

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

NEW YORK  
DEPARTMENT OF STATE  
**FILED**  
JUL 20 2007

~~County~~  
~~City~~ of Stony Point  
~~Town~~  
~~Village~~  
Local Law No. 7 of the year 2007

MISCELLANEOUS  
& STATE RECORDS

A local law to amend Chapter 48 of the Town Code, entitled Alarm Systems, §48-13,

Enforcement  
-----  
-----  
-----

Be it enacted by the Town Board of the  
(Name of Legislative Body)

~~County~~  
~~City~~ of Stony Point as follows:  
~~Town~~  
~~Village~~

SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 7 of 2007 of the ~~(County)~~(City)(Town)(Village) of Stony Point was duly passed by the Town Board on July 10, 2007, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_, above.

*Frances C. Mullin*

Clerk of the County legislative body, City, Town or Village Clerk Frances C. Mullin  
or officer designated by local legislative body Town Clerk

(Seal)

Date: July 17, 2007

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF Rockland

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature \_\_\_\_\_

Title Special Counsel

~~County~~  
~~City~~ of Stony Point  
Town  
~~Village~~

Date: July 17, 2007

**CODE OF THE TOWN OF STONY POINT NEW YORK, v20 Updated 04-01-2006 /  
PART II GENERAL LEGISLATION / Chapter 48, ALARM SYSTEMS**

---

**Chapter 48, ALARM SYSTEMS**

---

[HISTORY: Adopted by the Town Board of the Town of Stony Point 2-12-1991 by L.L. No. 1-1991. Amendments noted where applicable.]

**GENERAL REFERENCES**

Fire prevention and building construction -- See Ch. 107.

**CODE OF THE TOWN OF STONY POINT NEW YORK, v20 Updated 04-01-2006 /  
PART II GENERAL LEGISLATION / Chapter 48, ALARM SYSTEMS / § 48-1. Title.**

**§ 48-1. Title.**

This chapter shall be known as the "Local Law Regulating Alarm Systems in the Town of Stony Point."

**CODE OF THE TOWN OF STONY POINT NEW YORK, v20 Updated 04-01-2006 /  
PART II GENERAL LEGISLATION / Chapter 48, ALARM SYSTEMS / § 48-2.  
Purpose.**

**§ 48-2. Purpose.**

It is the purpose of this chapter to protect and promote the health, safety and general welfare of the residents of the Town of Stony Point by reducing the number of avoidable alarms to emergency agencies. Avoidable alarms contribute to ineffective utilization of public safety, manpower and equipment. In addition, avoidable alarms require emergency responses which may contribute to a high accident rate and delay responses to genuine emergencies. This chapter seeks to ensure that police and fire communications and ambulance facilities will be available to dispatch police, fire and ambulance personnel for actual emergencies and to alleviate the nuisance of audible alarms in the town. Another purpose of this chapter is to provide the town with the names of responsible people to contact in the case of activation of an alarm.

**CODE OF THE TOWN OF STONY POINT NEW YORK, v20 Updated 04-01-2006 /  
PART II GENERAL LEGISLATION / Chapter 48, ALARM SYSTEMS / § 48-3.**

**Definitions.**

**§ 48-3. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**ALARM SYSTEM** -- A device or an assembly of equipment which emits an audible response, which is intended to alert persons outside a premises to the existence of a hazard or emergency or which is intended to alert emergency agencies by automatically dialing an emergency agency or which is connected to a private answering point for the purpose of reporting such alarms to emergency agencies or which is directly connected to an emergency agency.

**ALARM USER** -- Any person who owns, leases or uses an alarm system within the Town of Stony Point except for a person whose alarm system is on a motor vehicle or is a proprietary system. If, however, an alarm system on a motor vehicle is connected with an alarm system at a premises (other than a proprietary system) in the Town of Stony Point, the person using such system is an alarm user.

