

3617 False alarm charge.

3617.1 Any registered owner or lessee of a property having an alarm connected to the municipal alarm system, to an alarm agent alarm business, or person responding to alarms which causes any signal, message, or alarm to be transmitted to the Derry Fire Department either by direct telephone or other communication and which is proven to be a false alarm shall pay a false alarm charge to the Town.

3617.2 False alarm means the activation of an alarm system through mechanical failure, accidental tripping, misoperation, malfunction, misuse, or the neglect of the owner or lessee of an alarm system, or of his employees or agents. Upon failure of the Fire Department to find any evidence of legitimate cause for the alarm activation, a conclusive presumption of false alarm will be made. False alarms shall not include alarms caused by earthquakes, violent winds, or external causes beyond the control of the owner or lessee of the alarm system.

3617.3 This charge shall be based on the number of false alarms received from the same alarm system during a calendar year. The false alarm limits shall be based on the number of alarm-initiating devices connected to the fire alarm system. The false alarm charge shall be:

Number of False Alarms	Charges
First five false alarms in excess of the limit	\$50 per alarm
All false alarms in excess of five above the limit	\$100 per alarm

Number of Devices Connected to System	False Alarm Limit Per Year
1 – 125	3
126 – 250	5
251 – 375	10
376 or more	15

3617.4 Notification.

3617.4.1 Registered alarm users will be notified by the Derry Fire Department in writing of all false alarm responses over the limit.

3617.4.2 All false alarm service charges will be submitted to the alarm user in writing monthly by the Derry Fire Department.

3617.4.3 A copy of the Derry Fire response report shall be provided to the registered owner or lessee. This shall be deemed sufficient notification to the alarm user of such response.

3617.4.5 An alarm user may appeal false alarm service charges in writing to the Fire Chief within 10 days after receipt of the notice of penalty.

3617.5 Payment of false alarm service charge.

3617.5.1 Payment of the alarm service charge shall be billed to the registered alarm user and paid to the Town of Derry office of the Tax Collector.

3617.5.2 Payments shall be due within 30 days of receipt of notification.

3617.5.3 Failure to make payment for alarm service charges within 30 days of receipt of notification shall result in a ten-dollar penalty charge added to the alarm service charge. Penalty charges will be assessed for each thirty-day period, not to exceed 90 days that the alarm service charge remains unpaid.

3617.5.4 No penalty shall be assessed to an alarm user while the alarm service charge is being considered under appeal by the Fire Chief.