

Ordinances of the City of New Britain, CT

ARTICLE II. ALARM SYSTEMS

DIVISION 1. GENERALLY

Sec. 16-21. Intent and purpose.

It is the intent and purpose of this article to provide minimum standards and set forth regulations applicable to users and installers of burglar, hold-up and automatic telephone dialer alarm systems within the city; to require permits therefor and to provide penalties for noncompliance.

It is the further intent to reduce the number of false alarms occurring within the city and the resulting waste of city resources by providing for corrective administrative action, including fees, disconnection of services, and civil penalties.

The provisions of this chapter become effective on July 1, 2003, and shall apply to all alarm users, businesses, employees and alarm systems which are installed, connected, monitored, operated or maintained on or prior to the date on which this ordinance became effective, and subsequent thereto.

Sec. 16-22. Definitions.

As used in this article:

"Alarm administrator" means individual or individuals designated by the mayor to issue permits and enforce the provisions of this title.

"Alarm business" means any persons engaged in the business of selling, installing, planning the installation, assisting in planning the installation, servicing, maintaining, monitoring, repairing, replacing, moving or removing alarm systems in the city.

"Alarm dispatch request" means a notification to the City's public safety telecommunications center by the alarm business that an alarm, either manual or automatic, has been activated at a particular alarm site.

"Alarm site" means a single premises or location served by an alarm system or systems. Each tenancy, if served by a separate alarm system in a multitenant building or complex, shall be considered a separate alarm site.

"Alarm system" means any mechanism, equipment, or device which is designated to detect an unauthorized entry into any building or onto any property, or to direct attention to a robbery, burglary, or other emergency in progress, and to signal the above occurrences either by a local or audible alarm or by a silent or remote alarm. The following devices shall not constitute alarm systems within the meaning of this subsection:

1. Devices, which do not register alarms that are audible, visible, or perceptible outside the protected premises;

2. Devices which are not installed, operated or used for the purpose of reporting an emergency to the City's public safety telecommunications center;

3. Alarm devices installed on a temporary basis by the police department.

"Alarm user" means the person, occupant, firm, partnership, association, corporation, company or organization of any kind in control of any building, structure or facility or portion thereof wherein an alarm system is maintained.

"Apartment building" means any building containing two (2) or more rental units.

"Automatic dialing device" means an alarm system which automatically sends over regular telephone lines, by direct connection or otherwise, a prerecorded voice-message indicating the existence of an emergency situation that the alarm system is designed to detect.

"Central station" means an office to which alarm systems are connected, where operators supervise the circuits on a continuous basis, and where there is a

subsequent relaying of such messages by a live voice to the City's public safety telecommunications center.

"Duress alarm" means a silent alarm signal generated by the manual activation of a device intended to signal a crisis situation requiring police response.

"Emergency" means the commission or attempted commission of a robbery, burglary, other criminal act or fire.

"Employee" means any person who is employed by an alarm business and who sells, installs, services, maintains, repairs, or replaces alarm systems in the city.

"Enhanced verification" is the attempt by monitoring personnel to verify that no emergency exists, at the monitored premises, by means of more thorough procedures such as two (2) verification calls, live audio or video, cross zoning, other means or a combination of these procedures.

"False alarm" means the activation of an alarm system, which results in an arrival at the alarm site by the police department where an emergency does not exist. It includes an alarm signal caused by conditions of nature, which are normal for that area. "False alarm" does not include an alarm signal caused by extraordinarily violent conditions of nature such as tornadoes, floods and earthquakes.

"High occupation density facility" means a university, hospital or convalescent type facility which services in excess of one hundred seventy-five (175) individuals on a regular basis.

"Holdup alarm" means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress.

"Intrusion alarm system" means an alarm system signaling an entry or attempted entry into the area protected by the system.

"Local alarm" means any alarm device audible at the alarm site.

"Panic alarm" means an alarm system signal generated by the manual activation of a device intended to signal a life threatening or emergency situation requiring law enforcement response.

"Permittee" means the person to whom an alarm user permit is issued.

"Person" means and includes natural persons, without regard to number or gender, and any partnership, corporation, and any other type of legal entity.

"Private guard responder" means a private guard company, an alarm company's guard, an alarm user, or a person or entity appointed by an alarm user to be responsible to confirm that an attempted or actual crime has occurred at an alarm site.

Sec. 16-23. To be installed by licensed person in accordance with technical regulations.

