

**SUBTITLE 8**  
**BURGLAR ALARMS - REGISTRATION AND REGULATION**

**§ 8-1. Definitions.**

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.

(b) *Alarm system.*

(1) "Alarm system" means a device or series of devices that emits, transmits, or relays:

- (i) an audible, visual, or electronic alarm signal that is electronically programmed to cause contact with or summon police; or
- (ii) an audible or visual alarm signal that is intended to elicit a police response at the alarm system user's property when activated.

(2) "Alarm system" does not include:

- (i) telephone lines used to carry alarm signals; or
- (ii) any device installed in a vehicle, as defined in the Maryland Vehicle Law.

(c) *Commissioner.*

"Commissioner" means the Police Commissioner of Baltimore City or the Commissioner's designee.

(d) *Contractor.*

"Contractor" means any person engaged in the business of installing, maintaining, altering, inspecting, administering, selling, or servicing alarm systems.

(e) *False alarm.*

(1) "False alarm" means any alarm system signal:

- (i) that results in a police response to the user's property; and
- (ii) for which no evidence is found, after reasonable investigation, of any criminal activity, property damage, or medical emergency that would justify a police response.

(2) "False alarm" does not include:

- (i) an alarm signal that is cancelled by the monitor before a responding police officer arrives at the alarm location; or

(ii) an alarm signal that occurs within 30 days of the original installation of the alarm system.

(f) *Hold-up alarm.*

“Hold-up alarm” means a silent alarm system that is manually activated to signal a robbery in progress.

(g) *Monitor.*

“Monitor” means any person engaged in the business of monitoring alarm systems for the purpose of reporting an alarm system’s activation to the Police Department.

(h) *Panic alarm.*

“Panic alarm” means an alarm system that is activated by an individual on or near the premises to alert others that a robbery or other crime is in progress.

(i) *Person.*

“Person” means:

- (1) an individual;
- (2) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; or
- (3) a partnership, firm, association, corporation, or other entity of any kind.

(j) *User.*

(1) “User” means, except as specified in paragraph (2) of this subsection:

- (i) the owner or lessee of any alarm system;
- (ii) the owner or lessee of any dwelling unit, place of business, or other premises that has been equipped with an alarm system; or
- (iii) any other person that uses an alarm system.

(2) “User” does not include the owner or manager of a multi-tenant building with respect to any alarm system that is used solely by a tenant of that building.

(Ord. 00-069; Ord. 02-329.)

**§ 8-2. Rules and regulations.****(a) Commissioner to adopt.**

The Commissioner must adopt and enforce rules and regulations to carry out this subtitle.

**(b) Scope.**

The Commissioner's rules and regulations shall include:

- (1) the form of application for and required information to be given for registrations, renewals of registration, notifications, and reports required under this subtitle;
- (2) subject to the approval of the Board of Estimates, reasonable fees for registrations, renewals of registration, and reinstatements of revoked registration under this subtitle;
- (3) criteria for revoking any registration required by this subtitle, which criteria may include:
  - (i) the failure to pay any fine, false alarm fee, or other fee imposed under this subtitle; or
  - (ii) any other violation of this subtitle or of any rule or regulation adopted under it;
- (4) criteria for reinstating registration after revocation;
- (5) procedures for filing and hearing administrative appeals under this subtitle; and
- (6) procedures for police responses to an alarm location.

**(c) Filing.**

A copy of all rules and regulations adopted under this subtitle must be filed with the Department of Legislative Reference before they take effect.

(Ord. 00-069; Ord. 02-329.)

**§ 8-3. Registration — Contractors.****(a) Registration required.**

An alarm system contractor must register with the Commissioner before undertaking to install, maintain, alter, inspect, administer, sell, or service any alarm system in Baltimore City.

**(b) Violations.**

For purposes of the penalties imposed by this subtitle, each event that violates this section constitutes a separate offense.

(Ord. 00-069; Ord. 02-329.)

**§ 8-4. Registration — Monitors.****(a) Registration required.**

An alarm system monitor must register with the Commissioner before undertaking to monitor any alarm system in Baltimore City.

**(b) Violations.**

For purposes of the penalties imposed by this subtitle, each contract by an unregistered alarm system monitor on behalf of an alarm system user constitutes a separate offense.

