

SUBTITLE 9. - ELECTRICITY.

DIVISION 1. - ELECTRICAL CODE.

SUBDIVISION 1. - ADOPTED BY REFERENCE.

Sec. 9-101. - Code; adoption by reference.

The National Electrical Code (NEC), 2014 Edition, published by the National Fire Protection Association, is hereby adopted by reference and made a part of this Subtitle with the same force and effect as though set out in full herein as the Official Electrical Code of Prince George's County, together with the changes, deletions, or modifications prescribed in this Subtitle. All electrical work performed or contracted to be performed in the County shall be included within the authority of this Subtitle.

(CB-51-1985; CB-96-1989; CB-99-1991; CB-58-1994; CB-23-1996; CB-41-2000; CB-66-2003; CB-91-2015)

Sec. 9-101.01. - Reserved.

Sec. 9-102. - Definitions.

- (a) The term "**the authority having jurisdiction for enforcing this Code**" as used in the National Electrical Code shall mean the Chief Electrical Inspector and Electrical Code Official of the Department of Permitting, Inspections, and Enforcement, or other such person as the Director shall designate. Where the name of the jurisdiction is to be indicated in any Section of the Code, the name to be substituted therein shall be "Prince George's County, Maryland."
- (b) For the purposes of this Division, the following words, terms and phrases shall have the meaning given for them in Section 2-253.50 of this County Code:
- (1) Board;
 - (2) Department;
 - (3) Director;
 - (4) Electrical Contractor;
 - (5) Electrical Contractor, Limited;
 - (6) Electrical work;
 - (7) Master Electrician;
 - (8) Master Electrician, Limited;
 - (9) Journeyman Electrician;
 - (10) Apprentice Electrician;
 - (11) Electrical Subcontractor;
 - (12) Electrical Subcontractor, Limited.

(CB-51-1985; CB-41-2000; CB-66-2003; CB-18-2013)

Sec. 9-103. - Public inspection.

One (1) copy of the National Electrical Code adopted by this Subdivision shall be marked as the master copy and maintained by the Clerk of the Council.

(CB-51-1985)

SUBDIVISION 2. - AMENDMENTS TO THE NATIONAL ELECTRICAL CODE.

Sec. 9-104. - General.

Any provision of the National Electrical Code adopted by Section 9-101 of this Subtitle shall be subject to change, modification, addition or omission as set out in Subdivision 2, and such change, amendment, addition or deletion shall be deemed to supersede the text of the Electrical Code in any case where the provisions of this Subtitle are interpreted.

(CB-51-1985; CB-91-2015)

Sec. 9-104.01. - Same; Article 110 — Requirements for Electrical Installations.

- (a) The following amendments, additions, and/or deletions are made to Section 110.26 of the National Electrical Code:
 - (1) Section 110.26(D), "Illumination," is amended to read as follows: In addition to Article 110.26(D) a wall mounted battery pack operated emergency illumination shall be provided for all working spaces about service equipment, switchboards, panelboards, load centers and motor control centers installed indoors. The battery shall be of suitable rating and capacity to supply and maintain the total load for a minimum period of 2 hours. In addition, emergency illumination shall be provided about service equipment and switchboards in all commercial occupancies.

(CB-58-1994; CB-41-2000; CB-66-2003; CB-91-2015)

Sec. 9-105. - Reserved.

Sec. 9-106. - Same; Article 250 — Grounding.

- (a) The following amendments, additions, and/or deletions are made to Article 250 of the National Electrical Code:
 - (1) Section 250.52(A)(3), "Concrete - Encased Electrode," is amended to read as follows: All new structures, both residential and commercial, require a concrete encased electrode to be used as the principal grounding electrode system.

(CB-51-1985; CB-96-1989; CB-99-1991; CB-41-2000; CB-66-2003; CB-91-2015)

Sec. 9-107. - Reserved.

Sec. 9-107.01. - Wiring Methods and Materials; Article 310 — Conductors for General Wiring.

- (a) The following amendments, additions, and/or deletions are made to Article 310 of the National Electrical Code:
 - (1) The following paragraph is added to Section 310.10 "Uses Permitted." Aluminum Conductors. Aluminum conductors shall be permitted only for service and feeder use and shall not be smaller than #2 AWG.

- (2) The following exception is added to Section 310.10 "Uses Permitted." Listed Cable assemblies #2 aluminum AWG and larger installed in single-family and multifamily dwellings, having grounding conductors sized in accordance with Section 250.122, "Size of Equipment Grounding Conductors," shall be excluded from the requirements set forth in (a)(1), above.

(CB-99-1991; CB-58-1994; CB-41-2000; CB-66-2003; CB-44-2008; CB-91-2015)

Sec. 9-108. - Reserved.

Sec. 9-108.00.01. - Reserved.

Sec. 9-108.01. - Same; Article 408 — Switchboards and Panelboards.

(a) The following amendments, additions, and/or deletions are made to Article 408 of the National Electrical Code:

(1) Article 408.36, "Overcurrent Protection," Exception No. 3 is amended to read as follows:

(A) For existing installations, split-bus panelboards shall be required to be replaced by a main over-current protective device panelboard when replacement of service entrance conductors occurs.

(2) A new Section, Article 408, Part II. A switchboard, 408.23 titled "Switchboards of One Thousand (1,000) Amperes or Larger," is added to read as follows:

(A) Switchboards having a capacity of one thousand (1,000) amperes or larger, using aluminum feeders and/or busbars, shall receive periodic cleaning and preventative maintenance as recommended by the manufacturer of such equipment to minimize the possibility of fire or catastrophic failure. Cleaning and maintenance require an electrical permit, including coordination of shutdown with the utility, and shall include the following:

(i) Vacuum entire interior of switchboard;

(ii) Clean busbars and contacts with a suitable nonconductive solvent;

(iii) Lubricate all moving mechanisms;

(iv) Check all conductors for abrasions;

(v) Busbars and busbar connections shall be subjected to thermograph testing, if corrective action is warranted, repair shall be made in accordance with recommended manufacturer specifications;

(vi) Replace worn, damaged, or deteriorating components; and

(vii) Testing of ground-fault protection device.

(viii) Testing and cleaning records shall be kept and made available upon request and proper antioxidizing agents shall be used after each cleaning.

(CB-51-1985; CB-96-1989; CB-41-2000; CB-66-2003; CB-91-2015)

Sec. 9-108.02. - Equipment for General Use; Article 410 — Luminaires, Lampholders, and Lamps.

(a) The following amendments, additions, and/or deletions are made to Article 410 of the National Electrical Code:

(1) The following addition is made to paragraph (B) of Section 410.36: All "lay-in" luminaires will require independent suspension to insure that the luminaire will not drop more than nominally two (2) or three (3) inches when the framing members no longer provide the support. Number

12 WG wire firmly secured to the building structure and the luminaire is required for this purpose. Two (2) restraining wires (one (1) at each opposite end of the luminaire) are required for luminaires smaller than 2x4 and four (4) restraining wires (one (1) at each corner) are required on all luminaires 2x4 and larger. Other types of lay-in fixtures and surface mounted fixtures mounted on drop ceiling shall be support based on the fixture area to preclude the danger of falling when the framing members fail or are removed (e.g., hi-hat luminaire).

(CB-51-1985; CB-96-1989; CB-99-1991; CB-41-2000; CB-66-2003; CB-91-2015)

Sec. 9-108.03. - Same; Article 450 — Transformers and Transformer Vaults.

