

LOCAL LAW NO. _____ OF 2023

A LOCAL LAW AMENDING CHAPTER 62 OF THE HUDSON CITY CODE

SECTION 1. TITLE

This Local Law shall be known as Local Law No. ____ for the year 2023.

SECTION 2. LEGISLATIVE FINDINGS

The Common Council of the City of Hudson finds that amendments to Chapter 62 of the Hudson City Code related to the installation, supervision and regulation of Alarm systems within the City of Hudson are necessary for the health, safety and welfare of City residents to reduce the number of avoidable nuisance alarms and better allow for the orderly installation and supervision of emergency alarm systems.

SECTION 3. LEGISLATIVE INTENT

It is the intent of the Common Council to amend Chapter 62 of the Hudson City Code related to commercial and residential alarm systems in order to allow for the Hudson Police Department to better enforce the intention of the law by reducing the number of avoidable nuisance alarms, and further promote the orderly installation, supervision and regulation of said alarm systems.

SECTION 4. STATEMENT OF AUTHORITY

This local law is authorized by the Municipal Home Rule Law (chapter 36-a of the Consolidated Laws of the State of New York) and the General City Law (chapter 21 of the Consolidated Laws of the State of New York).

SECTION 5. AMENDMENT TO THE CITY CODE

Chapter 62 of the City of Hudson Code is hereby amended by deleting Chapter 62 in its entirety and replacing it with the following:

Chapter 62. Alarms

§ 62-1. Short title.

This chapter shall be known as the "City of Hudson Emergency Alarm Law."

§ 62-2. Legislative determination.

The Common Council of the City of Hudson hereby finds and declares that there is a growing incidence of false emergency alarms sounded throughout the City. Such false alarms utilize an increasing amount of valuable time of City police officers. Often, the City Police Department must respond to false emergency alarms at the same location on repeated occasions. Such false soundings hamper law enforcement efforts and pose an increased risk to citizens when police time is wasted responding to non-emergencies. The Council therefore finds and declares that it is in the public interest to establish a statute governing the sale, installation, and maintenance of commercial and residential alarms to include but not limited to: burglary, fire and other emergency alarms in the City of Hudson.

§ 62-3. Definitions.

For purposes of this chapter, the following terms are hereby defined:

EMERGENCY ALARM

Any type of device or system of devices which provides warning of intrusion, fire, smoke, burglary, flood or like perils and which transmits emergency signals via telephone lines or otherwise to police headquarters or sounds an alarm audible outside the building, structure or property protected by the emergency alarm. Specifically excluded is a standard household smoke alarm which has as its primary function giving warning of smoke or fire to the occupants of the building or structure, or portion thereof, protected by such alarm.

FALSE ALARM

Any signal necessitating response by the Police or Fire Department where an emergency situation does not exist.

INSTALLER

Any licensed installer as defined in this Chapter or a property owner who self-installs an emergency alarm system on his/her own property.

LICENSED INSTALLER

Any person duly licensed to install security or fire alarm systems pursuant to § 69-m of Article 6-D of the General Business Law of the State of New York. Licensed Installer shall not include self-installations performed by the property owner of a security or fire alarm system on their own property.

PERSISTENT FALSE ALARM

The fourth and each subsequent false alarm which occurs at one location during any twelve-month period.

PERSON

Any natural person, partnership, corporation, association, or other legal entity.

§ 62-4. Registration.

- A. No emergency alarm shall be operated in the City of Hudson without prior registration of the alarm with the Police Department of the City of Hudson.
- B. Every person required to register an emergency alarm must furnish the Hudson Police Department at the time of registration, and as necessary thereafter, a list of current information as follows:
 - (1) The name, residence address and telephone number of the registrant.
 - (2) The name, address, and telephone number of any other person at a different location who is authorized to respond to an emergency and open the location where the alarm system is installed to reset the alarm.

(3) In the case of a business location, the registrant shall provide the Police Department with at least three persons to contact in case of an emergency who have access to the location.

(4) Where a licensed installer has installed the alarm, the name, address, and telephone number of the licensed installer who installed the emergency alarm, and the name, address, and telephone number of the person, if any, with whom the registrant has contracted for service of the emergency alarm.

