

## **Chapter 2.5**

### **ALARM SYSTEMS**

**Art. I. In General, Sections 01 through 20**

**Art. II. Fire Alarm Systems, Sections 21 through 27**

#### **ARTICLE I. IN GENERAL**

**Sections 01 through 20. Reserved.**

#### **ARTICLE II. FIRE ALARM SYSTEMS**

**Section 21. Short title.**

This article shall be known, cited and referred to as the "Alarm Users Ordinance," except as herein referred to as "this article." (Ord. No. 349, Sec. 1, 4/18/83; Ord. No. 414, Sec. 1, 6/15/87)

**Section 22. Purpose and scope.**

The purpose of this article is to protect the public safety services which serve the City from misuse and to provide for the maximum possible service to alarm users. This article provides regulation for the use of burglary, robbery, medical and fire alarms and established a system of administration and an alarm users fee. (Ord. No. 349, Sec. 2, 4/18/83; Ord. No. 414, Sec. 1, 6/15/87)

**Section 23. Definitions.**

For the purpose of this article, certain terms and words are defined as follows:

**Alarm systems:** Means any equipment or device which emits an audible, visual or electronic signal upon the detection of a potential burglary, robbery, medical emergency, trespass, property intrusion or fire.

**Alarm user:** Means any person in control of any building, structure, facility or tract of land wherein or whereon an alarm system is used or maintained within the City.

**False alarm:** Means an alarm signal eliciting a response by public safety personnel when a situation requiring a response does not exist, and which is caused by the activation of the alarm system through mechanical failure, alarm malfunction, improper installation or the inadvertence of the owner or lessee of the alarm system or of his employees or agents. False alarms do not include alarms caused by climatic conditions such as tornadoes, thunderstorms, utility line mishaps, violent conditions of nature or any other conditions which are clearly beyond the control of the alarm manufacturers, installer or alarm user.

**Fire safety personnel:** Means any fire-fighting personnel employed by the City.

Person: Means any human being, and corporation, partnership, firm, association, or other organization, and receiver, trustee, assignee, agent or other legal representative of any of the foregoing, or any other legal entity.

Public safety communications center: Means the central facility used to receive emergency requests for public safety services and general information from the public to be dispatched to public safety personnel. (Ord. No, 349, Sec. 3, 4/18/83; Ord. No. 414, Sec. 3, 6/15/87)

Public safety personnel: Means all personnel employed by any law enforcement agency, and any fire fighting personnel and any ambulance personnel.

#### **Section 24. Compliance.**

(a) Generally: No person shall locate, install, construct, after, repair, use or maintain any alarm system within the City except in full compliance with this article and the standards adopted herein.

(b) Audible alarms: All audible alarms shall meet the following requirements:

- (1) Every person maintaining an alarm system with an audible alarm signal shall post a notice containing the name and telephone number of a person to be notified to render repairs or service to such alarm system during any hour of the day or night upon activation of such alarm system. Such notice shall be posted at the main entrance to such premises or near the alarm in such a position as to be legible from the ground adjacent to the building.
- (2) Alarm systems with audible alarm signals that sound like police or fire sirens are prohibited.

(c) Registration:

- (1) All persons using or maintaining any alarm system within the City shall register such alarm system with the Fire Department for fire alarms and with the Police Department for all other, utilizing registration forms to be furnished by the Department, no later than the later of the following dates:
  - a. The sixteenth (16th) day after the effective date of the ordinance from which this article derived;
  - or
  - b. The thirtieth (30th) day after the installation of such alarm system.
- (2) Any alteration or modification of any previously registered alarm system shall be registered with the Fire Department for fire alarms and with the Police Department for all others, utilizing registration forms to be furnished by the Department, within thirty (30) days of the commencement of such alteration or modification.

(d) Multiple function alarm systems: Alarm systems that have more than one alarm signal function (burglary, fire, etc.), must report specifically which of the functions has been violated,

when reported to the public safety communication center for the purpose of dispatching public safety personnel to the site of the alarm system.

