

West's District of Columbia Code Annotated 2001 Edition
Division I. Government of District.
Title 7. Human Health Care and Safety. (Refs & Annos)
Subtitle J. Public Safety.
Chapter 28. Security and Fire Alarm Systems Regulations.
Subchapter I. General.

DC ST § 7-2804

Formerly cited as DC ST 1981 § 6-3104

§ 7-2804. Licensing of alarm dealers.

Currentness

(a) No person shall engage in the business of an alarm dealer within the boundaries of the District of Columbia without first obtaining from the Mayor a license to be known as an alarm dealer's license. Such license shall be required in addition to any other license or registration required by law. Any person who engages in the business of an alarm dealer within the boundaries of the District of Columbia without having obtained such a license shall be subject to a fine of up to \$300 for each such violation.

(b) Application for an alarm dealer's license shall be made to the Mayor on a form prescribed by the Mayor. The information provided by each applicant shall be under oath and shall include, but shall not be limited to, the following:

(1) The name, address, and telephone number of the applicant;

(2) The name, address, and telephone number of the alarm business, the type of business organization, and the names and addresses of the president, vice-president, secretary, treasurer, manager, or other principal officer responsible for the operation of the business or local branch of the business, as applicable;

(3) That if the applicant plans to install, inspect, maintain, repair or service any alarm system, such applicant must comply with the provisions of § 7-2806(d).

(c) Each person whose name is required to be listed on the application shall furnish the Mayor with sets of his or her fingerprints, which shall become part of the application and shall be compared and recorded by the Chief of Police. The Chief of Police shall submit such fingerprints to the Federal Bureau of Investigation and to such other authorities as the Chief of Police may deem advisable for comparison and record checking, and shall make such other investigation as the Chief of Police determines to be relevant. The Chief of Police shall cause such fingerprints to be returned to the Metropolitan Police Department upon completion and record checking by other agencies. The Chief of Police shall report the results of the investigation to the Mayor, who shall determine whether a license shall be issued.

(d) Each application required by this section shall be accompanied by a nonrefundable fee to be established by the Mayor; provided, that such fee shall, in the judgment of the Mayor, reimburse the District for the cost of services provided under this section. The term of the license shall be determined by the Mayor.

(e) An alarm dealer's license may be denied, suspended, or revoked upon any 1 or more of the following grounds:

(1) That the applicant made a false statement of a material fact in the application;

(2) That the applicant or licensee has violated any provision of this chapter, or any other applicable act or regulation governing such licenses; or

(3) That the applicant or licensee or other person specified in subsection (b) of this section has been convicted of a felony within the last 10 years, or of a misdemeanor involving unlawful entry or the unlawful taking of the property of another within the last 5 years, unless the Mayor determines that the issuance or continuance of a license would not constitute a significant risk to the community. The Mayor shall consider the following factors in determining whether a significant risk exists:

(A) The nature of the crime and its relationship to the duties and circumstances of participation in the business;

(B) information pertaining to the degree of rehabilitation of the convicted person; and

(C) the time elapsed since conviction.

(f) The Mayor may refuse to license, or may suspend or revoke any license in accordance with the provisions of this chapter, by notifying the applicant or licensee in writing and setting forth reasons authorized by subsection (e) of this section for such suspension or revocation. The Mayor may order a suspension for a period not to exceed 6 months. Any person whose license has been revoked may not apply for reissuance until 6 months after the date of revocation. Reissuance shall be subject to payment of the same fee required for obtaining an original license.

(g) Whenever the Mayor proposes to deny, suspend, or revoke a license, he shall serve upon the applicant or licensee written notice which shall:

(1) State the nature of the proposed action;

(2) Set forth facts which constitute the basis for the proposed action;

(3) Advise the applicant or licensee that he has the opportunity to submit information, within 10 days of service of the notice of proposed action, bearing on such proposed action for consideration by the Mayor;

(4) Advise the applicant or licensee that unless information is submitted pursuant to this section, the notice of proposed action shall constitute the notice of final action 10 days after service of such notice.

(h) In conjunction with the authority granted by this section, the Mayor shall have the authority to enter into agreements of assurance of compliance or discontinuance prior, or as an alternative, to denial, suspension, or revocation of license.

(i) Prior to any final action by the Mayor to suspend or revoke a license pursuant to this section, the license shall remain effective until its normal expiration date.

(j) Any person who has been served with a notice of final action may file a request for a hearing with the Office of Administrative Hearings. Any such hearing shall be held in accordance with of Chapter 5 of Title 2.

Credits

(Sept. 26, 1980, D.C. Law 3-107, § 5, 27 DCR 3760; Mar. 29, 1988, D.C. Law 7-99, § 2(f), 35 DCR 1051; [Apr. 13, 2005, D.C. Law 15-354, § 17, 52 DCR 2638.](#))

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