(a) The following amendments, additions, and/or deletions are made to Article 450 of the National Electrical Code:

- (1) The following paragraph is added to Section 450.21: A means of disconnecting the primary shall be located "within sight" of any dry-type transformer meeting the requirements of 450.21(A) and (B).

(CB-66-2003)

Sec. 9-109. - Reserved.

Sec. 9-109.01. - Special Conditions; Article 700 — Emergency Systems.

(a) The following amendments, additions, and/or deletions are made to Article 700 of the National Electrical Code:

- (1) Section 700.5(A) is amended by the addition of the following sentence:
 - (A) Emergency Systems and Transfer equipment shall be separated by a wall or wall(s) with a minimum fire rating of two (2) hour(s).
- (2) The first paragraph of Section 700.12, titled "General Requirements," is amended by the addition of the following sentence: Permission to use an emergency power source must be requested and authorized in writing from the authority having jurisdiction prior to the submittal of engineering plans for approval.

Note: Separation of transfer equipment shall incorporate the emergency system on the load side of the transfer switch.

(CB-51-1985; CB-96-1989; CB-41-2000; CB-66-2003; CB-91-2015)

Sec. 9-109.02. - Same; Article 701 — Legally Required Standby Systems — Source of Power.

(a) The following amendments, additions, and/or deletions are made to Article 701 of the National Electrical Code:

- (1) Section 701.12, titled "General Requirements" is amended by the addition of the following sentence: Permission to use an emergency power source must be requested and authorized in writing from the authority having jurisdiction prior to the submittal of engineering plans for approval.

(CB-51-1985; CB-96-1989; CB-41-2000; CB-66-2003; CB-91-2015)

Sec. 9-109.03. - Emergency and Power Source.

- (a) The following amendments and/or additions are made to Article 700 of the National Electrical Code.
 - (1) A connection ahead of service disconnecting means is not permitted as an emergency circuit except as permitted by Section 9-109.01 of this Code.

(CB-91-2015)

Sec. 9-109.04. - Fire Pump.

- (a) The following amendments, and/or additions are made to Article 695 of the National Electrical Code:
 - (1) A fire pump shall be supplied by a separate service from the utility transformer.
 - (2) A fire pump shall be permitted to be supplied from a connection located ahead of the service disconnecting means when a back-up on-site generator is used as an alternate power source to feed the fire pump.

(CB-91-2015)

SUBDIVISION 3. - ADMINISTRATION.

Sec. 9-110. - Official records.

An official record shall be kept of all business and activities related to the Electrical Code and enforcement thereof including permits, fees and inspection reports, and all such records shall be open to public inspection at all appropriate times.

(CB-51-1985)

Sec. 9-111. - Duties and powers of the Chief Electrical Inspector.

- (a) The Chief Electrical Inspector shall enforce all the provisions of the Electrical Code and shall prescribe the mode or manner of electrical work and the materials used in the installation, repair, or removal of electrical equipment.
- (b) The Chief Electrical Inspector shall have the following duties:
 - (1) The Chief Electrical Inspector shall receive applications and issue permits for all electrical work and shall inspect the work for which a permit was issued to insure compliance with the Electrical Code; provided, however, that the Chief Electrical Inspector shall have no responsibility for the permitting and inspection of cable television installations in those municipalities where the cable television permit fees for installations within those municipalities are not remitted to the County in accordance with the fee schedule established in Section 9-121 of this Subtitle.
 - (2) The Chief Electrical Inspector shall issue all necessary notices or orders to remove or correct illegal or unsafe conditions and to insure compliance with all the Code requirements for safety, health, and general welfare of the public. Upon notice from the Chief Electrical Inspector that work is being pursued contrary to the provisions of the Electrical Code, or is unsafe and dangerous, such work shall be stopped immediately. A "Stop Work" sign shall be posted and the stop-work order shall be in writing and shall be given to the owner of the property involved and/or to the owner's agent and/or to the persons doing the work and shall state in writing the condition under which the work may be resumed. The stop-work order shall contain, or be accompanied by, a written notice indicating that there is a right to a hearing before the Chief Electrical Inspector or the designee of the Chief Electrical Inspector. Such request for a hearing may be filed in writing or in person at the Office of the Chief Electrical Inspector. The owner or permittee affected by such stop-work order shall be entitled to such hearing as quickly as

feasible, but at least within twenty-four (24) hours of receipt of such request for hearing by the Chief Electrical Inspector. The Chief Electrical Inspector or a designated impartial member of the staff, who has or is delegated the authority to act, shall afford the owner or permittee a fair hearing with an opportunity to present evidence or testimony that is relevant to the stop-work order. The owner or permittee shall be afforded reasonable notice of the time and place of hearing at the time requested, if made in person, or by telephone or other appropriate means if the request is forwarded in writing. Any person who shall continue any work in or about the premises after having been served with a stop-work order, except for corrective work as directed to perform to remove a violation or unsafe condition, shall be subject to a fine of not less than One Thousand Dollars (\$1,000.00) or six (6) months in jail, or both.

- (3) The Chief Electrical Inspector shall make all required inspections or may accept reports of inspection by authoritative and recognized testing agencies. All such inspection reports shall be in writing and certified by a responsible officer of such inspection agency or by the responsible individual.
 - (4) The provisions of this Subtitle shall not prevent the use of any material or method of construction not prescribed by this Subtitle when the permittee can demonstrate, to the satisfaction of the Chief Electrical Inspector, that the proposed method or material is, for the purpose intended, at least the equivalent of the material or method otherwise prescribed in quality, strength, effectiveness, fire resistance, durability, and safety.
 - (5) Whenever it is determined, however, that there is documentary evidence that the use of a material or method approved herein would constitute a distinct hardship to life or property, the Chief Electrical Inspector shall have the authority to administratively suspend approval granted herein of such material or method. The Chief Electrical Inspector shall, within five (5) working days, request the County Council to confirm such administrative suspension by resolution of the Council. Such written request of the Chief Electrical Inspector shall be accompanied by sufficient technical data and record of national or local testing to substantiate that the use of an approved method or material would constitute a distinct hazard to life or property.
 - (6) The Chief Electrical Inspector or authorized representative shall have the authority to enter at any reasonable hour any building, structure, or premises for the duration of a permit which has been issued for the purposes of enforcing the Electrical Code, or where there is probable cause to believe that a violation of the Electrical Code exists. A search warrant shall be authorized in those cases where the owner or occupant refuses to allow such entrance and inspection.
 - (7) In any case of hazard to life or property or in any case which comes to the knowledge of the Chief Electrical Inspector of defective or faulty wiring or apparatus, the Chief Electrical Inspector is authorized to order the property owner to correct the hazard or the company furnishing the electric power to discontinue service.
- (c) Any interpretation of the Electrical Code made by the Chief Electrical Inspector shall be conclusive and binding upon the parties involved; provided, that any aggrieved party may appeal such decision to the Board of Registration for Master Electricians or Electrical Contractors within thirty (30) days after written notice of the decision by the Chief Electrical Inspector when it is claimed that the true intent of the National Electrical Code or of this Division has been incorrectly interpreted or applied. Decisions of the Board shall be appealable to the Circuit Court pursuant to the provisions of the Maryland Rules of Procedure.
- (d) The Chief Electrical Inspector may, so long as the public safety is assured, grant administrative relief in the form of variances and/or waivers to the National Electrical Code (NEC), provided that said applicant clearly demonstrates substantial practical difficulties and/or circumstances of undue hardship involved in the implementation and enforcement of the provisions of the NEC, or Subtitle 9, Prince George's County Code. The particulars of such variances, when granted or allowed, shall be furnished in writing to the applicant and made part of the permanent file established by the Chief Electrical Inspector.