It is unlawful for any person to engage directly in the installing, servicing, maintaining, repairing, moving or removing, in or on any building or other property within the city, any intrusion, duress or other emergency alarm system, or monitoring and relaying calls for such system, unless such person satisfies all the requirements set forth in accordance with the building and electrical codes and the licensing board of the state of Connecticut.

Sec. 16-24. Automatic telephone dialing device; prohibition; sunset.

(a) The use of automatic telephone dialing devices by users for the purposes covered under this article is prohibited as of October 1, 1999.

(b) Users having an automatic telephone dialing device shall comply with section 7-282b of the general statutes of the state (as may from time to time be amended)

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applying at least ten (10) days prior to anticipated installation.

(c) Effective immediately, no new permits shall be issued for automatic telephone dialing devices. Automatic telephone dialing device is defined as any system which automatically dials the police, fire, or public safety telecommunications center department(s) and then relays any prerecorded message to report any robbery, burglary or other emergency.

Sec. 16-25. User instructions.

Every alarm business selling, leasing or furnishing to any user an alarm system which is installed on premises located in the area subject to this chapter shall furnish the user with written instructions and training that provide information to enable the user to operate the alarm system properly and avoid false alarms. Written operating instructions and the phone number of the monitoring station, shall be maintained at each alarm site. The alarm business shall notify the alarm user of the permit requirements and this alarm ordinance. Any alarm business including monitoring companies who report active alarm conditions to the public safety telecommunications center is required to provide secondary verification prior to requesting police response services and/or when requested by the city.

Sec. 16-26. Direct connections to police headquarters and fire emergency reporting center.

(a) Direct connections between alarm users and the police or fire departments or public safety telecommunications center shall be prohibited except as authorized herein. Direct connections between the police or fire departments and those alarm companies which receive prior approval for such direct connections shall be terminated as of October 1, 1999, except as authorized herein.

(b) High occupation density facilities are authorized to directly connect its fire alarm systems to the City's public safety telecommunications center provided they continue to utilize a monitored secondary means of notification and have twenty-four (24) hour on-site security. An annual fee for each facility having a direct connection to the fire department shall be two hundred fifty dollars (\$250.00) and notice of such connection or installation shall be provided in writing at least ten (10) days prior to such connection or installation.

(c) The city shall not be liable for any defects in operation of any signal line system, for any failure or neglect to respond appropriately upon receipt of an alarm from such source, for any failure or neglect of any person in connection with the installation, service, maintenance, managing, monitoring, disconnecting or removal of equipment, the transmission of alarm signals or the relaying of such signals of messages.

Sec. 16-27. Owner or lessee to maintain system.

Each owner or lessee, at his expense, is required to maintain all components of his alarm system in good working order at all times to ensure that the sensory mechanism used in connection with such device is adjusted to suppress false indications of hold-ups or intrusions or fire or smoke conditions so that the device will not be activated by impulses due to short flashes of light, wind, noise and vehicular noises unrelated to genuine alarms.

Sec. 16-28. Testing not to be conducted without prior permission of director of public safety telecommunications center.

No alarm system designed to transmit emergency messages directly to the police or fire departments or public safety telecommunications center shall be tested without first

obtaining permission from the director of the public safety telecommunications center.

Sec. 16-29. Public safety indicator panel for direct connections.

(a) For direct connections, there shall be indicator panel(s) which shall meet the specifications and requirements of the director of the public safety telecommunications center. Such panel(s) shall be installed and maintained by the alarm equipment supplier at no cost to the city.

(b) The number of indicators mounted in such panel shall be limited as the director of the public safety telecommunications center may deem practical and within the capacity of the communications center to monitor adequately.

Sec. 16-30. Signal duration limiting device required.

All alarm systems as defined in this article which sound an audible signal which may be heard outside the protected premises shall be equipped with a device which shall limit the duration of such audible signal to not more than fifteen (15) minutes. This is in accordance with section 22a-69-5.1 of the administrative regulations of the department of environmental protection of the state (as may, from time to time, be amended).

Sec. 16-31. Alarm activation/false alarms (fines).

An alarm user may have one (1) false alarm incidents in any calendar year without suffering any penalties except as herein specified. Any user whose system causes two (2) false alarms in any calendar year shall be fined the sum of fifty dollars (\$50.00) for the second false alarm and eighty dollars (\$80.00) for any subsequent false alarm. The following procedures shall be employed to effectuate the purpose of this section:

(1) Each time that an employee of the city of New Britain is dispatched to a location to respond to an alarm, the ranking attending member of the responding department shall complete an "alarm incident report".

