

CHAPTER 104: ALARMS

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§ 104.001 DEFINITIONS.

ALARM ADMINISTRATOR. A person or persons designated by the Chief of Police to administer, control and review alarm applications, permits and alarm dispatch requests.

ALARM BUSINESS. The business, by an individual, partnership, corporation or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, installing or monitoring an alarm system in an alarm site.

ALARM DISPATCH REQUEST. A notification to the police by the alarm business that an alarm, either manual or automatic, has been activated at a particular alarm site.

ALARM SITE. A single premises or location served by an alarm system or systems. Each tenancy, if served by a separate alarm system in a multi-tenant building or complex, shall be considered a separate alarm site.

ALARM SYSTEM. A device or series of devices, including, but not limited to, systems interconnected with radio frequency signals, which are designed to discourage crime by emitting or transmitting a remote or local audible, visual or electronic signal indicating an alarm condition. Alarm system does not include:

- (1) An alarm installed on a vehicle unless the vehicle is permanently located at a site; or
- (2) 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 alarm site and does not alert any person or entity off the premises.

ALARM USER. Any person, firm, partnership, corporation or other entity which uses an alarm system at its alarm site.

CHIEF. The Chief of Police of the city or an authorized representative.

CONVERSION. The transaction or process by which one alarm business begins monitoring of an alarm system previously monitored by another alarm business.

DURESS ALARM. A silent alarm signal generated by the manual activation of a device intended to signal a crisis situation requiring police response.

FALSE ALARM DISPATCH. An alarm dispatch request to the police department, when the responding officer finds no evidence of a criminal offense or attempted criminal offense after having responded within 30 minutes of the alarm notification and determining from an inspection of the interior or exterior of the premises that the alarm was false. An alarm dispatch request that is canceled by the alarm business or the alarm user prior to the time the responding officer reaches the alarm site shall not be considered a false alarm dispatch.

KEYPAD. A device that allows control of an alarm system by the manual entering of a coded sequence of numbers or letters.

MONITORING. The process by which an alarm business receives signals from alarm systems and relays an alarm dispatch request to the city for the purpose of summoning police response to the alarm site.

PERSON. An individual, corporation, partnership, association, organization or similar entity.

TAKEOVER. The transaction or process by which the alarm user takes over control of an existing alarm system which was previously controlled by another alarm user.

VERIFY. An attempt by the alarm business, or its representative, to contact the alarm site by telephonic or other electronic means, whether or not actual contact with a person is made, before requesting a police dispatch, in an attempt to avoid an unnecessary alarm dispatch request.

(Ord. 6-2001-40, passed 6-12-01)

§ 104.002 PERMIT REQUIRED; APPLICATION FEE; TRANSFERABILITY; FALSE STATEMENTS.

(A) No alarm user shall operate or cause to be operated an alarm system at its alarm site without a valid alarm permit issued by the alarm administrator. A separate permit is required for each alarm site.

(B) The annual fee for a permit or permit renewal for an apartment alarm site is provided by § 104.003. The annual fee for a permit or permit renewal for a residential alarm site is \$5. The annual fee for a permit or permit renewal for a commercial alarm site is \$10. No refund of a permit or permit renewal fee will be made. The initial annual permit fee must be submitted to the alarm administrator within 15 days after the alarm installation.

(C) Upon receipt of a completed application form and the permit fee, the alarm administrator shall issue an alarm permit to an applicant unless the applicant has:

- (1) Failed to pay a fine assessed under § 104.010.
- (2) Had an alarm permit for the alarm site revoked, and the violation causing the revocation has not been corrected.

(D) Each permit application must include the following information:

- (1) The name, address, and telephone numbers of the alarm user, who will be responsible for the proper maintenance and operation of the alarm system and payment of fees assessed under this chapter;
- (2) The classification of the alarm site as either residential, commercial or apartment;
- (3) A signed certification from the alarm user and the alarm business stating:
 - (a) The date of installation, conversion or takeover of the alarm system, whichever is applicable;
 - (b) The name, address and phone number of the alarm business performing the alarm system installation, conversion or alarm takeover and responsible for providing repair service to the alarm system;
 - (c) The name, address and phone number of the alarm business monitoring the alarm system if different from the installing alarm business;
 - (d) That a set of written operating instructions for the alarm system, including written guidelines on how to avoid false alarms, have been left with the applicant; and
 - (e) That the alarm business has trained the applicant in proper use of the alarm system, including instructions on how to avoid false alarms.

(E) Any false statement of a material matter made by an applicant for the purpose of obtaining an alarm permit shall be sufficient cause for refusal to issue a permit.