Note: Variances and waivers shall not become a substitute for the proper use and implementation or enforcement of the NEC or Subtitle 9, Prince George's County Code.

(CB-51-1985; CB-116-1985; CB-96-1989; CB-41-2000)

SUBDIVISION 4. - ENFORCEMENT.

Sec. 9-112. - Electrical permits; required.

No person shall perform electrical work until a permit has been obtained and a copy has been posted at the job site or presented to the owner or occupant. The work must be done under the personal and technical supervision of a licensed Master Electrician or Master Electrician, Limited, or a licensed Refrigeration, Air Conditioning and/or Heating Contractor. No permit shall be required for minor repairs or replacement of existing receptacles, switches or lighting fixtures not exceeding a total of five (5) devices per structure.

(CB-51-1985)

Sec. 9-113. - Permit application.

- (a) All applications for permits shall be in writing, on such form as may be prescribed by the Department, and shall describe the work to be done and the location thereof. All applications for permits shall be accompanied by plans and specifications as specified in Section 9-115 and the fee set forth by the Chief Electrical Inspector.
- (b) Electrical permits shall only be issued to a duly licensed Master Electrician, or Master Electrician, Limited, or a duly licensed Refrigeration, Air Conditioning and/or Heating Contractor, except as provided in Section 9-117.

(CB-51-1985)

Sec. 9-114. - Approved plans.

Approved plans are plans which have been reviewed by the Chief Electrical Inspector or his authorized representative and have been found to be consistent with Code requirements and accepted practices. Approved plans shall be stamped "Approved" and at least one (1) set of such approved plans shall be retained by the Department and the other set shall be kept at the building site, open to inspection of the Chief Electrical Inspector or his authorized representative at all reasonable times.

(CB-51-1985; CB-96-1989; CB-41-2000)

Sec. 9-115. - Plans and specifications.

An application for a permit shall be accompanied by not less than two (2) copies of specifications and of plans which use symbols and notations commonly accepted by the electrical industry to show the nature and character of the work to be performed. The Chief Electrical Inspector may waive the requirement for filing plans when it is determined that the work is of a minor nature. No plans shall be required when a building permit application has been filed in accordance with Subtitle 4 of this County Code.

(CB-51-1985; CB-96-1989)

Sec. 9-116. - Exceptions.

When temporary emergency repairs necessitate replacement or alterations to an electrical installation in residential or small industrial uses, such work may be commenced by a properly licensed Master Electrician or Master Electrician, (Limited), without a permit; provided, that the person doing the same shall first inform the Department, if the Department's office is open, giving name and address and the address where the work is to be done, the nature thereof, and the appropriate time of commencement of the work. In each case, such person shall file an application for a permit covering the work no later than the following business day.

(CB-51-1985; CB-96-1989; CB-58-1994)

Sec. 9-117. - Right of property owner to perform work on own premises.

- (a) Except as restricted to the type of work as delineated below, the property owner is permitted to perform electrical work on his or her own premises; and the work is limited up to a combination of ten (10) devices or less which includes addition, relocation and replacement of (lights, receptacles and switches), provided, that such premises are used only for a single-family residential dwelling.

The owner shall meet the following requirements:

- (1) The owner shall apply for, pay the required fee, and secure an electrical permit required by this Subtitle.
 - (2) The owner shall do such work in accordance with the provisions of this Subtitle and plans submitted with the application.
 - (3) The owner shall apply for all inspections required by this Subtitle.
 - (4) The owner shall be living on the premises, or declare an intention to occupy the premises for a minimum of one (1) year.
 - (5) The owner shall receive a final certification of inspection.
- (b) Personal installation by an owner, other than by a licensed electrician, shall be by the owner on his own premises and without compensation from or to any other person for such labor or installation. The owner exercising this privilege shall conform to all requirements of this Subtitle.
- (c) The following electrical work is not permitted to be performed under a homeowners permit:
- (1) Installation of New Service;
 - (2) Service Heavy-Up;
 - (3) Service Panel Change;
 - (4) Relocation of Service Panel and/or Meter;
 - (5) Relocation of Service Drop or Lateral; or
 - (6) Installation of subpanels.

(CB-51-1985; CB-96-1989; CB-58-1994; CB-41-2000; CB-91-2015)

Sec. 9-118. - Permits; terms and conditions.

- (a) Each electrical permit issued pursuant to this Subtitle shall describe the installation to be done thereunder. Except as provided by Section 9-116, no person shall install or repair any electrical equipment other than in accordance with the permit. Except as provided by Section 9-117, all work done under such permit shall be performed under the technical supervision of a licensed Master Electrician or Master Electrician, Limited, as identified on the permit. All permits shall expire and be void unless the work authorized thereunder is either commenced within twelve (12) months from the date of issuance or there are no inspections made in a twelve (12) month period.

- (b) Any permit issued with administrative errors which are the result of information provided by the applicant, such as incomplete listing of work accomplished, wrong address, or wrong owner, shall be revised prior to a final inspection. A fee of Forty Five Dollars (\$45.00) is imposed for a permit revision in addition to the increased scope of work.

(CB-51-1985; CB-96-1989; CB-41-2000; CB-91-2015)

Sec. 9-119. - Request of permit number.

The Electrical Contractor or employees shall provide, at the job site, the number(s) of any permit(s) issued, upon request of the Department.

(CB-51-1985; CB-96-1989)

Sec. 9-120. - Revocation of permits.

The Director shall revoke, without refund of the permit fee, an electrical permit which is issued on an application or plans containing any false statement or misrepresentation of fact immediately upon discovery of such false statement or misrepresentation of fact therein.

(CB-51-1985; CB-96-1989)

Sec. 9-121. - Fee for permits and inspections.

The fees for electrical permits and inspections of electrical installations pursuant to this Subtitle shall be adopted by resolution. The County Executive shall propose and recommend to the County Council a schedule of fees that reflects the actual costs associated with administering and inspecting work performed pursuant to permit. The Council shall conduct a public hearing prior to adopting the schedule of fees and may amend the schedule of fees prior to adoption.

(CB-51-1985; CB-116-1985; CB-96-1989; CB-99-1991; CB-58-1994; CB-23-1996)

Editor's note— The electrical permit fee schedule was adopted by CR-35-1996.

CR-49-1998 revised the fee schedule for electrical permits to become effective on July 1, 1998.

Sec. 9-122. - Unused Permits and Inspections.

- (a) Where no work has been done under a permit issued pursuant to this Subtitle, the holder of the permit may return the permit to the Department for cancellation. Requests for cancellation must be in writing by the electrical contractor or property owner and should be submitted promptly. Upon cancellation of the permit, there shall be refunded to the holder of the permit any amount in excess of Twenty Dollars (\$20.00) paid. Requests for each refund must be made prior to the expiration date of the permit.
- (b) Partial refunds for work not completed under a permit issued pursuant to this Subtitle may be made to the holder of the permit. The application for a partial refund shall be made before the expiration date of the permit. The amount refunded shall be determined by the Chief Electrical Inspector and shall be based on the amount of work completed and the number of inspections made. A minimum fee of Twenty Dollars (\$20.00) shall be assessed against refunds to defray the administrative costs associated with such partial cancellations.