(e) Communication center: No alarm system shall connect directly to the public safety communications center except financial institutions, and/or public buildings, All other alarms must report to the public safety communications center in some other manner. No automatic telephone dialing device shall be allowed to dial direct or be programmed so that it dials directly into the public safety communications center. (Ord. No. 349, Sec. 4, 4/18/83; Ord. No. Sec. 4, 6/15/87)

**Section 25. User fees.**

a) User fee imposed: An alarm fee is hereby imposed upon any alarm user from whose alarm system emanates more than three (3) false alarms within any twelve-consecutive-month period. The fees payable under this section are as follows,

<b>Number of False Alarms Per Twelve-Consecutive-Month Period</b>	<b>Alarm User Fee</b>
1st, 2nd or 3rd .....	No Charge
4th .....	\$100.00
5th .....	\$100.00
6th .....	\$200.00
7th .....	\$300.00
8th .....	\$400.00
Each additional false alarm in excess of eight.....	\$400.00

(Ord. No. 751 dated 07-07-03)

(b) Exemptions:

- (1) Public buildings: All Federal, State, County and/or municipal buildings and all public schools shall be exempt from the alarm users fee.
- (2) New alarm systems: All newly installed alarm systems are hereby granted a thirty-day probationary period, commencing on the date of the first operational use thereof, during which period false alarms will not be counted for the purpose of computing the amount of any alarm user fee imposed by this article.
- (3) Alterations to existing alarm systems: All alarm systems which are altered by the addition to any new alarm feature are hereby granted a fifteen-day probationary period, commencing on the date of the first operational use of said new feature, during which period false alarms will not be counted for the purpose of computing the amount of any alarm user fee imposed by this article.

(c) Payment of alarm user fees: Subsequent to any false alarm, the Fire Department or Police Department shall notify the affected alarm user in writing of the date of such false alarm,

the apparent reason therefore, and the alarm user fee imposed pursuant to this article. It shall be the duty of each alarm user to pay all alarm user fees imposed by this article to the City within thirty (30) days of the date of mailing of the City's fee statement specifying the amount of such alarm user fees. For the purpose of mailing the City's fee statement under this section, such statement shall be mailed to the affected alarm user at this/its address shown on the registration form required by Subsection 24(c) of this article. (Ord. No. 349, Sec. 5, 4/18/83; Ord. No. 414, Sec. 5, 6/15/87)

## **Section 26. Enforcement.**

(a) User to respond: It in the judgment of public safety personnel at the scene of an alarm, it is determined that the alarm user should appear at the location of any alarm for the purpose of admitting public safety personnel to the subject premises to investigate any alarm system signal, or for the purposes of deactivating any alarm system signal, or for the purpose of identifying third parties found on the subject premises during the investigation of any alarm system signal, such alarm user shall appear immediately if so requested by the public safety personnel.

(b) Remedial action by user: If an alarm user has had more than three (3) false alarms in a twelve-month period, said alarm user, upon the written request of either the Fire Department or the Police Department, shall be required to submit in written form a description of any steps being taken to remedy any problems with false alarms emanating from the alarm users location.

(c) Administrative rules/regulations: The Fire Department for fire alarms and Police Department for other alarms shall promulgate such rules/regulations as necessary for the implementation and/or administration of this article. (Ord. No. 349, Sec. 6, 4/18/83; Ord. No. 414, Sec. 6, 6/15/87)

## **Section 27. Violations and penalties.**

(a) Misdemeanor: Any person who fails to comply with the provisions of this article, is guilty of a misdemeanor, in addition to being subject to the alarm users fees imposed by this articles A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

(b) Injunctive relief: In the event of a violation or a threat of violation of this article, the City may institute appropriate action or proceeding, including requesting injunctive relief to prevent, restrain, correct or abate such violation or threatened violation.

(c) Civil action: If a person fails to comply with the provisions of this article, the City may recover costs, damages, or alarm user fees in a civil action in any court of competent jurisdiction.

(d) Governmental services lien: In addition to the remedies specified in Subsections (a) and (b) above, but in lieu of the remedy specified in Subsection(c), the City may certify any unpaid alarm user fees to the County Auditor or County Finance Director as a governmental services lien for collection with the real property taxes imposed on the real property upon which

the alarm system is or was located. (Ord. No. 349, Sec. 7, 4/18/83; Ord. No. 414, Sec. 7, 6/15/87)

\*\*