**AVOIDABLE ALARM** -- The activation of an alarm system through mechanical failure, malfunction, improper installation or the negligence of the owner, user, custodian or lessee of an alarm system or of his employees or agents through direct connection to an emergency agency or through notification of an emergency agency by a private answering point or automatic dialing device or through notification to an emergency agency by any second party or means, indicating that an emergency situation exists requiring responses within the town when, in fact, an emergency situation does not exist. An "avoidable alarm" also includes the knowing or intentional activation of an alarm to an emergency agency when the activator knows that an emergency situation does not exist. Avoidable alarm does not include alarms activated by violent conditions of nature such as hurricanes, tornadoes, earthquakes or any other similar cause beyond the control of the user of the alarm system. Activation of an alarm system under any circumstances in which the activator reasonably believes that an emergency situation exists is not an avoidable alarm. Notwithstanding any language to the contrary, the defective installation of an alarm system, the failure to repair or cause to be repaired an alarm system or the use of defective equipment in connection with an alarm system shall not constitute an extraordinary circumstance beyond the reasonable condition of the alarm user.

**EMERGENCY AGENCY** -- Any Police Department, Fire Department or other law enforcement agency or ambulance company (public or private) or other agency summoned to respond to an emergency situation and any public safety answering point serving the Town of Stony Point.

**LOCAL ALARM SYSTEM** -- A signaling system which, when activated, causes an audible signaling device to be activated outside the premises within which the system is installed.

**NOTICE ADDRESS** -- The address which an alarm user designates on the application for a permit as the address to which notices are to be sent.

**PERSON** -- Any person, firm, partnership, corporation, association, company or organization of any kind.

**PRIVATE ANSWERING POINT** -- A business which offers the service of receiving emergency signals, monitoring said signals and relaying them to an emergency agency.

**PROPRIETARY SYSTEM** -- An alarm, sounding and/or recording within the premises protected by the alarm, which is not intended to alert persons outside of the premises on which the alarm system is located of a possible hazard and is not intended to alert an emergency agency, the control center being under the supervision of the proprietor of the protected premises. If a "proprietary system" includes a signal line connected directly or by means of an automatic device to an emergency agency or to a private answering point or to a local alarm system, it thereby becomes an "alarm system" as defined in this chapter.

**TOWN** -- The Town of Stony Point.

**CODE OF THE TOWN OF STONY POINT NEW YORK, v20 Updated 04-01-2006 /  
PART II GENERAL LEGISLATION / Chapter 48, ALARM SYSTEMS / § 48-4.  
Exemptions.**

**§ 48-4. Exemptions.**

The provisions of this chapter shall not apply to proprietary systems.

**CODE OF THE TOWN OF STONY POINT NEW YORK, v20 Updated 04-01-2006 /  
PART II GENERAL LEGISLATION / Chapter 48, ALARM SYSTEMS / § 48-5. Permit  
required.**

**§ 48-5. Permit required.**

No person shall own, lease, operate or maintain an alarm system within the Town of Stony Point unless such person shall have first obtained from the town a permit for such alarm, as hereinafter provided.

**CODE OF THE TOWN OF STONY POINT NEW YORK, v20 Updated 04-01-2006 /  
PART II GENERAL LEGISLATION / Chapter 48, ALARM SYSTEMS / § 48-6.  
Application for permit.**

**§ 48-6. Application for permit.**

- A. In order to obtain an alarm user permit, any person who operates an alarm system shall submit an application for such permit to the Town of Stony Point Police Department in the form designated by the Police Chief, which application shall contain the following:
- (1) The name, address and telephone number of the person applying for the permit.
  - (2) The address of the premises upon which the alarm system is or will be located.
  - (3) The address to which notices required under this chapter shall be sent.
  - (4) The type of alarm systems for which the permit is sought.
  - (5) The name of the alarm business or businesses selling, installing, monitoring, inspecting, responding to and/or maintaining the alarm system, if applicable. A copy of the state license shall also be provided.<sup>EN(1)</sup>
  - (6) The name, address and telephone number of one or more persons who can be reached at any time and who are authorized by the owner of the premises in which the system is installed to open the premises.
  - (7) Any other information relating to the alarm system or user as the town may require.
- B. The information required on the permit application shall be treated as confidential and shall not be made available to the members of the general public. The Town Board finds that the release of such information would constitute an unwarranted invasion of personal privacy and could endanger the life or safety of persons at the premises where an alarm system is located. The information on a permit application shall be used by the town only for public safety purposes.