- (c) Whenever a change of electrical contractor occurs, the property owner, developer, or general contractor must inform the County by letter of such change. The letter should be addressed to the Chief Electrical Inspector and should include the following: electrical permit number(s), addressee(s), the last type of inspection if any, the reason for changing contractor, and the new contractor if selected. A copy of this letter should also be sent to the utility providing electric power when service work is included on the permit(s). Subsequent to receipt of this letter a "change in contractor" type of inspection will be made. When the inspection is completed and before resuming work, the new contractor must obtain a new permit at a cost to be determined by the Chief Electrical Inspector.
- (d) Whenever any electrical work for which a permit is required has been started prior to obtaining a permit, a special investigation shall be made before an application may be filed to request the required permit. In addition to the filing fee and regular permit fee, an investigation fee of One Hundred Fifty Dollars (\$150.00) for residential work and Two Hundred Fifty Dollars (\$250.00) for commercial work shall be paid at the time of filing the application for the required permit. Whenever work under a permit has been placed, partially completed, or concealed without first obtaining the required inspection approval, the Chief Electrical Inspector shall cause a special investigation to be made. The fee for the special investigation shall be One Hundred Fifty Dollars (\$150.00) for residential and Two Hundred Fifty Dollars (\$250.00) for commercial and shall be payable before further inspections will be provided.
- (e) Whenever an inspection is requested which cannot be rendered because the work has not been completed, a reinspection fee of Fifty-Five Dollars (\$55.00) will be assessed against the contractor.

(CB-51-1985; CB-96-1989; CB-99-1991; CB-58-1994; CB-91-2015)

Sec. 9-123. - Inspections.

A rough-wiring inspection is required before concealment. Upon completion of an electrical installation, a request for final inspection shall be made to the Department within seventy-two (72) hours of completion. The Department shall complete any commercial electrical inspection within three (3) working days of such request.

(CB-51-1985; CB-91-2015)

Sec. 9-124. - Notice of Violations.

- (a) The Chief Electrical Inspector or authorized representative shall serve written notice of violations within three (3) working days of the inspection to persons responsible for work which is found in violation of the Electrical Code or which is not in compliance with the approved plans. Such notices shall order the discontinuance of the illegal action or condition and order the correction of the violation and the code section or sections shall be included in the notice of violation.
- (b) If there is no response to the notice of violation within fifteen (15) days, the Chief Electrical Inspector shall refer the violation to the Board of Registration for Master Electricians and Electrical Contractors. The Board shall take such action as it deems appropriate.

(CB-51-1985; CB-96-1989; CB-57-2011; CB-91-2015)

Sec. 9-124.01. - Appeals.

Any person(s) responsible for work which is found in violation of the Electrical Code or any person(s) responsible for work which is not in compliance with approved plans, may appeal to the Board of Registration for Master Electricians and Electrical Contractors from a final decision of the Chief Electrical Inspector. Application for appeal may be made when it is claimed that the true intent of the National Electrical Code or of this Division has been incorrectly interpreted or applied. The nature of such appeal

shall be in writing and filed with the Board of Registration within fifteen (15) days after the decision is rendered by the Chief Electrical Inspector.

(CB-51-1985; CB-57-2011)

Sec. 9-124.02. - Filing Appeal; Fee.

- (a) Applications for an appeal to the Board of Registration for Master Electricians and Electrical Contractors shall be filed with the Clerk to the Board accompanied with a One Hundred Dollar (\$100.00) filing fee.
- (b) The Board may refund a filing fee where the Board finds a clear violation by an administrative agent of the County.

(CB-51-1985; CB-96-1989)

Sec. 9-125. - Penalties.

Any person who shall violate the provisions of the Electrical Code or who shall fail to comply with any of the requirements thereof, or who shall perform electrical work in violation of approved plans or directions of the Chief Electrical Inspector, or of a permit or certificate issued under the provisions of the Electrical Code shall be guilty of a misdemeanor, punishable by a fine of One Thousand Dollars (\$1,000.00) or by imprisonment not exceeding one (1) year or both. Each day a violation continues shall be deemed a separate offense.

(CB-51-1985; CB-96-1989; CB-57-2011)

Sec. 9-126. - Special requirements for power companies.

No electric light or power company shall energize any customer's electric lines, outlets or devices within the County until a temporary or permanent meter cut-in certificate has been issued by the Department. This Section does not apply to facilities of the Washington Suburban Sanitary Commission that are used to dispense their services to the public.

(CB-51-1985)

Sec. 9-127. through Sec. 9-129. - Reserved.

DIVISION 2. - BURGLAR AND HOLDUP ALARM SYSTEMS.

SUBDIVISION 1. - INSTALLATION STANDARDS

Sec. 9-201. - Definitions.

- (a) For the purpose of this Division, the following words, terms, and phrases shall have the meaning given herein:
 - (1) **Alarm Business** means any business which sells, installs, leases, maintains, repairs, replaces, alters, services, monitors, or responds to an alarm system.
 - (2) **Alarm Signal** means the activation of an alarm system.

- (3) **Alarm Site** means a single premises or location served by an alarm system. Each tenancy, if served by a separate alarm system, in a multitenant building shall be considered a separate alarm system.
- (4) **Alarm System** means a device or series of devices, including, but not limited to, systems interconnected with radio signals, which are designed to emit or transmit a remote or local audible, visual, or electronic signal indicating an alarm condition. Alarm system includes devices activated automatically, such as burglar alarms, and devices activated manually, such as holdup and duress alarms. Alarm System does not include Fire Alarm Systems and Alarm Systems which monitor temperature, humidity or any other condition not directly related to the detection of an unauthorized intrusion into a premises or an attempted robbery at a premises; an alarm installed on a vehicle; or an alarm designed to alert only the inhabitants of a premises that does not have a sounding device which can be heard on the exterior of the premises.
- (5) **Alarm user** means the person who uses an alarm system at the person's alarm site.
- (6) **Automatic Dialing Device** means any device which is interconnected to a telephone line and is programmed to select a predetermined telephone number, then transmit a prerecorded voice or code message signaling the existence of entry or criminal activity at the protected premises.
- (7) **Central Monitoring Station** means a commercial company whose primary business is monitoring alarm signals and performing contracted services for alarm users.
- (8) **Certification or Certified** means the system has been inspected by a licensed burglar and holdup alarm contractor or technician licensed in Maryland and/or Prince George's County and that the system meets all the requirements of this Code and all other applicable national or local codes.
- (9) **Chief of Police or Chief** means the Chief of the Prince George's County Police Department or designee.
- (10) **Control Panel** means the central processing unit designed to manage and control an alarm system.
- (11) **Direct Connection (hard-wired)** means an alarm system, either silent or audible, that transmits an alarm signal via interconnecting wires to a remote location dedicated to that purpose.
- (12) **Dual Technology Sensor** means a single device that is manufactured to require two simultaneous inputs by two different technologies to cause alarm activation.
- (13) **Duress Alarm** means the deliberate activation of a silent alarm by entering at a touchpad a code different from the normal arm/disarm code, or by a separate deliberate act at other device(s).
- (14) **False Alarm** means any request for immediate Police Department assistance which is not in response to actual or threatened criminal activity or activation of an alarm system which results in an emergency response by the police to an alarm site for which the responding police officer finds no evidence of a criminal offense or attempted criminal offense at the alarm site. An emergency response to an alarm signal which is cancelled by the alarm user or alarm business prior to the time the responding police officer reaches the alarm site shall not be considered a false alarm. False alarms include negligently or accidentally activated signals; signals which are the result of faulty, malfunctioning, or improperly installed or maintained equipment; or signals which are purposely activated to summon the police in nonemergency situations.
- (15) **Holdup Alarm** means a silent alarm generated by the deliberate activation of a holdup device.
- (16) **License or permit** means a license or permit issued to an alarm business or an alarm system user by the Chief of Police.
- (17) **Local** means an alarm system that sounds audibly at the protected premises.

