

mailed 3/2/24

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of CANAJOHARIE

Local Law No. 1 of the year 20 24

A local law Alarm System/Nuisance Alarms
(Insert Title)

Be it enacted by the Village Board of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of CANAJOHARIE as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 20 24 of the ~~(County)(City)(Town)~~(Village) of CANAJOHARIE was duly passed by the Village Board on March 5 20 24, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20 _____ *(Elective Chief Executive Officer*)*.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20 _____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20 _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 _____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

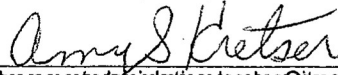
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.



~~Clerk of the county legislative body, City, Town or Village Clerk or~~
~~officer designated by local legislative body~~

(Seal)

Date: MARCH 6, 2024

Village of Canajoharie

Be it enacted by the Village Board of the Village of Canajoharie, Montgomery County, New York as follows:

SECTION ONE:

This local law shall be entitled **"ALARM SYSTEM/NUISANCE ALARMS"**

SECTION TWO: PURPOSE

It is the purpose of this law to protect and promote the health, safety, and general welfare of the residents of the Village of Canajoharie by reducing the number of Avoidable Alarms to emergency agencies. Avoidable Alarms contribute to inefficient utilization of public safety manpower and equipment. In addition, Avoidable Alarms require emergency responses which may contribute to a high accident rate and a delayed response to a genuine emergency. This law seeks to ensure that alarm systems will be properly maintained to reduce the frequency of Avoidable Alarms.

SECTION THREE: DEFINITIONS

As used in this chapter, the following term shall have the meanings indicated:

ALARM DEVICE OR SYSTEM – Any type of alarm actuating equipment which provides warning of intrusion, fire, smoke, burglary, flood or like perils, including dial alarms, direct alarms and any audible alarms or other type of alarms.

ALARM USER – Any person who owns, leases, or uses an alarm device within the village of Canajoharie, except for a person whose alarmed device is on a motor vehicle. "Person" includes an individual, partnership, corporation, or any other legal entity situated or operating within the Village.

AUTOMATIC DIAL ALARM – Any alarm device which is a telephone device or a telephone attachment that automatically or electronically transmits a signal via preselected telephone lines connected to a central alarm station and produces a prerecorded message to report a criminal act or other emergency requiring police, fire, or medical emergency response.

AVOIDABLE ALARM – The activation of an alarm system through mechanical failure, malfunction, improper installation, or negligence of the owner, user, custodian, or lessees of any alarm system or their employees or agents or through any other cause which indicates that an emergency situation exists requiring an emergency response within the Village of Canajoharie, when in fact an emergency situation does not exist. An "Avoidable Alarm" also includes knowing or intentional activation of an alarm when the activator knows that an emergency does not exist. An "Avoidable Alarm" does not include alarms activated by: smoke, steam, or heat related to normal cooking activities; or violent conditions of nature, such as earthquakes, hurricanes or any other similar cause beyond the control of the user of an alarm system. Activation of an alarm system under any circumstance in which the activator reasonably believes that an emergency exists is not an "Avoidable Alarm."

CENTRAL STATION – An office to which remote alarms and supervisor re-signaling devices are connected and where personnel are in attendance at all times to supervise the circuits and investigate signals.

SECTION FOUR: REGISTRATION

Every owner or lessee of an alarm system or device must annually furnish the Village Clerk with a current list of information which states the following.

- A. The name, residence address, and telephone number of the owner or lessee.
- B. The name, address, and telephone number of any person at a different location who is authorized to respond to an emergency and provide access to the building where the alarm system is installed.
- C. For any commercial or industrial locations, the name and telephone number of at least three people to contact in case of emergency who have access to the building where the alarm system is installed to reset the alarm.

SECTION FIVE: PROHIBITIONS

No owner or lessee of a building shall have in operation an audible alarm thereon unless such alarm shall be capable of and shall automatically terminate its operations within 30 minutes of being activated and reset

SECTION SIX: MAINTENANCE

- A. All fire alarm systems must be properly maintained. Buildings required by law to have fire alarm systems may not be occupied by the public if this system is not operational, unless the authority having jurisdiction has authorized an alternate means of fire protection, such as a fire watch, and the Fire Chief has been notified of the non-operational status of the alarm system.
- B. All fire alarm systems must be tested and serviced at least annually by a qualified installer and have certifications on the equipment stating when the system was serviced.
- C. If the Code Enforcement Officer or the Fire Chief determine that the alarm system is malfunctioning and causing a dangerous situation for the firefighters and the equipment of any fire department, the system shall be ordered disconnected from the phone line or central station and the owner or occupant shall comply with such order. The system shall not be reconnected until the system is deemed to be in proper operating condition by a qualified installer submitting paperwork to the Code Enforcement Officer.
- D. Failure by an owner or lessee to exercise due and timely diligence to repair or replace any known faulty or malfunctioning equipment, once notified by the Code Enforcement Officer or Fire Chief, shall constitute a separate violation under Section Eight of this law. Each day that such violation continues shall constitute a separate offense.

SECTION SEVEN: AVOIDABLE ALARMS

- A. In the event that two (2) Avoidable Alarms are reported within a calendar year, for any premises, the owner or lessee at the premises covered by the alarm device shall be charged a fee, payable to the Village of Canajoharie Village Clerk, of \$500.00 for each subsequent Avoidable Alarm, which fee must be paid within 10 days. Failure to pay the fee shall be a violation of this chapter, punishable by an additional fine. Upon receipt of the fee, the Village Clerk shall transmit 75% thereof to the Fire Department which responded to the Avoidable Alarm as a partial reimbursement for the cost of equipment and services employed in responding to such alarm.

- B. **In the event that during maintenance operations the alarm was not taken offline, and the fire department is dispatched, an immediate fine of \$500 will be assessed.**

SECTION EIGHT: PENALTIES FOR OFFENSES

- A. A violation of this Local Law or any portion thereof is hereby declared to be an offence punishable by a fine of up to \$250.00 for each violation. Each day that such violation continues shall constitute a separate offense.

SECTION NINE: EFFECTIVE DATE

This law shall take effect immediately upon its adoption and filing with the Secretary of State of the State of New York.