

LOCAL LAW 2 OF 2025

A LOCAL LAW OF THE VILLAGE OF WALDEN, NEW YORK, ESTABLISHING A NEW CHAPTER OF THE VILLAGE CODE TO BE ENTITLED “FALSE ALARMS.”

BE IT ENACTED by the Village Board of the Village of Walden as follows:

SECTION 1 – TITLE

A Local Law creating a new Chapter 134 entitled “False Alarms” to be made a part of the Village Code of the Village of Walden, New York,

SECTION 2 – PURPOSE & INTENT

The Village of Walden hereby finds and declares that false alarms drain resources of the Village of Walden Police Department, and other first responders such as firefighters and emergency service workers. Each false alarm amounts to a waste of taxpayer money without any public safety benefit and otherwise imperils the rest of the public who may need actual assistance. The fines established herein and levied in accordance with this Local Law shall be used to both offset the administrative and operational expenses caused by the large number of responses by the Village of Walden Police Department and other first responders to said false alarms and further act as an incentive to encourage the proper care of and maintenance of alarm systems so as to minimize the occurrence of false alarms to the greatest extent possible.

Accordingly, and in furtherance of enhancing the public's health, safety, and general welfare, this law is enacted

SECTION 3 – AMENDMENT TO VILLAGE CODE

Section 2. Amendment to Village Code.

A new Village Code provision, designated as Chapter 134, shall be added as follows:

134-1. Definitions

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

- A. "Alarm System" shall mean a device or series of devices, including but not limited to devices interconnected with a telephone and/or radio frequency method such as cellular or private radio signals, which emit or transmit a remote or local audible, visual or electronic signal indicating an alarm condition and intended to summon the Law Enforcement and/or fire protection and/or medical emergency service and/or Emergency Services which perform

- services in the Village of Walden. "Alarm System" shall not include any personal alarm device nor any vehicle alarm device unless the vehicle is permanently located at a site where the device or devices constituting the Alarm System are intended to summon Emergency Services.
- B. "Dispatched" means a verbal, electronic, or written communication to Law Enforcement or Emergency Services made through an Alarm System which actually causes a police officer, firefighter (paid or volunteer), ambulance corps volunteer or employee, rescue squad worker (paid or volunteer), or auxiliary member of any police or fire department or ambulance corps or rescue squad to physically leave the premises such person is at or change directions in their motor vehicle with the plan to respond (or actually responding) to what is determined to be a false alarm.
- C. "Emergency" shall mean (i) a need for prompt medical services; and/or (ii) a need for prompt police services due to an impending or actually occurring trespass, break in, robbery; and/or (iii) a circumstance perceived by a human witness or believed by a person based on his or her actual observation or the observation of another human reporting such human's personal, for anything described in (i) or (ii).
- D. "Emergency Services" shall mean a fire department, district, company, ambulance corps, or rescue squad.
- E. "False Alarm" shall mean an automated action which emanates from an Alarm System in a structure and causes a call or signal to come into a local law enforcement dispatch where a person therein contacts Law Enforcement or Emergency Services and dispatches Law Enforcement or Emergency Services to such structure (whether the Law Enforcement personnel or Emergency Services personnel actually arrive at such structure or not) without any actual emergency existing at that structure.
- F. "Law Enforcement" shall mean the Village of Walden Police Department. Law Enforcement shall also include the Police Department dispatchers, Orange County 911 dispatchers, dispatchers, civilian or otherwise, who answer the phones at any structure or portion thereof used by Law Enforcement to dispatch police officers or Emergency Services to potential emergencies.
- G. "Municipality" shall mean the Village of Walden.
- H. "Owner" shall mean the person, firm, partnership, association, or corporation which has legal title to the real property where the false alarm emanates from.

- I. "Police phone number" shall mean emergency communications or any phone number designed to be answered by Law Enforcement or Emergency Services.
- J. "Statement" shall mean a written invoice stating a fine. Such statement shall include a statement that the addressee or his or her attorney or a tenant of the addressee acting with the written (notarized) approval of the addressee may appeal the fine provided for in the invoice in the process authorized under law. Statements shall be served personally upon the addressee or may be served certified mail return receipt requested along with a copy sent first class mail at the address of the property owner.
- K. "Structure" shall mean a physical improvement to real property which has an alarm in it placed there by or under the control of an owner or tenant of the structure.

134-2. False Alarms Prohibited

- A. False Alarms caused by an Alarm System are prohibited. It is the responsibility of the property owner to ensure that their Alarm System is in proper working order and does not cause a false alarm.

134-3 Penalties for offenses

- A. Penalties for False Alarms. When Law Enforcement or Emergency Services are Dispatched to a false alarm, the owner of the real property Law Enforcement or Emergency Services was dispatched to, and shall be liable for a civil penalty in the following amount in any calendar year:
 - \$0.00 for the first and second false alarm;
 - \$250.00 for the third false alarm;
 - \$500 for the fourth and each and every subsequent false alarm(s).
- B. Payment. The civil penalty must be paid within thirty (30) days of the date it is issued by the Village. In the event the penalty is not paid within thirty (30) days, the Village may commence proceedings in Village Justice Court to collect said penalty. Whether such a proceeding is commenced or not, any unpaid penalty shall be a lien against the real property from which the false alarm originated. The amount of such penalty, if not paid in the time required, may be assessed and levied against such real property and collected in the same manner as real property taxes.

SECTION 4 - VALIDITY

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid,

such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5 - EFFECTIVE DATE

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.