- (18) **Nonresidential or Commercial Alarm User** means any alarm user that is not a residential alarm user.
- (19) **Panic Alarm** means the deliberate activation of an audible alarm.
- (20) **Police Connection** means direct connection in which the remote location is a police facility.
- (21) **Residential Alarm User** means the occupant of any dwelling unit with an alarm system.
- (22) **Silent Alarm** means an alarm system that has no audible sound at the protected premises.
- (23) **Touchpad** means a device that allows control of an alarm system by the manual entering of a coded sequence of numbers or letters.
- (24) **Wireless System** means those types of systems which transmit electromagnetic waves or messages through the air from remote sensor devices to the control panel to indicate a condition exists for which an alarm signal should be sounded or from a control device to arm/disarm the system, activate the alarm signal or reset the system.

(CB-122-1979; CB-25-1983; CB-96-1989; CB-102-1995; CB-66-2003)

Sec. 9-202. - Alarm system installation standards.

- (a) All burglar and holdup alarm systems shall be installed and serviced only by persons licensed as burglar and holdup alarm contractors. The contractor shall have a Master Electrician's License or a Master Electrician's License, Limited, in addition to an Alarm Business License.
- (b) Prior to requesting final inspection approval of an alarm system, the burglar and holdup alarm contractors shall certify that each new burglar and holdup alarm system has been installed in accordance with the provisions of Sections 9-118 and 9-203; that it has been inspected and found to be operating normally; and that the alarm user has been instructed with regard to the system operation.
- (c) Each alarm installation shall be thoroughly inspected by a licensed contractor upon request of the Chief after a false alarm has occurred and there is no explainable reason for the false alarm.
- (d) Where an alarm system is malfunctioning, the alarm user shall either turn the alarm system off or have it repaired promptly by a licensed contractor.

(CB-122-1979; CB-96-1989; CB-102-1995; CB-66-2003)

Sec. 9-203. - General installation requirements for burglar and holdup systems.

- (a) In addition to the requirement set forth in the National Electrical Code, alarm systems shall be subject to the following requirements. Where there is a conflict with the most recently adopted edition of the NEC, the most stringent requirement will apply.
 - (1) Power Supply.
 - (A) Every alarm system must have standby power sufficient to operate the system in a non-alarm status (without being the cause of an alarm activation) for a minimum of four hours.
 - (B) Every alarm system must have a U.L. 1449 listed (or better) surge protector installed between the transformer and:
 - (1) The 110 voltage source used to supply power to the master control panel; and
 - (2) Any power device connected to the system but powered separately. Any alarm system that has a multiphase power service and a dedicated transformer to that premises (building) only does not require surge protection as described above.

- (C) Every residential alarm system control panel must have either:
 - (1) Push on/pull off connectors to the battery and a description of the transformer location permanently affixed to the inside of the control panel; or
 - (2) An on/off switch that disconnects the battery and the transformer from the central processing unit inside the control panel.
- (D) Transformers must be affixed to an electrical outlet.
- (E) Every alarm system must have a supervised standby power supply that causes a local annunciation when standby power falls below the manufacturer's recommended specifications.
- (2) Grounding.
 - (A) Every alarm system must be grounded under NEC (National Electrical Code), NBFAA (National Burglar and Fire Alarm Association), U.L. 681, or manufacturers' standards.
- (3) Sensors, Actuators, and Signal Devices.
 - (A) Any door or window contact installed for the purpose of activating the alarm system must be hermetically sealed if used on solid state control panels.
 - (B) Any holdup alarm (requiring push button activation) must use simultaneous two-button activation or a keyed manual reset after activation.
 - (C) Any panic or medical/emergency alarm activation must cause an audible alarm.
 - (D) All audio detection devices must be either volumetric sound detectors with operator analysis or detectors that require two different inputs within one-half second (or less) to generate an alarm.
 - (E) Any residential alarm system with an audible alarm must have a sufficient number of sound generating devices to alert or awaken all normal hearing occupants within the alarm user's premises that an alarm has been activated.
 - (F) Every alarm system using a digital communicator must have a proper phone interface device as required by FCC accessible to the alarm user and mounted within 24 inches of the control panel.
 - (G) Any audible alarm must automatically silence the annunciator within 30 minutes after activation.
- (4) Alarm Housings and Control Units.
 - (A) All alarm system equipment shall be either Underwriters Laboratory or Factory Mutual listed.
 - (B) All alarm system equipment shall be used only for the purpose intended by the manufacturer and installed per manufacturers' specification.
 - (C) Any alarm system that has a touchpad or other device designed to allow the user to activate the alarm (when in the disarm mode) must be configured as follows:

AUDIBLE	SILENT
(a) Panic	(d) Duress
(b) Fire	(e) Holdup

(c) Medical/Emergency	
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(5) Wiring.

- (A) All alarm system wiring must meet NEC (National Electrical Code) standards and be a minimum of 22 gauge, or meet manufacturer's specifications (whichever is the higher standard). Wiring run through plenum ceilings must be plenum rated.
- (B) Any wire splice must be "hot" soldered and taped, or "B" connected according to manufacturers' specifications. "B" connectors must not be crimped with other than a tool recommended by the manufacturer.

(CB-122-1979; CB-96-1989; CB-102-1995; CB-66-2003)

SUBDIVISION 2. - BURGLAR AND HOLDUP ALARM USER'S LICENSE AND REGISTRATION.

Sec. 9-211. - Alarm user permits.

- (a) Permit. Every alarm user shall obtain an alarm user permit for each alarm system he operates on commercial or residential premises within this County from the Chief of Police. No permit will be issued for any system utilizing an Automatic Dialing Device which is programmed to transmit a prerecorded message or code signal directly to a telephone number assigned to the Prince George's County Police Department.
- (b) Disclaimer. Registration of an alarm system is not intended to, nor will it, create a contract, duty, or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity, as provided by law, is retained. By registering an alarm system, the alarm user acknowledges that police response may be based on factors such as: the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, or staffing levels.
- (c) Alarm User Permit Application.
 - (1) Residential Alarm User Permit Application. Each application or application for renewal for a residential alarm user permit must contain, but is not limited to, the following information:
 - (A) Registration Number assigned by the County (if renewal);
 - (B) Name, address, telephone number of the alarm user;
 - (C) Dangerous or special conditions information at the alarm site;
 - (D) Type of alarm system: burglary, robbery, panic, duress, medical alert, etc.;
 - (E) Names, addresses, and telephone numbers of two (2) persons (an alarm business will be acceptable in lieu of one (1) person) who are able to and have agreed to:
 - (i) Receive notification of an alarm activation at any time;
 - (ii) Respond to the alarm site within one (1) hour; and
 - (iii) Grant access to the alarm site and deactivate the alarm system if such becomes necessary;
 - (F) Name, address, and telephone number of alarm business that installed and/or monitors the alarm system, if applicable. A statement as to whether the alarm user has ever previously registered an alarm system in Prince George's County;