*(Ord. 00-069.)*

**§ 8-5. Registration — Users.****(a) Registration required.**

An alarm system user must register with the Commissioner before the user's alarm system causes contact with police or results in a police response at the user's property.

**(b) Violations.**

For purposes of the penalties imposed by this subtitle, each event that violates this section constitutes a separate offense.

*(Ord. 00-069.)*

**§ 8-6. Notices and reports.****(a) Notice to user.**

- (1) Any person who sells or leases alarm systems must post conspicuously in that person's place of business notice of a user's obligation to register under this subtitle.
- (2) If a sale or lease transaction occurs outside the person's place of business, or if the person does not maintain a place of business in a commercial establishment, this notice must be provided to the user, in writing, before the user takes possession of the system.
- (3) The wording, size, and placement of the notice must comply with the rules and regulations adopted by the Commissioner under this subtitle.

**(b) Reports to Commissioner — unmonitored systems.**

- (1) If the person selling or leasing an alarm system is not under contract to monitor that system, the person must report the transaction to the Commissioner.
- (2) This report must:
  - (i) be made within 10 days of the sale or lease; and

(ii) contain:

- (A) the user's name, address, and telephone number;
- (B) the make and model of the system; and
- (C) any other information that the Commissioner requires.

(c) *Reports to Commissioner — monitored systems.*

(1) Each monitor doing business in the City must provide the Commissioner with an annual report of all users in the City to whom the monitor is then providing services.

(2) This report must:

(i) be made at the time the Commissioner requires; and

(ii) contain:

(A) each user's name, address, and telephone number; and

(B) any other information that the Commissioner requires.

*(Ord. 00-069; Ord. 02-329.)*

**§ 8-7. Unregistered users.**

(a) *Prohibited conduct.*

(1) It is unlawful for the alarm system of any unregistered user to cause contact with or summon City police.

(2) For purposes of the penalties imposed by this subtitle, each event that causes contact with or summons police constitutes a separate offense.

(b) *Monitor to report activation.*

Any alarm monitor who detects an alarm system activation from an unregistered alarm system user or location must:

(1) report the activation to the Police Department in the normal manner; and

(2) report the unregistered user or location to the Commissioner, in the manner the Commissioner requires.

*(Ord. 00-069; Ord. 02-329.)*

**§ 8-8. False alarm fees.****(a) User responsible.**

- (1) The user of an alarm system is responsible for payment to the City of the false alarm fees imposed under this section.
- (2) For purposes of this section, 2 or more false alarms that occur within the same calendar day as a result of a single event are considered a single false alarm.

**(b) Fee Schedule.**

After 2 false alarms in any 12-month period, a false alarm fee is imposed for each false alarm, based on the following schedule:

False alarms within 12-month period	Fee
3 <sup>rd</sup>	\$ 50
4 <sup>th</sup>	100
5 <sup>th</sup>	150
6 <sup>th</sup>	200
7 <sup>th</sup>	250
8 <sup>th</sup>	300
9 <sup>th</sup>	400
10 <sup>th</sup>	500
11 <sup>th</sup>	600
12 <sup>th</sup>	
Noncommercial users	700
Commercial users	2,000
13 <sup>th</sup>	
Noncommercial users	800
Commercial users	2,000
14 <sup>th</sup> and above	
Noncommercial users	1,000
Commercial users	2,000

**(c) Waiver.**

- (1) The Commissioner must waive 1 false alarm fee if the alarm system user:
  - (i) has the alarm system inspected by a registered contractor or monitor; and
  - (ii) obtains from the contractor or monitor a certification that the alarm system has been inspected and is functioning properly.
- (2) If a false alarm fee is waived under this subsection and the user is subject to a subsequent false alarm fee, that subsequent fee will be assessed as if the previous fee had not been waived.

(d) *Late Fee.*

- (1) The Commissioner may assess a late fee of \$25 for any false alarm fee that is not paid:
  - (i) within 30 days of the Commissioner's notice that the false alarm fee has been imposed; or
  - (ii) if a timely appeal has been made, within 30 days of the final decision in that appeal.
- (2) If the false alarm or late fee is not paid within 10 business days of the Commissioner's notice that the late fee has been imposed, the Commissioner may place the user's alarm system on no-response status, as provided in § 8-9 of this subtitle.