(2) If such alarm was a false alarm, as determined by the individual responding, such fact shall be noted on such report in a conspicuous place.

(3) A copy or summary notice of alarm incident reports shall be submitted to the alarm administrator and the city of New Britain finance department.

(4) A record shall be kept of all alarm incident reports in each calendar year in order that the general effectiveness of such systems may be analyzed and monitored and so that systemic problems can be identified and corrected.

(5) Any false information provided to the alarm administrator or to the public safety telecommunications center by an alarm user, central station, alarm company or private guard responder is a criminal offense under the Connecticut general statutes.

(6) A one hundred dollar (\$100.00) penalty per incident shall be charged to a central station or alarm company for each request for police or fire response from an alarm where no valid alarm user permit is provided to police dispatch by the central station. Police response to duress alarms shall be limited to alarms originating from a stationary building structure.

(7) In the case of false alarms, the following procedure shall be followed:

a. *First false alarm in any calendar year.* The alarm user shall be sent a notice that a false alarm incident occurred in regard to his system. Such notice shall urge the user to have his system checked and/or to employ greater care in the future. The alarm user shall be

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responsible for false alarms caused by any person having authorized access to the premises from the alarm user.

b. *Second false alarm in any calendar year.* The alarm user shall be sent a notice that a second false alarm has been received and that, pursuant to the provisions of this article, the user must transmit to the city finance department the sum of fifty dollars (\$50.00) as a fine for violation of this article. If such fine is not paid within twenty-one (21) days from the date of notice, the user's alarm permit shall be revoked and, to the extent permitted by law, his alarm system shall be disconnected from the monitoring system. An additional fee of ten dollars (\$10.00) shall be due for any late payments. In addition, the city may use such lawful means as are available to collect such penalties. In the event the city files an action in court to recover such penalties, the city shall be entitled to recovery of its costs and attorney fees in addition to the penalties due and owing.

c. *Second and subsequent false alarms in calendar year.* In any case involving a second or subsequent false alarm in any calendar year, the user, in addition to paying the fine as established herein, may be required by the alarm administrator to certify that his system has been checked by an independent licensed alarm service to ensure proper operation. Such certification shall bear the signature of the individual servicing the alarm who shall certify that the system is operating correctly and that all defects have been corrected.

d. In the event the fine or penalty is assessed against a city department or the board of education, the director of finance is authorized to deduct said fine or penalty from the budget of the city department and/or board of education.

e. The alarm administrator may implement a false alarm prevention course. The course shall inform alarm users of the problems created by false alarm dispatches and how users may operate an alarm system without generating false alarm dispatches. Users who complete the course shall be issued a certificate worth the dismissal of one false alarm penalty of up to one hundred dollars (\$100.00). No permittee shall be entitled to take such course and receive a penalty waiver more than once per year.

f. If an alarm system installed, or caused to be installed, by any tenant in an apartment building is monitored by an alarm business, the tenant shall provide to the alarm administrator the name of a representative of the apartment building owner or property manager who can grant access to the rental unit by police officers responding to an alarm dispatch. Such tenant shall obtain an alarm permit from the alarm administrator before operating or causing the operation of an alarm system in the tenant's rental unit.

A tenant who has contracted with an alarm business to monitor an alarm system at the tenant's alarm site shall be responsible for false alarm dispatches emitted from the alarm system at such alarm site.

g. All central stations or other answering services shall provide the public safety telecommunications center, at the time of filing the alarm report with the alarm user's permit number, with a toll-free telephone number for contacting the central station dispatchers and for obtaining the information required under this chapter.

h. No person shall cause to be transmitted any intrusion or physical duress alarm knowing the same to be false or without basis in fact. Central stations shall not request law enforcement officers to respond to alarm scenes when monitoring equipment indicates an alarm system malfunction signal.

i. Alarm businesses who request police response to alarm signals shall maintain a record of all police calls, stating the time, date and location of the alarm and the name, address and phone number of the alarm user. The records shall indicate the cause of the alarm, if known. This record shall be current and shall be made available to the city's public safety telecommunications center at any time during normal business hours.

Sec. 16-32. Appeal procedures.