(F) An alarm permit cannot be transferred to another person. An alarm user shall inform the alarm administrator of any change that alters any information listed on the permit application within five business days after the change. It shall be a violation of this chapter to fail to notify the alarm administrator of such a change in compliance with this subsection.

(G) All fees owed by an applicant must be paid before a permit may be issued or renewed.

(H) Information contained in permit applications shall be held in confidence by all employees or representatives of the city with access to information.
(Ord. 6-2001-40, passed 6-12-01)

§ 104.003 ALARM SYSTEMS IN APARTMENT COMPLEXES.

(A) If an alarm system installed by an individual tenant in an apartment complex unit is monitored, the tenant must provide the name of a representative of the apartment owner or property manager who can grant access to the apartment to the alarm business which is providing the monitoring service.

- (1) A tenant of an apartment complex shall also obtain an alarm permit from the alarm administrator before operating or causing the operation of an alarm system in the tenant's residential unit.
- (2) For purposes of enforcing this chapter against an individual residential unit, the tenant is responsible for false alarm dispatches emitted from the alarm system in the tenant's residential unit.
- (3) The annual fee for this permit or the renewal of this permit shall be \$5 per residential unit per year.

(B) If the owner or property manager of an apartment complex provides alarm systems in each residential unit as an amenity, the owner or property manager of the apartment complex shall obtain a master alarm permit from the alarm administrator.

(1) For purposes of assessing fines and enforcing this chapter, the master alarm permit holder is responsible for payment of fines for false alarm dispatches emitted from the alarm systems in residential units.

(2) The annual fee for this permit and for each renewal of this permit shall be \$5 per residential unit per year. All units, whether occupied or not, shall be included in calculating the required fee.

(3) The owner or property manager of an apartment complex shall obtain a separate alarm permit for any alarm system operated in a nonresidential area of the apartment complex, including, but not limited to, common tenant areas and offices, storage and equipment areas. The annual fee for such a permit shall be \$5.
(Ord. 6-2001-40, passed 6-12-01)

§ 104.004 PERMIT DURATION AND RENEWAL.

A permit shall be valid from the date of issuance until September 30 of the year the permit was issued, and must be renewed annually by submitting an updated application and a permit renewal fee to the alarm administrator. The alarm administrator shall notify each alarm user of the need to renew 30 days prior to the expiration of their permit. It is the responsibility of the alarm user to submit an application prior to the permit expiration date. Failure to renew will be classified as use of a non-permitted alarm system and shall be a violation of this chapter.

(Ord. 6-2001-40, passed 6-12-01)

§ 104.005 PROPER ALARM SYSTEMS OPERATION AND MAINTENANCE.

(A) An alarm user shall:

(1) Maintain the premises and the alarm system in a manner that will minimize or eliminate false alarm dispatches;

(2) Make every reasonable effort to respond or cause a representative to respond to the Alarm systems location within one hour when notified by the city to deactivate a malfunctioning alarm system, to provide access to the premises, or to provide security for the premises; and

(3) Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report.

(B) An alarm user shall adjust the mechanism or cause the mechanism to be adjusted so that an alarm signal audible on the exterior of an alarm site will sound for no longer than 15 minutes after being activated.

(Ord. 6-2001-40, passed 6-12-01)

§ 104.006 MONITORING PROCEDURES.

(A) An alarm business performing monitoring services shall:

(1) Report alarm signals by using telephone numbers designated by the alarm administrator;

(2) Attempt to verify every alarm signal, except a duress alarm activation, before requesting a police response to an alarm signal;

(3) Communicate alarm dispatch requests to the city in a manner and form determined by the alarm administrator;

(4) Communicate verified cancellations of alarm dispatch requests to the city in a manner and form determined by the alarm administrator.

(5) Ensure that all alarm users of alarm systems equipped with a duress alarm are given adequate training as to the proper use of the duress alarm.

(B) The alarm administrator shall:

(1) Designate a manner, form and telephone numbers for the communication of alarm dispatch requests;

(2) Develop a procedure to accept verified cancellation of alarm dispatch requests.

(Ord. 6-2001-40, passed 6-12-01)

§ 104.007 ALARM SYSTEM OPERATING INSTRUCTIONS.

An alarm user shall maintain at each alarm site a set of written operating instructions for each alarm system.

(Ord. 6-2001-40, passed 6-12-01)

§ 104.008 ALARM DISPATCH REQUEST RECORDS.