(e) *Warning of no-response status.*

- (1) After a 10<sup>th</sup> false alarm within any 12-month period, the Commissioner must send a warning notice by certified mail, return receipt requested, to the user, with a copy by regular mail to the monitor.
- (2) The notice must state that:
  - (i) a 10<sup>th</sup> false alarm has occurred;
  - (ii) if 5 more false alarms occur within the same 12-month period, the user's alarm system will be placed on no-response status, as provided in § 8-9 of this subtitle; and
  - (iii) reinstatement may only be obtained on written application to the Commissioner.

(Ord. 00-069; Ord. 02-329.)

**§ 8-9. No-response status.**(a) *"No-response status" defined.*

In this section, "no-response status" means that, except for a hold-up alarm or a panic alarm, police will not be dispatched to investigate an alarm signal

(b) *When required.*

- (1) An alarm system will be placed on no-response status if, after a warning notice has been sent in accord with § 8-8(e) of this subtitle, the alarm system has had 15 or more false alarms in any 12-month period.
- (2) The Commissioner may reinstate the alarm system only if:
  - (i) the user applies in writing for reinstatement; and
  - (ii) the Commissioner finds that the alarm system has been repaired, upgraded, or replaced and the cause of the false alarms corrected.

(c) *When authorized.*

The Commissioner may place an alarm system on no-response status if:

- (1) the alarm system user has made any false statement of material fact in the user's registration application;
- (2) the user's registration is revoked; or
- (3) the user fails to pay timely any fee imposed under § 8-8 of this subtitle.

(Ord. 02-329.)

**§ 8-10. Automatic dialers prohibited.**

No contractor, monitor, or user may install, operate, or maintain any device that, on activation of an alarm system, automatically sends a pre-recorded message or a coded signal to the Police Department or other City office.

(Ord. 02-329.)

**§ 8-11. Verification of alarm signal.**(a) *Scope.*

This section does not apply to a hold-up alarm or panic alarm.

(b) *Monitor to attempt to verify.*

Before requesting a police response to an alarm signal, a monitor must attempt to contact the alarm system site, by telephone, electronically, or visually, to verify the need for a police response.

(Ord. 02-329.)

**§§ 8-12 to 8-15. {Reserved}****§ 8-16. Administrative and judicial review.**(a) *Appeal of false alarm fee.*

- (1) A user against whom the Commissioner has assessed a fee under § 8-8 {"False alarm fees"} of this subtitle may appeal in writing to the Board of Municipal and Zoning Appeals.
- (2) On good cause shown, the Board may waive the fee.

(b) *Appeal of revocation.*

- (1) A person whose registration has been revoked under this subtitle may appeal in writing to the Board of Municipal and Zoning Appeals.

(2) On good cause shown, the Board may rescind the revocation.

(c) *Judicial and appellate review.*

(1) A person aggrieved by a decision of the Board of Municipal and Zoning Appeals under this section may seek judicial review of that decision by petition to the Circuit Court for Baltimore City in accordance with the Maryland Rules of Procedure.

(2) A party to the judicial review may appeal the court's final judgment to the Court of Special Appeals in accordance with the Maryland Rules of Procedure.

(Ord. 00-069; Ord. 02-329; Ord. 04-672.)

### § 8-17. Enforcement by citation.

(a) *In general.*

In addition to any other civil or criminal remedy or enforcement procedure, this subtitle may be enforced by issuance of:

(1) an environmental citation under City Code Article 1, Subtitle 40 {"Environmental Control Board"}; or

(2) a civil citation under City Code Article 1, Subtitle 41 {"Civil Citations"}.

(b) *Methods not exclusive.*

The issuance of a citation to enforce this subtitle does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

(Ord. 00-069; Ord. 02-329; Ord. 03-595.)

### § 8-18. Criminal penalties.

(a) *Users.*

Any unregistered user of an unmonitored system that causes contact with or summons City police is guilty of a misdemeanor and, on conviction, is subject to a fine of \$500 for each offense.

(b) *Others.*

Any contractor, monitor, or other person who violates any provision of this subtitle or of a rule or regulation adopted under this subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of \$1,000 for each offense.

(Ord. 00-069; Ord. 02-329.)