(a) The mayor shall appoint such hearing officers as he or she deems appropriate to consider matters relating to violations of this chapter.

(b) Any alarm user shall have ten (10) business days from the date of the city's written notice of a penalty assessment under this chapter to request in writing by filing a sworn and notarized "security alarm fine objection statement" with the town and city clerk an appeal hearing before such hearing officer. The filing of an appeal with the town and city clerk shall stay the assessment of additional penalties for that violation until the hearing officer makes a final decision. The burden to prove any matter shall be upon the person raising such matter. It shall not be a defense to any penalty assessment that: 1) the false alarms were the result of faulty or malfunctioning equipment; 2) the false alarms were caused by electrical surges; or 3) the false alarms were caused by the fault of another person during noncriminal incidents. The hearing officer shall render a decision within ten (10) days after the appeal hearing is concluded. Following issuance of such decision, additional penalty assessments shall accrue until paid, as provided in this chapter. These forms will be available in the office of the town and city clerk. Hearings will be scheduled in late afternoon, if possible, to accommodate work schedules of the appellants. The filing of an appeal shall toll any fines and/or penalties until the decision is rendered by the hearing officer.

(c) If the hearing officer finds that no violation of this chapter occurred, or that a violation occurred but one or more of the defenses set forth in this section is applicable, the hearing officer may dismiss the penalty and release the alarm user from liability thereunder, or may reduce the penalty associated therewith as he or she shall determine. Such defenses are:

1. The false alarm for which the penalty has been assessed did not originate at the premises of the alarm user who has been assessed the fee;

2. The alarm for which the penalty has been assessed was, in fact, not false, but was rather the result of an actual or attempted burglary, robbery or other emergency;

3. The public safety telecommunications center was notified by the permit holder or the alarm company that the alarm was false prior to the arrival of a peace officer to the subject premises in response to the false alarm; or

4. Such other mitigating circumstances as may be approved by the city's office of corporation counsel.

(d) If the hearing officer finds that a false alarm did occur and no applicable defense exists, the alarm administrator may, in the interest of justice and on behalf of the city, enter into an agreement for the timely or periodic payment of the applicable fees and penalties.

Sec. 16-33. Liability.

The city shall not be liable for any defects in operation of any alarm systems, for any failure or neglect to respond appropriately upon the receipt of an alarm nor for the failure or neglect of any person registered or issued a permit pursuant to this chapter in connection with the

installation, operation or maintenance of the equipment necessary to or incident to the operation of such system. In the event the city finds it necessary to order the system disconnected, the city shall incur no liability for such action.

Sec. 16-34. Administration and enforcement.

The provisions of this chapter shall be administered and enforced by the director of the public safety telecommunications center. The director, or his or her authorized representative, is authorized to make inspections of burglar, robbery and other emergency alarm systems and of the premises wherein said devices or systems are located. Such individual shall have authority at reasonable times and upon oral notice to enter upon any premises within the city to undertake such inspections and to determine whether such systems are being used in conformity with the provisions of this chapter.

Subject to the approval of the mayor, the director of the public safety telecommunications center, or his or her authorized representative, shall have power to make such reasonable rules and regulations as may, in the discretion of the director of the public safety telecommunications center, be deemed necessary to implement the provisions of this chapter.

Sec. 16-35. Operational defects to be remedied.

(a) *Annual Inspection:* All alarm users shall have the user's alarm system inspected by an alarm business annually.

(b) *Backup Power Supply:* All alarm systems shall have a sufficient backup power supply that will become effective in the event of power failure or outage in the source of electricity from the utility company. Said power supply shall last a minimum of three (3) hours.

(c) *One Plus Duress Alarms:* After July 1, 2003, no alarm business shall program alarm systems so they are capable of sending One Plus duress alarms. Alarm businesses may continue to report One Plus duress alarms received from alarm systems programmed with this feature prior to July 1, 2003. However, after July 1, 2003, when performing a takeover or conversion, an alarm business shall remove the One Plus duress alarm capability from the alarm system being taken over or converted. Violation of this section shall result in a civil penalty of fifty dollars (\$50.00) per incident.

(d) *Duress Alarm Activating Device:* After July 1, 2003, alarm companies shall not install a device for activating a duress alarm, which has a single action, nonrecessed button. Violation of this section shall cause a civil penalty of one hundred fifty dollars (\$150.00) per incident.