(A) The officer responding to an alarm dispatch request shall record such information as necessary to permit the alarm administrator to maintain records, including, but not limited to, the following information:

(1) Identification of the permit number for the alarm site;

- (2) Identification of the alarm site;
- (3) Date and time of the alarm dispatch request;
- (4) Arrival time of the alarm site;
- (5) Weather conditions;
- (6) Area and/or sub-area of premise involved;
- (7) Name of alarm user's representative on premises, if any;
- (8) Identification of the responsible alarm business, and/or;
- (9) If applicable, inability to locate the address and effort made to locate the address.

(B) The responding police officer shall indicate on the dispatch record whether the dispatch was caused by a criminal offense, an attempted criminal offense, or was a false alarm dispatch.

(C) In the case of an assumed false alarm dispatch, the responding police officer shall leave notice at the alarm site that the police department has responded to a false alarm dispatch. The notice shall include the following information:

- (1) The date and time of police response to the false alarm dispatch;
- (2) The identification number of the responding police officer, and;
- (3) A statement urging the alarm user to ensure that the alarm system is properly operated, inspected, and serviced in order to avoid fines.

(D) Alarm businesses that perform monitoring of alarm systems must maintain records relating to the dispatch for a period of at least one year following an alarm dispatch request to an alarm site. Records must include the name, address and phone number of the alarm user, the alarm system zone(s) or point(s) activated, the time of request for police dispatch and evidence that an attempt to verify was made to the alarm site prior to the request for police dispatch. The alarm administrator may request copies of such records for individually named alarm users.

(Ord. 6-2001-40, passed 6-12-01)

§ 104.009 SYSTEM PERFORMANCE REVIEW.

If there is reason to believe that an alarm system is not being used or maintained in a manner that ensures proper operation and suppresses false alarms, the alarm administrator may require a conference with an alarm user and the alarm business responsible for the repair of the alarm system to review the circumstances of each false alarm.

(Ord. 6-2001-40, passed 6-12-01)

§ 104.010 FINES.

(A) An alarm user or the master permit holder for an apartment complex shall be subject to citations and fines, depending on the number of false alarm dispatches emitted from an alarm system within a 12 month period based upon the following schedule:

| Number of False Alarm Dispatches | Action Taken | Fines |
|----------------------------------|---|------------------------------------|
| 1-5 | On site written notice & warning letter | 0 |
| 6 or more | | \$20 per each false alarm dispatch |

(B) Notwithstanding subsection (A), if the actual cost of responding to a false alarm dispatch is less than \$20, the alarm user or the master permit holder for an apartment complex shall only be charged the actual cost of responding.

(Ord. 6-2001-40, passed 6-12-01)

§ 104.011 REVOCATION OF ALARM PERMIT.

- (A) The alarm administrator may revoke an alarm permit if it is determined that:
- (1) There is a false statement of a material matter in the application for a permit; or
 - (2) The permit holder has failed to make timely payment of a fine assessed under § 104.010.

(B) A person commits an offense if he operates an alarm system during the period in which the alarm permit is revoked.

(C) The Chief may not refuse police response to an alarm dispatch request at an alarm site because of excess false alarms if the fines imposed in § 104.010 are paid in full.

(Ord. 6-2001-40, passed 6-12-01)

§ 104.012 APPEAL FROM DENIAL OR REVOCATION OF A PERMIT.

(A) If the alarm administrator denies the issuance or renewal of a permit or revokes a permit, the alarm administrator shall send written notice of the action and a statement of the right to an appeal, by certified mail, return receipt requested, to both the applicant or alarm user and the alarm business.

(B) The applicant or alarm user may appeal the decision of the alarm administrator to the Chief by filing a written request for a review setting forth the reasons for the appeal within 20 days after receipt of the notice from the alarm administrator. An alarm business may submit the request for review on behalf of an Alarm user. Filing of a request for appeal shall stay the revocation of a permit until the Chief has completed his/her review. If a request for appeal is not made within the 20 day period, the action of the alarm administrator is final. If a timely request for an appeal is made, the Chief's decision shall be final.

(Ord. 6-2001-40, passed 6-12-01)

§ 104.013 REINSTATEMENT OF PERMIT.

A person whose alarm permit has been revoked may be issued a new permit if the person:

(A) Submits an updated application and pays a permit fee as required by § 104.002;

(B) Pays or otherwise resolves, all citations and fines; and

(C) Submits a certification from an alarm business that complies with the requirements of this chapter, stating that the alarm system has been inspected and repaired (if necessary) by the alarm business.

(Ord. 6-2001-40, passed 6-12-01)