

APPEAL GUIDELINES

According to Charles County False Alarm Ordinance No. 98-48, Section 2.0, DEFINITIONS, (P), False Alarm Dispatch means "an Alarm Dispatch Request to the police, fire or emergency medical services when emergency responders find no evidence of medical need, a criminal offense or an attempted criminal offense or, after completion of a timely investigation of the Alarm Site, the senior fire officer determines there is no evidence to support activation of the fire alarm system." **Accordingly, if emergency personnel respond and find no evidence of criminal or fire activity or no evidence of medical need, the alarm call will be cleared as a false alarm.**

When considering whether to file an appeal of a false alarm assessment, please note that appeals **will not** be granted for false alarms that are a result of the following circumstances*:

- (1) Faulty, defective or malfunctioning equipment supplied by the alarm business.
- (2) Improper installation or maintenance by the alarm business.
- (3) Improper monitoring by the alarm business.
- (4) An occurrence where no evidence of criminal activity is present.
- (5) Mistakes made by private contractors, maids, cleaning crews, Realtors, etc.
- (6) Improper maintenance of the alarm system by the alarm owner (including neglect of backup power/battery supplies).
- (7) Items within the home or business which move and cause motion detectors to activate, i.e., curtains, signs, balloons, plants, pets, etc.
- (8) Glass break detectors which activate due to noises or sounds other than actual glass breakage.
- (9) Doors and/or windows that become loose and cause a break in the contacts which activates the alarm.
- (10) Caretakers who watch homes or businesses when owners are away.
- (11) Pets, rodents, wildlife.

****This list is intended only as a guide to assist you in deciding whether to appeal a false alarm assessment or whether to contact your alarm company for further discussion. This list is not intended to cover every situation where an appeal may be denied.***

PLEASE NOTE: For items 1 - 3 above, it is suggested that you contact your alarm company immediately if you believe a false alarm was recorded against your registration due to:

faulty, defective or malfunctioning equipment supplied by the alarm business;
improper installation or maintenance by the alarm business; or
improper monitoring by the alarm business;

If an alarm technician directly caused the false alarm, please provide documentation showing the alarm technician was at your location during the false alarm activation (i.e., work order, invoice). Once documentation is received by FARU, the false alarm will be removed from your account.

FALSE ALARM REDUCTION UNIT (FARU)

Department of Emergency Services, Charles County Government
10425 Audie Lane, La Plata, MD 20646
Phone: 301-609-3404
www.charlescountymd.gov/es/faru

APPEAL PROCEDURES

- (A) The applicant of an ABL or AR, or the holder of an ABL or AR or Alarm User may appeal the assessment of a fine, the assignment of a false alarm, suspension, revocation, or request reinstatement by filing an appeal to the Director of Emergency Services. An appeal must be in writing, must set forth the reasons for the appeal, and must be received by the Director of Emergency Services within twenty (20) calendar days from the date of the notification letter from FARU. An Alarm Business may submit the request for an appeal on behalf of an Alarm User.
- 1) Filing of an appeal with the Director of Emergency Services shall stay the action by the Alarm Administrator suspending a registration or requiring payment of a fine.
- (B) In the event the Alarm User/Alarm Business believes they have been aggrieved by the decision of the appeal to the Director of Emergency Services, the Alarm User/Alarm Business may request a hearing before the Alarm Review Board. A written request for an Alarm Review Board hearing must be received by the Director of Emergency Services within twenty (20) calendar days from the date of the appeal denial notification from the Director of Emergency Services. If a request for an Alarm Review Board hearing is not made within the twenty (20) calendar day period, the decision of the Director of Emergency Services is final.
- 1) Filing of a request for an Alarm Review Board hearing shall stay the action by the Alarm Administrator suspending a registration or requiring payment of a fine, until the Alarm Review Board has decided the appeal.
- (C) The Alarm Review Board shall conduct a formal hearing and consider the evidence by any interested Person(s). The Board shall make its decision on the basis of the preponderance of evidence presented at the hearing including, but not limited to, evidence that a False Alarm Dispatch was caused by a defective part that has been repaired or replaced or that an Alarm Dispatch Request was caused by a criminal offense. Unless extended by mutual agreement of the parties or for good cause as determined by the Board, the Board must render a decision within thirty (30) calendar days after the appeal hearing has been held. The Board shall affirm, reverse or modify the assessment of the penalty. The decision of the Board is final.
- (D) A decision of the Board authorized under this chapter is binding on the parties, subject to review only by the Circuit Court for Charles County upon a petition for judicial review filed pursuant to the Maryland rules of procedure by any party aggrieved by the decision within the time prescribed for petitions for review of administrative agency decisions by such rules of procedure.
- (E) The Alarm Review Board, appointed by the Charles County Commissioners, shall consist of seven (7) members as follows: one (1) Alarm Administrator as an ex-officio non-voting member, except in the case of a tie; one (1) local Alarm Company representative recommended by the Charles County Chamber of Commerce; one (1) local Alarm Industry representative appointed by the Charles County Commissioners; one (1) local Business Community representative, recommended by the Charles County Chamber of Commerce; one (1) alarm user from the public-at-large, appointed by the Charles County Commissioners; one (1) Police Representative recommended by the Charles County Sheriff=s Office; and one (1) Fire/EMS Services Representative recommended by the Charles County Board of Fire and Rescue Commission.

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(Rev. 03/13/18)

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