requesting police dispatch.

6.2 An alarm monitor must provide the following information when contacting the Baltimore City Police Department, to report an activated alarm signal and to request a police response.

- (a) Registration number issued to the alarm user.
- (b) Name and registration number of the alarm monitor reporting the activated alarm, name or employee number of the alarm business employee making the report, and callback telephone number.
- (c) Location of the activated alarm, including complete business or homeowner's name, street address, apartment or suite number and telephone number.
- (d) Type of alarm (such as audible or silent, robbery, hold-up, a duress, panic, burglary). If the alarm system is zoned, give the specific location of the alarm activation (such as interior, perimeter, vault, motion detection).
- (e) Any available information about the non-residential site, (such as if business is open or closed, guards on site, guard dogs, dangerous or special conditions within the location).
- (f) Any available information about the residential site (such as: homeowner whereabouts; the presence of pets; handicapped individuals present).
- (g) If a representative of the alarm user or alarm company is responding and their estimated time of arrival.

6.3 An alarm monitor detecting an alarm system activation from an unregistered user must report the activation of the alarm to the Baltimore City Police Department in the normal manner.

6.4 An alarm monitor must provide written notification to the alarm user or designee within 72 hours after the alarm monitor's request for police response. The monitor must maintain a record of these notifications. The record must be made available for inspection upon request by any Baltimore City Police Officers, Special Enforcement Officers or designee.

6.5 An alarm monitor must cancel any request for police response immediately when the alarm monitor determines that the alarm signal is a false alarm.

### **Section 7. False Alarm Response Fees**

7.1 Alarm users who are responsible for false alarms must either pay a false alarm fee as set forth in Article 19 § 8-8 (b) of the Baltimore City Code, or appeal the fee in writing to the Board of Municipal and Zoning Appeals.

7.2 If a false alarm fee is not paid within 30 days of the billing date, a late fee of \$25.00 will be assessed. In the case of appeals, a late fee will not be charged unless the false alarm fee remains unpaid 30 days after an unsuccessful appeal. Subsequent failure to pay shall be grounds for revocation of the registration. The Baltimore Department of Housing and Community Development or its designee may seek an injunction from the Circuit Court to prohibit the continued use of any revoked alarm system registration.

### **Section 8. Conditions Under Which An Alarm Response Fee May Be Waived**

8.1 A false alarm response fee may be waived if the alarm system was activated by an act of nature, such as a blizzard, earthquake, high winds, heavy thunderstorms, lightening, electrical surge, or other circumstances not reasonably subject to the control of the alarm business or alarm user. As a condition to waiving a fee, the Baltimore City Department of Housing and Community Development or designee may request a written statement from a licensed alarm company that details the reason for the false alarm.

8.2 Two or more false alarms that occur within the same 24-hour period and are the result of a single event will be considered to be one false alarm.

8.3 One false alarm fee may be waived if the alarm contractor or a monitor certifies that the alarm system has been inspected and is functioning properly. This waiver will only be valid for one fee. If the user is assessed for a subsequent false alarm fee, then the fee will be assessed as if the previous fee had not been waived.

### **Section 9. False Alarm Appeals Process**

9.1 An alarm user may appeal a false alarm determination to the Board of Municipal and Zoning Appeals or its designee within 30 days after the date of the false alarm notice.

9.2 An alarm user may also appeal based on the fact that the alarm system was faulty and has since been inspected and repaired by a certified alarm technician.

9.3 An alarm user may appeal the decision of the Board of Municipal and Zoning Appeals to court, as provided in the Maryland Rules.

### **Section 10. Severability**

10.1 The provisions of this regulation are hereby severable. If any word, phrase, clause, sentence, paragraph, section or part in or of this regulation or the application thereof to any person, circumstance or thing is declared invalid for any reason whatsoever, the remaining provisions and the application of such provisions to other persons, circumstances or things shall not be affected thereby but shall remain in full force and effect, the Commissioner hereby declaring that he would have ordained the remaining provisions of this regulation without the word, phrase, clause, sentence, paragraph, section or part, or the application thereof, so held invalid.

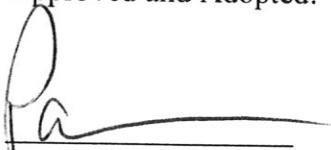
### **Section 11. Filing with Legislative Reference**

11.1 The Department shall file these rules and procedures with the Department of Legislative Reference.

### **Section 12. Effective Date**

12.1 These rules and procedures take effect on 3/31/14.

Approved and Adopted:



Paul T. Graziano  
Commissioner  
Department of Housing and Community Development

3/31/14

Date

