

## CHAPTER 91

### ALARMS

[**HISTORY:** Adopted by the Board of Selectmen of the Town of Hillsborough 1-7-1986. Amendments noted where applicable.]

#### **§ 91-1 Statutory authority.**

Pursuant to the authority conferred by New Hampshire RSA 31:39, in order to promote the public health and safety and to provide for the general welfare of the citizens of the Town of Hillsborough, the following chapter is hereby enacted.

#### **§ 91-2 Findings and determination.**

The Selectmen have determined that the response of fire and police personnel to false alarms causes a danger to the public safety and adversely affects the welfare of the community by significantly increasing the costs of the fire and police services provided by the community.

#### **§ 91-3 False alarms prohibited; penalties for offenses.**

Now, therefore, in order to discourage false alarms, to promote the safety of the citizens of Hillsborough and to recover unnecessary costs incurred in providing fire and police services to the community, it is hereby ordered that any false alarm causing the response of either fire, police or other emergency services provided by the Town of Hillsborough which is either caused by the direct action of any person or by the negligence of any person is prohibited, and any person who shall be found guilty of causing, either directly or indirectly, such false alarm, in addition to any penalties provided by the laws of the State of New Hampshire, shall forfeit to the Town of Hillsborough a payment equal to the reasonable costs of providing the services to answer said alarm, provided that said costs shall in no event exceed \$500 per incident.

#### **§ 91-4 Evidence of false alarm.**

In determining whether or not a person has caused a false alarm to be issued by negligence, in the event that the false alarm is caused by the malfunction or other improper operation of a mechanical alarm device, it shall be prima facie evidence of the negligence of the owner of said alarm device if said device has caused a false alarm to be reported twice within the next preceding 90 days.

#### **§ 91-5 Presumption of alarm ownership.**

Any person who is the owner of any structure which is protected by a mechanical alarm device shall be presumed to be the owner of said device for the purposes of this chapter without regard to whether the device is owned, leased, rented or otherwise maintained by a person other than the owner of the building.

**§ 91-6 Definitions.**

For purposes of this chapter, the following terms shall have the meanings indicated:

PERSON - Includes an individual, partnership, corporation or other lawful entity however described.

**§ 91-7 Recovery of costs by town.**

The Town of Hillsborough shall be entitled to recover the forfeited costs incidental to any criminal action that may be brought against a person charged with causing a false alarm or by civil action without regard to whether criminal action shall be instituted or successfully maintained.

**§ 91-8 When effective.**

This chapter shall be effective upon adoption by the Board of Selectmen and upon publishing a copy of the same in the Hillsborough Messenger and the filing of a copy with the office of the Town Clerk of the Town of Hillsborough.