(e) *Prevention of False Alarms:* It is the responsibility of the alarm business and technician to prevent false alarms during installation, system repairs, or system service. Proper notification shall be made to the monitoring company that the system is in a test mode to avoid dispatching of law enforcement. Violation of this section shall result in a civil penalty of one hundred fifty dollars (\$150.00) per incident against the company employing the technician.

(f) *Vision-Obscuring Device:* It is unlawful for any person to install or use an alarm system or device that emits or produces real or simulated smoke, fog, vapor or any like substance that obscures vision. Use of this device shall result in no police response.

Sec. 16-36. Response priority.

The director of the public safety telecommunications center is authorized to lower the priority of any individual request for alarm response service where the number of false alarms for that service exceeds six (6)

within any consecutive twelve (12) month period or where the alarm operator has unpaid fines and/or penalties which exceed fifty dollars (\$50.00). In addition, said director is authorized to refuse to provide response services to any location where the alarm operator has unpaid fines and/or penalties which exceed one hundred dollars (\$100.00) for more than ninety (90) days.

Sec. 16-37. Annual report.

The director of the public safety telecommunications center shall provide a report on alarm responses to the mayor and common council no later than the first regular meeting of the common council in March of each year. Said report is required to identify the number of alarm responses, the number of false alarm responses, fines/penalties assessed and paid, chronic alarm locations and the reduction of false alarms, if any, from the previous year.

Sec. 16-38. Enhanced telephone verification of burglar alarm signals.

Enhanced Verification. Enhanced Verification is the attempt by monitoring personnel to verify that no emergency exists, at the monitored premises, by means of more thorough procedures such as two (2) verification calls, live audio or video, cross zoning, other means or a combination of these procedures.

(a) *Procedure.* For alarm signals received from non-certificated commercial burglar alarm systems or any residential alarm system signal such as a burglar, duress or panic, the following procedures shall be followed:

(1) *CALL 1.* The monitoring facility shall attempt telephone verification to the protected premises after receipt of the alarm signal.

(2) *CALL 2.* If a monitoring facility operator gets a busy signal or no answer on the first call to the protected premises, a second call or calls shall be made to an alternate phone number such as a cellular, work or second number at the protected premises if such number is available.

(3) *Answering Machines.* If the first or second call reaches an answering machine a message should be left, clearly stating that it is the alarm company calling and leaving necessary information for the alarm user to promptly contact the monitoring facility.

(4) *Person on Premises without proper code.* If the operator reaches the protected premises on the first or second call and the person answering the phone does not have the proper pass code then the operator may attempt to make a 3-way call with the premise person retained as a party to the call. The 3-way call shall attempt to reach others on the call list to verify the authenticity of the person on the protected premises. If this process fails to resolve the issue then the operator should proceed to notify the dispatch authority.

(5) *Scheduled Events.* If an alarm signal is received in connection with a scheduled opening or closing event, additional numbers should be called on the call list in order to determine whether the alarm signal is caused by an opening or closing error.

(6) *Verified False.* If the alarm is verified as being false during the first, second or succeeding call as a result of getting a valid pass code, the operator shall suspend activities relating to the specific signal being worked.

(7) *Notification Call.* Call to the public safety telecommunications center.

(8) *Call lists and Priority:* Following notification of law enforcement authorities, attention shall be placed on completing the emergency call list with priority to achieve a cancellation of the dispatch if it is verified that no

emergency exists. Subsequent to dispatch of a sworn officer, the priority of notification calls to phone numbers in the customer's data base shall be first to numbers where there is a high probability of reaching an alarm user; the succeeding calls shall be made next to neighbors, then to non-premises people such as relatives, or secondary key holders.

(9) *Verification Phone Accessibility Guideline.* Care shall be taken to verify that the emergency call list phone numbers are to phones without call waiting, or alternately that *70 is programmed in front of the monitoring center phone number in the electronic digital communicator. The verification phones at the monitored premises shall be accessible after hours (not locked up in an office), such as in the vicinity of commonly used entrances and they shall not be sent to voice mail after hours so the after hours users and cleaning people can hear and answer the phone.

(10) *Additional Methods.* Audio verification, video verification, cross zoning or other electronic verification mediums shall be permitted in place of or in addition to the second verification call and shall be considered in compliance with this enhanced verification standard.

(b) Hold-Up and Panic Alarm Signals.

(1) *Commercial Hold-Up Alarm.* Unless otherwise noted, the monitoring facility shall not call the protected premises but shall notify the authorities.