C. A one-time registration fee as established by the Common Council shall be charged by the City of Hudson for residential alarms and business alarms. An annual registration fee as established by the Common Council shall be charged by the City of Hudson for an emergency alarm at a business location and residential location, to be billed by the Hudson Police Department in January of each year.

§ 62-5. Installation of emergency alarms.

A. No installer shall do business in the City of Hudson unless such person has provided to the City of Hudson Police Department a copy of the license issued to such person pursuant to the provisions of Article 6-D of the General Business Law. This paragraph shall not apply to emergency alarm systems self-installed by the owner of the property.

B. Prior to the installation of any emergency alarm, the installer shall inform the purchaser of the alarm of the requirement for registration of the alarm and shall not complete installation until such person has registered the alarm with the Hudson Police Department.

C. No emergency alarm having an audible alarm shall be installed or registered unless such alarm automatically terminates the audible signal within 15 minutes of its activation.

D. The registrant of an emergency alarm shall notify the Hudson Police Department of the removal, disconnection or other act rendering an emergency alarm inoperable. Thereafter, the resumption of operation of an emergency alarm at such premises shall require a new registration.

§ 62-6. Maintenance.

An emergency alarm must be maintained in proper working order at all times. The maintenance is the responsibility of the person in whose name the alarm is registered.

§ 62-7. Testing.

Testing of the system or device shall be conducted in the following manner:

A. No more than one test shall be conducted per calendar month, unless otherwise authorized by the Hudson Police Department.

- B. The registrant, or their agent, must notify the Police Department either in person or by phone before the testing of the system. When notifying the Police Department of the test, the person making the notification must indicate the registration number of the emergency alarm for purposes of security.

§ 62-8. False alarms.

- A. When a signal, message or warning is transmitted to the City Police Department, which indicates a failure to comply with the provisions of this article, or when emergency services receive persistent false alarms as defined in this Chapter, the Chief of Police is authorized to demand that the registrant disconnect such device until it is made to comply with the provisions of this Article.
- B. Fees in an amount established by resolution of the Common Council shall be assessed upon the second and each subsequent incidence of a false alarm in a 12-month period. Such fee shall be paid to the Police Department if said person has received the following notice in the manner prescribed:
 - 1. Written notice to the Registrant of the system and property owner by certified mail through the United States Postal Service from the Chief of Police, upon the first false alarm stating the fees payable upon all subsequent false alarms, the potential of a demand for disconnection, and the potential non-response by the police department to subsequent alarms.
- C. Upon the failure to pay the fee assessed in Subsection B above, the City shall add the unpaid fee to the tax bill of the owner of the property where the false alarm originated.
- D. Police officers responding to all false alarms shall file an official police report indicating all pertinent information pertaining to said false alarm, the original copy of which shall be forwarded to the Police Chief upon each and every occurrence of such false alarms.
- E. The Police Chief, in his/her discretion, after written evidence is presented to them by a property owner or registrant of the alarm system that they have taken steps to correct the problem or cause of the false alarms, may suspend the assessment of fees and disconnection.
- F. There shall be no liability to the City as a result of a disconnection pursuant to this Chapter, or as a result of the police department, or any of its officers, not responding to an alarm.
- G. The Hudson Police Department shall notify the Registrant in writing after the first false alarm in any 12-month period as set forth in §62-8(B)(1). Such notification shall be considered a warning and advice that the system must be repaired.

§ 62-9. Penalties for offenses.

- A. Any person having an emergency alarm operating within the City of Hudson without current registration with the Hudson Police Department shall be guilty of a violation, which shall be punishable by a fine not exceeding \$100.

SECTION 6. SEVERABILITY

The provisions of this local law are severable. If any provision of this local law is found invalid, such finding shall not affect the validity of this local law as a whole or any part of provision hereof other than the provision so found to be invalid.

SECTION 7. EFFECTIVE DATE

This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Introduced: _____

Seconded: _____

Approved _____

By _____
Kamal Johnson, Mayor