- (G) An acknowledgment that they must keep a copy of the alarm permit application form and installation certificate or certification at the alarm site and must produce such registration information for inspection upon reasonable request by the Chief of Police;
 - (H) Any other information deemed necessary by the Chief of Police.
- (2) Commercial or Nonresidential Alarm User Permit Application. Each application or application for renewal for a commercial or nonresidential alarm user permit must contain, but is not limited to, the following information:
- (A) Registration Number assigned by the County (if renewal);
 - (B) Nonresidential alarm user's name and trade name, if different;
 - (C) Employer ID number (EIN);
 - (D) Street address where alarm system is located, including room or suite number;
 - (E) Telephone number at the alarmed location.;
 - (F) Type of business or activity conducted at the alarmed location;
 - (G) Type of alarm system: burglary, robbery, duress, panic, etc.;
 - (H) Dangerous or special conditions information at location;
 - (I) Parent company name, address, and telephone number;
 - (J) Name and telephone number of person responsible at the parent company location for the alarm system at the alarm site;
 - (K) Names, addresses, and telephone numbers of three (3) persons (an alarm business will be acceptable in lieu of one (1) person) who are able to and have agreed to:
 - (i) Receive notification of an alarm activation at any time;
 - (ii) Respond to the alarm site within one-half (1/2) hour; and
 - (iii) Grant access to the alarm site and deactivate the alarm system if such becomes necessary;.
 - (L) Name, address, and telephone number of alarm business that installed and/or monitors the alarm system, if applicable;
 - (M) A statement as to whether the alarm user had ever previously registered an alarm system or been issued a permit in Prince George's County;
 - (N) An acknowledgment that they must keep a copy of the alarm permit application form and installation certificate or certification at the alarm site and must produce such registration information for inspection upon reasonable request by the Chief of Police;
 - (O) Any other information deemed necessary by the Chief of Police.
- (3) The information in the application shall be maintained current at all times. Any changes in the application information must be forwarded to the Chief within ten (10) days.
- (4) The alarm user shall make provision for silencing the local audible alarm within one-half (1/2) hour from the time the signal is received by the Police Department, either automatically or by one of the authorized persons.
- (5) It shall be the responsibility of the alarm user to insure that the system is properly operated, maintained, inspected, and repaired as required herein.
- (6) An alarm user permit is valid only for the premises registered and is not transferable to another alarm user or premises. A new permit must be obtained for each alarm site.
- (7) Exemptions. Local, State, or Federal government facilities are exempt from payment of permit fees and false alarm response fees, but are requested to register alarm site specified in this

Division if Prince George's County police personnel are normally expected to respond to alarms at these facilities.

(c) Alarm User Permit Fees.

- (1) There shall be a Fifty Dollar (\$50.00) nonrefundable, commercial alarm permit fee for the first two years. The fee may be paid by the alarm user or the alarm business. Payment shall accompany the application.
- (2) There shall be a nonrefundable biennial commercial alarm renewal fee of Fifty Dollars (\$50.00). The fee may be paid by the alarm user or the alarm business. Payment shall accompany the application.
- (3) There shall be a Twenty-five Dollar (\$25.00) fee for duplicate registration stickers.
- (4) If an alarm user permit has been revoked or suspended, a reinstatement fee of One Hundred Dollars (\$100.00) must accompany a reinstatement application.
- (5) There shall be no permit fee or renewal fee for a residential alarm permit.

(d) The information contained in an alarm user permit application required by this Section and other information received by the Chief of Police through correspondence or communications with an alarm user shall be securely maintained and restricted to inspection only by police officers or County employees specifically assigned the responsibility for handling and processing alarm user permits in the course of official duties. If any employee of the County is found to have knowingly or willfully revealed the information contained in an alarm user permit application or in correspondence or communications with an alarm user to any other person for any purpose not related to this Subtitle or official law enforcement matters and without the express written consent of the alarm user supplying such information, the County employee shall be guilty of a misdemeanor.

(e) Upon the issuance of a permit, the permittee shall be given a registration sticker with a registration number which shall be posted at the main entrance of the alarm site in such a manner as to be readily seen by police without entry.

(f) Any alarm user who operates an alarm system without first obtaining a permit as required by this Section, or who, after having a permit revoked or suspended, or is indebted to the County for false alarm fees and/or fines incurred by the alarm user under the current or a previous permit and after exhausting his rights to hearing and appeal, fails to disconnect the alarm system shall be in violation of this Division.

(CB-122-1979; CB-120-1983; CB-49-1984; CB-92-1985; CB-41-1990; CB-29-1995; CB-102-1995; CB-66-2003)

Sec. 9-212. - False alarms.

(a) For each false alarm from the alarm user's alarm system, an alarm user shall pay a false alarm response fee, as set forth in the following table:

FALSE ALARM SIGNAL OCCURRENCE	FALSE ALARM RESPONSE FEE
1st, 2nd, or 3rd	No fee
4th, 5th, or 6th	\$50.00
7th, 8th, or 9th	100.00

10th, 11th, or 12th	150.00
13th or greater	200.00

- (b) False alarm response fees are payable within ten (10) days of the receipt of the notification that fees are due. The failure to pay the false alarm response fee within thirty (30) days of notification shall be grounds for revocation or suspension of such permit. Fees not paid within sixty (60) days shall be referred to the County Attorney for collection.
- (c) After an alarm user's alarm system has six (6) or more false alarms in a 12-month period, the alarm user must have the alarm system recertified by a licensed burglar and holdup alarm contractor. This recertification, along with a Twenty-five Dollar (\$25.00) recertification fee, shall be submitted to the Chief within thirty (30) days after receipt of the notice that recertification is necessary. Failure to have an alarm system recertified as required by this Section shall be grounds to place the alarm user's system in a police nonresponse status or to revoke or suspend the alarm user's permit.
- (d) After an alarm user's alarm system has twelve (12) or more false alarms in a 12-month period, the alarm user must have the system upgraded to meet current County standards or upgraded to a more reliable system technology which shall include, but not be limited to, the installation of dual technology sensor devices. System upgrading must be accomplished within thirty (30) days after receipt of the notice that system upgrading is required. The system upgrade must be accomplished by a licensed burglar and holdup alarm contractor. The alarm system user shall submit a certification of the system upgrade, along with a Fifty Dollar (\$50.00) certification fee, to the Chief. Failure to have a system upgraded as required by this Section shall be grounds to place the alarm user's system in a police nonresponse status or to revoke or suspend the alarm user's permit.
- (e) False alarm response fee waiver.
- (1) A false alarm response fee may be waived if the alarm system was activated by an act of God, including violent conditions of nature, such as blizzards, earthquakes, high intensity winds, extreme thunderstorms, lightening, electrical surges, or other extraordinary circumstances not reasonably subject to the control of the alarm system or alarm user. The request for a waiver of the false alarm fee shall be made in writing and shall include a statement which details the reason, if known, for the false alarm.
 - (2) If it is determined by the Chief that a false alarm signal was due to an event beyond the reasonable control of the alarm user, the alarm signal event shall not be considered a false alarm and the fee shall be waived.
 - (3) If alarm signals were caused by a malfunctioning alarm system which caused two or more false alarms in a twelve-hour period and the alarm user and the alarm monitoring business exercised their best efforts to limit alarm signals caused by the malfunction, all false alarms within a single twelve-hour period will be counted as one false alarm.
- (f) False alarm appeal process and filing fee.
- (1) An alarm user may appeal the determination by a police officer that an alarm signal was a false alarm to the Chief within ten (10) days after a notice of a false alarm is received by the alarm user.
 - (2) The appeal must be in writing and contain sufficient information to determine whether the responding police officer's determination that the alarm signal was a false alarm was correct. Any appeal must be accompanied by a Twenty-five Dollar (\$25.00) filing fee which shall be returned to the alarm user if the alarm signal is not determined to be a false alarm or if the false alarm fee is waived.