**CODE OF THE TOWN OF STONY POINT NEW YORK, v20 Updated 04-01-2006 /  
PART II GENERAL LEGISLATION / Chapter 48, ALARM SYSTEMS / § 48-7.  
Issuance; transferability.**

**§ 48-7. Issuance; transferability.**

Upon the receipt of a properly executed permit application, the Police Department shall issue an alarm user permit to the applicant. Alarm user permits shall not be transferable, shall be kept on the premises where the alarm system is located and shall be made available for inspection by emergency agency officers.

**CODE OF THE TOWN OF STONY POINT NEW YORK, v20 Updated 04-01-2006 /  
PART II GENERAL LEGISLATION / Chapter 48, ALARM SYSTEMS / § 48-8.  
Duration of permit.**

**§ 48-8. Duration of permit.**

An alarm user permit shall expire when ownership or occupancy of the home, business or other building changes or when the information on the filed permit is no longer current.

**CODE OF THE TOWN OF STONY POINT NEW YORK, v20 Updated 04-01-2006 /  
PART II GENERAL LEGISLATION / Chapter 48, ALARM SYSTEMS / § 48-9.  
Avoidable alarm incident report.**

**§ 48-9. Avoidable alarm incident report.**

Whenever an emergency agency files an avoidable alarm report with the Police Department, such report shall contain the following information:

- A. The alarm user's name and address.
- B. The date and location of the avoidable alarm.
- C. The reasons why the alarm was determined to be an avoidable alarm.
- D. Other pertinent information.

**CODE OF THE TOWN OF STONY POINT NEW YORK, v20 Updated 04-01-2006 /  
PART II GENERAL LEGISLATION / Chapter 48, ALARM SYSTEMS / § 48-10.  
Deactivation of local alarms.**

**§ 48-10. Deactivation of local alarms.**

- A. All local alarm systems shall become deactivated and silenced automatically after a period of time not to exceed 15 minutes.
- B. Police and/or fire officials may disable an audible alarm signal that has not been silenced prior to the expiration of the fifteen-minute period and shall not be liable for any damage that may result.

**CODE OF THE TOWN OF STONY POINT NEW YORK, v20 Updated 04-01-2006/  
PART II GENERAL LEGISLATION / Chapter 48, ALARM SYSTEMS / § 48-11.  
Avoidable alarms prohibited.**

**§ 48-11. Avoidable alarms prohibited.**

Avoidable alarms are strictly prohibited and are the responsibility of the alarm users. No alarm user shall permit an avoidable alarm.

**§ 48-12. Commission of offenses.**

An alarm user who violates the provisions of § 48-11 shall be guilty of an offense.

**§ 48-13. Enforcement.**

The Police Department, Code Enforcement Official or Fire Inspector of the Town of Stony Point shall have the authority to enforce violations of this chapter.

**CODE OF THE TOWN OF STONY POINT NEW YORK, v20 Updated 04-01-2006/  
PART II GENERAL LEGISLATION / Chapter 48, ALARM SYSTEMS / § 48-11.  
Penalties for offenses. EN**

**§ 48-14. Penalties for offenses. EN(2)**

A person found in violation of this chapter shall be guilty of an offense and shall be subject to a fine not to exceed \$100 for the first offense and \$250 for the second offense or subsequent offense.

**CODE OF THE TOWN OF STONY POINT NEW YORK, v20 Updated 04-01-2006/**

**PART II GENERAL LEGISLATION / Chapter 48, ALARM SYSTEMS / § 48-15.  
Applicability.**

**§ 48-15. Applicability.**

The provisions and requirements of this chapter shall apply to all persons who are alarm users on the effective date of this chapter and to all persons who subsequently become alarm users.

**Endnotes**

**1 (Popup - Popup)**

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

**2 (Popup - Popup)**

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).