

CHAPTER 7

AUTOMATIC ALARM DIALING DEVICE REGULATIONS

§ 7-1. Purpose 701
 § 7-1A. Definitions 701
 § 7-2. Emergency 911 Telephone System and Interfacing 701
 § 7-3. Penalties 702
 § 7-4. Liability 702
 § 7-5. Severability 703
 § 7-6. Effective date 703

[HISTORY: Adopted by the Common Council of the City of Dunkirk on 2-2-1999 as L.L. #2 (Intro No. 1) 1999. Amendments noted where applicable.]

§ 7-1. Purpose.

The purpose of this local law is to promote the health, safety and general welfare of the residents of the City of Dunkirk by regulating automatic alarm dialing devices which interconnect into the City’s dispatch center and to eliminate dialing devices interconnected into the Emergency 911 Telephone System of the City. This local law seeks to ensure that police, ambulance, fire and rescue emergency personnel are available for dispatch to actual emergencies and to alleviate the hindrance of automatic dialing devices trying up the Emergency 911 Telephone System.

§ 7-1A. Definitions.

An “alarm system” shall include a device or an assembly of equipment that emits an audible, visual or similar response that is intended to alert persons outside a premise to the existence of a hazard or emergency; or that is intended to alert emergency agencies by automatically dialing an emergency agency, or that is connected to a central station or answering service for the purpose of reporting such alarms to emergency agencies.

§ 7-2. Emergency 911 Telephone System and Interfacing.

No Alarm System’s automatic dialing device shall be interconnected or otherwise connected to the Emergency 911 Telephone System of the City, without the written authorization of the Chief of Police. The Chief, in his discretion, may permit automatic dialing devices to transmit signals directly to the Police Department, provided that such interconnection is in conformance with written instructions from the Chief of Police and uses designated telephone

numbers and trunklines. In addition, the Chief of Police may require such automatic dialing devices to meet the following minimum standards:

1. The device shall not be the type, which shall hold the designated trunk line open after the Police Department has broken the telephone connection.
2. The device shall not dial the Police Department's designated number more than once as a result of a single activation. The device shall not repeat its message more than six (6) times after the call has been answered by the Police Department.

§ 7-3. Penalties.

- A. Any person who interconnects or otherwise connects an automatic dialing device to the Emergency 911 Telephone System of the City without the written permission of the Chief of Police shall be guilty of an offense. Persons guilty of a first offense shall be issued a warning letter stating such offense. For a second subsequent offense, such person shall be liable for a penalty of Five Hundred Dollars (\$500.00). For a third subsequent offense, such person shall be liable for a penalty of One Thousand Dollars (\$1,000.00).
- B. Any person who interconnects an automatic dialing device to the Police Department's special trunkline that does not comply with the standards set by the Chief of Police shall be guilty of an offense. Persons guilty of a first offense shall be issued a warning letter stating such offense. For a second subsequent offense, such person shall be liable for a penalty of Five Hundred Dollars (\$500.00). For a third subsequent offense, such person shall be liable for a penalty of One Thousand Dollars (\$1,000.00).

§ 7-4. Liability.

The City of Dunkirk shall not be liable for any defects in operation of emergency alarm systems, including automatic dialing devices, for any failure to respond approximately or for any erroneous response upon receipt of any emergency alarm signal. Nor shall the City be liable for the failure or defect of any installation, operation or maintenance of equipment, the transmission of alarm signals or messages, or the relaying of such signals or messages. In the event that the City finds it necessary to disconnect a defective alarm or device, the City shall incur no liability therefrom.

§ 7-5. Severability.

If any section, subsection, sentence, clause, phrase or word of this Local Law is for any reason held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Law.

§ 7-6 Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.