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IN THE CITY COUNCIL

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**AMENDMENT TO PORTLAND CITY CODE
CHAPTER 2.5. ALARM SYSTEMS
ARTICLE II. BURGLAR ALARM SYSTEMS
SECTIONS 2.5-17 and 2.5-21**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, MAINE
IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

*That sections 2.5-17 and 2.5-21 of the Portland City Code
are hereby amended to read as follows:*

Sec. 2.5-17. Permits.

(a) *Alarm agents and alarm businesses.* No person shall be an alarm agent or engage in the alarm business without a permit, provided that alarm agents employed by or otherwise contracted by a permitted alarm business are not required to obtain a permit. The permit, or copy of the permit of the alarm business, shall be carried on the person of every alarm agent while in the course of employment, and shall be prominently displayed by every alarm business at its principal place of business. A copy of the permit of the alarm business shall be carried on the person of every salesperson employed by the alarm business when such salesperson is visiting a business or residence while in the course of employment.

(b) *Alarm users.* No person shall be an alarm user without a permit. However, in the case of persons who are already alarm users on the effective date of this article, this provision shall not take effect until ninety (90) days thereafter. Only one permit shall be required for an alarm user with more than one alarm system at the same location, or for an alarm user with an alarm system at more than one location if an alarm system is required by law.

(c) *Applications.* Applications for permits shall be filed with the chief on a form prescribed for that purpose and accompanied by the appropriate fee. Applications for alarm business permits shall also be accompanied by a listing of all alarm agents employed by the business and said lists shall be

updated as needed to remain current. Fees for the issuance of permits authorized under this section shall be established by order of the city council and kept on file at the Portland Police Department. First-time payments of the application fee for alarm agents and alarm businesses shall be prorated over the number of months, including any fraction thereof, remaining between the date of the payment and the following December thirty-first, provided, however, that in no case shall the fee be reduced to less than half. The ~~annual~~-renewal application fee shall thereafter be due and payable in full on December fifteenth. The one-time application fee for alarm users shall be paid in full. If payment is not made within thirty (30) days thereafter, the application shall be denied and a permit will not be issued.

. . .

(f) *Expiration.* Alarm agent and alarm business permits shall be valid for no more than two (2) years, and shall expire biannually on December thirty-first. ~~Alarm user permits shall be valid for no more than one (1) year, and shall expire annually on December thirty-first.~~ Renewal applications shall be filed in accordance with section (c) above, along with the renewal application fee no later than December fifteenth each renewal year. Alarm user permits shall be valid for as long as the alarm user's property continues to be protected by an alarm system located at the same address as on the permit application. Alarm users shall be required to notify the police department of any changes in the status of the alarm system or property ownership. Any changes to the permit shall require the payment of a fee and any change in property ownership shall require the filing of a new permit application along with the full application fee.

Sec. 2.5-21. False alarm penalties.

For all alarm users:

- (a) ~~Second-First~~ response. For the ~~second-first~~ police response to a false alarm within any calendar year, the chief shall give written notice of the false alarm to the alarm user within ten (10) business days, and the alarm user shall file a written report with the chief within five (5) days thereafter stating the cause of the false alarm, if known, and describing corrective action taken, if any.

- (b) Second, Third and fourth responses. For the second, third and fourth police responses to a false alarm within any calendar year, the alarm user shall, upon demand, pay a penalty of one-hundred dollars (\$100.00), and shall, in the case of any equipment failure, file with the chief within three (3) days of notice to do so a signed statement by a licensed alarm business that the alarm system has been inspected and is in proper working order. In the case of human error or other cause, the alarm user shall file a written report with the chief describing corrective action taken, if any.
- (c) *Fifth and sixth responses.* For the fifth and sixth police responses to a false alarm within any calendar year, the alarm user shall, upon demand, pay a penalty of one-hundred fifty dollars (\$150.00), and shall, in the case of any equipment failure, file with the chief within three (3) days of notice to do so a signed statement by a licensed alarm business that the alarm system has been inspected and is in proper working order. In the case of human error or other cause, the alarm user shall file a written report with the chief describing corrective action taken, if any.
- (d) *Seventh and subsequent responses.* For the seventh and subsequent police responses to a false alarm within any calendar year, the alarm user shall, upon demand, pay a penalty of two hundred dollars (\$200.00).