- (3) The Chief shall review the appeal and render a written decision based on the facts presented by the appeal. The Police Department's daily alarm records shall be prima facie evidence that a false alarm has occurred and shall constitute a presumption which may be rebutted by the alarm user. The appeal shall be resolved in favor of the alarm user unless a preponderance of evidence indicates that the alarm signal was a false alarm.
 - (4) Any appeal of the Chief's decision of the Chief to uphold the determination of a false alarm shall be made to the Prince George's County Board of Administrative Appeals. The appeal shall be based on the record developed by the Chief, consisting of the Police Department's reports, the alarm user's written appeal and any documentation submitted therewith, and the Chief's determination.
 - (5) The amount of the false alarm response fee is not appealable.
 - (6) The alarm user must pay the false alarm response fee for a false alarm within thirty (30) days after receipt of the Chief's decision upholding the determination that a false alarm has occurred unless the alarm user appeals the determination to the Board of Administrative Appeals.
 - (7) The Chief shall not hear any appeal regarding a dispute between an alarm user and an alarm monitoring business concerning responsibility for a false alarm or a series of false alarms.
- (g) Upon receipt of a notice of intent to revoke or suspend an alarm user's permit pursuant to Subsections (e) and (f) of this Section, the alarm permit holder may within ten (10) days of such receipt submit a written request by first class mail, return receipt requested, for a hearing before the Chief of Police setting forth the reasons that his permit should not be revoked or suspended. Written notice of the time and place of the hearing shall be served on the holder of the permit by the Chief of Police by certified mail at least ten (10) days prior to the date set for the hearing.
 - (h) At the hearing before the Chief of Police, the alarm user, or his authorized representative, shall have the right to confront and examine witnesses, and to present evidence on his own behalf. After the hearing, the Chief of Police may either issue an order of revocation, withdraw the notice of revocation, or suspend the permit until reimbursement or such time that he is satisfied that the cause or causes of the false alarms have been eliminated.
 - (i) Any alarm user whose permit has been revoked or suspended pursuant to this Section shall have the right, within ten (10) days after receiving notice of revocation from the Chief of Police, to file a written appeal by first class mail or hand delivery with the Board of Appeals; and no alarm user shall be required to discontinue use of his alarm system prior to the expiration of such ten (10) day period. Such appeal shall set forth the specific ground or grounds on which it is based. The Board of Appeals shall hold a hearing on the appeal within thirty (30) days after its receipt, and shall cause the appellant to be given at least ten (10) days written notice of such hearing. At the hearing, the appellant or his designated representative shall have the right to present written or oral argument, or both, in support of his appeal. The Board of Appeals shall issue its decision within ten (10) days after the hearing.
 - (j) If an alarm user files an appeal pursuant to Subsection (i) of this Section, he shall not be required to discontinue the alarm system until a final decision is made on his appeal.
 - (k) If a monitored alarm system user permit is revoked or suspended, the alarm user's alarm business or monitoring company will be notified by the Chief to not request police dispatch on any alarm signal to the alarm user's location until the alarm user permit is reissued or the suspension is lifted.

(CB-122-1979; CB-25-1983; CB-49-1984; CB-80-1985; CB-29-1995; CB-102-1995; CB-66-2003)

Sec. 9-213. - Enforcement and penalty.

- (a) The failure of any person to obtain an alarm user permit as required in Sections 9-203 and 9-211 or obey any order of the Chief of Police of suspension or revocation of an alarm user permit after such

person has exhausted his rights to hearings or appeals constitutes a misdemeanor punishable by a court of competent jurisdiction by a fine of up to Five Hundred Dollars (\$500.00) and/or sixty (60) days in jail. Each day that such violation continues after the expiration of the period allowed for compliance under the provisions of this Subtitle shall constitute a separate offense.

- (b) In lieu of a violation notice, the Chief of Police may issue a citation pursuant to Subtitle 28, Division 3, to any person or persons who operate, monitor, install, modify, certify, sell, or use a burglar or holdup alarm system in violation of this Division. The citation shall serve as notification to the person that he has committed a civil violation and must pay to the County a monetary fine, subject to the person's right to trial under Section 28-257 of the County Code.
- (c) The person issued the civil citation shall be subject to a monetary fine of Two Hundred Fifty Dollars (\$250.00) for each violation of this Division.
- (d) Each day a violation continues is deemed a separate offense and is subject to an additional citation and fine.
- (e) In addition to the other remedies provided herein, the County Attorney, on behalf of the County, may institute an injunction, mandamus, or other appropriate action or proceeding to enforce the provisions of this Division.

(CB-122-1979; CB-102-1995; CB-66-2003)

Sec. 9-214. - Exemptions within Municipalities.

- (a) Any municipality within Prince George's County may, by the adoption of an Ordinance or Resolution, exempt burglar alarm users within the municipal boundaries from the licensing requirements of Division 2, Subdivision 2 provided that such municipality provides 24-hour per day, 7-day per week on-duty police coverage, and meets such other standards insuring adequate municipal police coverage as the Chief of Police may establish by regulation.
- (b) The exemption shall be effective upon delivery of a copy of such Ordinance or Resolution to the Chief of Police.
- (c) When a municipality has exempted burglar alarm users from the application of Division 2, Subdivision 2, the County Police shall not be required to respond to burglar alarms within the municipal limits, but may do so at their discretion.

(CB-38-1982; CB-49-1984; CB-29-1995; CB-102-1995; CB-66-2003)

SUBDIVISION 3. - ALARM BUSINESS LICENSE.

Sec. 9-221. - Alarm business license requirements.