Secs. 16-39--16-40. Reserved.

DIVISION 2. USER'S PERMIT

Sec. 16-41. Registration required to operate an alarm business; alarm user permits.

(a) It is unlawful for any person, partnership, corporation or association to own, manage, conduct or carry on the business of selling, leasing, installing, servicing, maintaining, repairing, replacing, moving or removing, or causing to be sold, leased, installed, serviced, maintained, repaired, replaced, moved or removed in or on any building or other property within city any device known as an intrusion or physical duress alarm system, or automatic dialing device connected to an answering service, unless there exists a current state license therefor, granted and subsisting in compliance with the provisions of the Connecticut general statutes, and the name, address and license number or I.D. card number registered with the Alarm Administrator. Alarm users and/or alarm companies attempting alarm permit registration listing alarm or monitoring companies not currently licensed with the state of Connecticut shall not be issued a permit number.

(b) Every alarm user shall have in his/her possession an alarm user permit issued by the director of the public safety telecommunications center. Such permit shall be issued upon filing by the user with the public safety telecommunications center a completed alarm permit application as provided for herein. A separate permit shall be required for each alarm site. The permit application shall be submitted to the alarm administrator prior to operation of the alarm system or prior to an existing system being taken over by a different alarm user or alarm company. The alarm user shall be responsible for the maintenance and operation of the alarm system. There will be a fee of ten dollars (\$10.00) for any changes or modifications subsequently made to the permit. There will be no charge for key holder changes provided forms approved by the director of the public safety telecommunications center are utilized.

(c) An alarm user permit shall continue in effect until there is a change in ownership of the alarm system, at which time the permit shall expire. An alarm business shall notify the alarm administrator of any alarm user who has

been canceled or otherwise terminated their alarm services with the alarm business. Alarm permits shall not be transferable.

(d) An alarm permit application shall be completed by the user and submitted to the police department alarm administrator prior to the operation of the system.

(e) This permit application shall set forth the full name, address and telephone number of both the owner or lessee on whose premises the system will be installed, operated, connected, monitored or maintained, and the name of the person of licensed alarm system business installing, monitoring, maintaining or servicing the system. The permit application shall further contain the names, addresses and telephone numbers of three (3) individuals who may be contacted by peace officers responding to an alarm. The persons listed shall have authority to act for the alarm user in granting peace officers access to any portion of the premises concerned and shall be knowledgeable in the basic operation of the alarm system. The alarm permit shall contain such additional information as the director of the public safety telecommunications center shall reasonably deem necessary to properly identify and locate the user, the alarm business installing, servicing, monitoring or maintaining the alarm system, and the persons to be contacted in the event of the filing of an alarm report.

(f) The director of public safety telecommunications shall provide notice of issuance of a permit to the director of licenses, permits and inspections.

Sec. 16-42. Fees.

The fee for an alarm user's permit shall be twenty-five dollars (\$25.00) for a residence and fifty dollars (\$50.00) for a commercial establishment. Said fee shall be a one-time fee payable at the time of the issuance of a permit. If a permit should be revoked or suspended under the provisions of this article, there shall be a reinstatement fee of five dollars (\$5.00) for a residence and ten dollars (\$10.00) for a commercial establishment.

Sec. 16-43. Denial.

An alarm user's permit shall be denied if the installer has not complied with the aforementioned state licensing requirements and/or if the installer or alarm user has not complied with the state electrical and building codes.

Sec. 16-44. Suspension and revocation of permit; appeal.

(a) The following shall constitute grounds for suspension and revocation of an alarm user's permit.

(1) The violation of any of the provisions of this ordinance; or

(2) The failure to comply with standards or regulations pursuant to this article; or

(3) Where the applicant or permittee, his employees or agents, have knowingly made any false, misleading or fraudulent statements of material fact in the application for a permit, or in any report or record required to be filed with any city agency; or

(4) Failure to pay any fines or penalties assessed herein within ninety (90) days of notification of said fine and/or penalty; or

(5) Where the number of false alarms for a particular location exceeds ten (10) within any consecutive twelve (12) month period.

(b) An alarm user may appeal any notice of false alarm incident, fine or permit decision affecting his denial, suspension or revocation status within ten (10) days of notification. Appeals shall be directed to the hearing officer in accordance with the provisions of section 16-32.

Secs. 16-45--16-60. Reserved.