- (a) Any person engaging in an alarm business in Prince George's County must apply to the Chief of Police for a license to operate as an alarm business. Such application must be signed by either the owner of the business for a sole proprietorship, one partner for a partnership, or a corporate officer for a corporation, and must be approved by the Chief.
- (b) The license application must include:
 - (1) The name, address, Fax and telephone number of the alarm business, its business organization (Sole Proprietorship, Partnership, or Corporation), and Employer ID number (EIN);
 - (2) The number of active residential and nonresidential alarm customers in Prince George's County with which the alarm business conducts business;
 - (3) The name, address, and telephone number of the official responsible for the operation of the alarm business in Prince George's County;

- (4) Background criminal history information;
 - (5) Complete list of associated (contracted) alarm businesses, including name, address, telephone number, and alarm business license number, that may alter, install, lease, maintain, monitor, repair, replace, sell at retail, service, or respond to an alarm system in Prince George's County;
 - (6) An alarm business that is incorporated in a state other than Maryland, must include on the alarm business license application form the name and address of the Resident Agent located in Maryland.
- (c) License applications must be accompanied by a biennial, nonrefundable processing fee of Three Hundred Dollars (\$300.00), which will be due and payable biennially on the anniversary of the issuance of the alarm business license. If the alarm business license has been revoked or suspended, a reinstatement fee of One Hundred Dollars (\$100.00) plus the regular fee must accompany a reinstatement application.
- (1) An applicant must not conduct business in Prince George's County until the alarm business license is approved.
 - (2) An applicant must give written notice of any changes to the information contained in the application to the Chief within ten (10) days of the change.
- (d) Should an alarm business license be suspended, revoked, or refused, the alarm business must notify, by first class mail, within five (5) days, each of its alarm users that the alarm business is unable to request Prince George's County Police dispatch to the user's alarm system for the duration of the suspension, revocation, or refusal. The alarm business must also provide the Chief, by first class mail, within five (5) days, a list containing the name and complete address of the alarm business's registered alarm users.
- (e) A licensed alarm business must not enter into a contract regarding their business in the County with an alarm business that does not have a valid County alarm business license.
- (f) The owner, partner, or corporate officer of an alarm business must conduct a criminal history background check on all employees of the alarm business involved in the sale, installation, monitoring, or maintenance of an alarm system. The background check must cover the past seven (7) years.
- (g) Any licensee or applicant who requests a hearing before the Chief to show cause why an alarm business license should not be revoked or suspended or the license application should be granted or renewed must include an appeal filing fee of \$150.00.
- (h) An alarm business without a current County license must not request a police response to an alarm signal from an alarm system in the County.

(CB-102-1995; CB-66-2003)

Sec. 9-222. - Alarm business license revocation and appeals.

- (a) The Chief of Police may refuse to grant a license under this Division to an alarm business, and may suspend, revoke, or refuse to renew the license of an alarm business, if he finds that the alarm business:
- (1) Fails to perform installation, repairs, maintenance, or other work in a workmanlike manner;
 - (2) Regularly provides customers with faulty, defective, or malfunctioning equipment;
 - (3) Requests a police response to an alarm signal when the alarm user has not authorized the alarm business to make the request;
 - (4) Requests a police response to an alarm signal when the alarm business has been notified that the alarm user has not:

- (A) Registered the user's alarm system as required under Section 9-211;
 - (B) Paid an alarm response fee due under Section 9-212 or appealed the false alarm;
 - (C) Conformed their alarm system to County installation standards under Section 9-202;
- (5) Does not comply with procedures for requesting a police response to an alarm signal established under Section 9-223;
 - (6) Submits false information on an alarm business license application;
 - (7) Enters into a contract regarding their business in the County with an alarm business that does not have a valid alarm business license;
 - (8) Had a similar license suspended, revoked, or refused in another jurisdiction;
 - (9) Knowingly, after reasonable inquiry, has an officer, manager, agent, or employee involved in the sale, installation, monitoring, or maintenance of alarm systems who has been convicted of a felony, or a misdemeanor involving theft, within the past seven (7) years; or
 - (10) Violates any other provision of this Division; or any other law or regulation relating to the sale installation, monitoring, or maintenance of alarm systems.
- (b) Before revoking, suspending, or refusing to grant or renew a license under this Section, the Chief must give the licensee an opportunity for a hearing to show cause why the license should not be revoked or suspended, or the license application should be granted or renewed. The licensee or applicant must be given fifteen (15) days written notice of the hearing, by personal service or certified mail delivered to the last address provided by the licensee or applicant. The notice must specify the time, date, and place of the hearing, and must contain sufficient information to give the licensee or applicant notice of the nature of the complaint. The notice must specify that the licensee or applicant has a right to representation by counsel and that the licensee's license may be suspended or revoked or the applicant's license may not be granted or renewed by the County.
 - (c) Any appeal of a decision of the Chief to suspend, revoke, or deny an alarm business license must be made to the Prince George's County Board of Administrative Appeals within ten (10) days after notification of the Chief's decision.

(CB-102-1995; CB-66-2003)

Sec. 9-223. - Alarm business responsibilities.

- (a) An alarm business that installs, causes to be installed, permits to be installed, alters, maintains, repairs, replaces, services, or monitors any alarm system must ensure that an alarm user has obtained a permit for the alarm system before the alarm system is activated or placed into service.
- (b) The alarm business must provide a certification to the alarm user that the system has been installed or currently meets the alarm system requirements of Division 2, Subdivisions 1 and 2 of this Subtitle. This certification, which must be submitted with the permit application, must also state that the person designated by the alarm user as responsible for alarm system operation has received training sufficient to prepare the alarm user to operate the system without false alarms caused by improper operation and that the alarm user has been informed that they must obtain a permit from the Chief of Police before police dispatch may be requested by an alarm monitoring business.
- (c) An alarm business that sells at retail any alarm system or equipment to an alarm user must provide the purchaser the proper alarm user permit information, including, but not limited to, a summary of the alarm user law, the application form and fee information, and the requirement that a certification from a licensed burglar and holdup alarm contractor must accompany the permit application.
- (d) Procedures to request police response.

- (1) Before requesting a police response to an alarm signal, an alarm business must attempt to verify every alarm signal, except a duress alarm activation, by a telephone call to the alarm user or other person(s) designated by the alarm user.
- (2) An alarm business must not request a police response to an alarm signal until the alarm system has been properly licensed.
- (3) An alarm business must provide the following information when contacting the Police Emergency Communications Center (ECC), to report an activated alarm signal and to request a police response:
 - (A) Name of the alarm business reporting the activated alarm, name or employee number of the alarm business employee making the report, and a toll-free call-back telephone number;
 - (B) Registration number issued to the alarm user;
 - (C) Location of the activated alarm, including complete business or homeowner's name, street address, and telephone number;
 - (D) Type of alarm (such as audible or silent, robbery, hold-up, duress, panic, burglary). If the alarm system is zoned, give the specific location of the alarm activation (such as interior, perimeter, vault, motion detection);
 - (E) Any available information about the nonresidential site (such as if the business is open or closed, guards on site, guard dogs, dangerous or special conditions within the location);
 - (F) Any available information about the residential site (such as if the homeowner is present or out of town, presence of pets, handicapped individuals, etc.);
 - (G) If a representative of the alarm user or alarm monitoring company is responding and their estimated time of arrival.
- (4) An alarm monitoring business shall not request a police response to an alarm signal if the alarm business has been notified by the Chief that the alarm user has an unpaid alarm response fee due and has not appealed the false alarm, or if the alarm user has been notified that the alarm system does not conform to the installation standards under this Subtitle.
- (5) An alarm monitoring business must cancel any request for police response immediately when the alarm business determines that the alarm signal is a false alarm.
- (e) An alarm monitoring business must notify the alarm user or his designee in writing within seventy-two (72) hours after the alarm business requests police response to a signal from the user's alarm system.
- (f) The alarm monitoring business must keep a record of the date and time for each alarm signal which required a police response and the date, time, and method by which the registered alarm user or designee was notified. Such records must be retained for at least one (1) year and must be made available for inspection within five (5) days, upon request by the Chief or a representative designated to inspect such records.

(CB-102-1995; CB-66-2003)