

TITLE 20

MISCELLANEOUS

CHAPTER

1. TELEPHONE FRANCHISE.
2. AUTOMATIC BURGLAR ALARMS.
3. PUBLIC RECORDS POLICY AND FEES.

CHAPTER 1

TELEPHONE FRANCHISE

SECTION

20-101. To be furnished under franchise.

20-101. To be furnished under franchise. Telephone service shall be furnished for the municipality and its inhabitants under such franchise as the governing body shall grant.¹ The rights, powers, duties, and obligations of the municipality, its inhabitants, and the grantee of the franchise shall be clearly stated in the written franchise agreement which shall be binding on all parties concerned.

¹The agreements are of record in the office of the city recorder.

CHAPTER 2

AUTOMATIC BURGLAR ALARMS

SECTION

20-201. Definitions.

20-202. Registration required.

20-203. False alarm service charge.

20-204. Liability of city limited.

20-205. Penalties.

20-201. Definitions. For the purpose of this chapter, the following words and phrases shall have the meanings ascribed to them in this section.

(1) "Activate" means to "set off" an alarm system indicating in any manner an incidence if burglary, robbery, fire, etc.

(2) "Alarm equipment supplier." Any person who sells, leases or installs automatic alarm systems which transmit alarms upon receipt of a stimulus from a detection apparatus.

(3) "Alarm system." Any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of an illegal entry or other activity requiring urgent attention and to which the police and/or fire departments is expected to respond.

(4) "Alarm user." The person, firm, partnership, association, corporation, company or organization of any kind in control of any building, structure or facility or portion thereof wherein an alarm system is maintained.

(5) "Automatic telephone dialing alarm system." Any alarm system which upon being activated automatically transmits by telephone or telephone line to the White House Police Department a recorded message or code signal indicating a need for emergency response.

(6) "Central station alarm system." An alarm system in which the operation of electrical protection circuits and devices are signaled automatically to, recorded in, and maintained and supervised from a central station other than the White House Police Department.

(7) "Commercial premises." means any structure or area which is not defined in this section as residential premises.

(8) "Direct connect." An alarm system which has the capability of transmitting system signals to and receiving them at the White House Police Department Communications Center.

(9) "False alarm." A visual and/or audible signal transmitted by an alarm system, which indicates the existence of an emergency situation, when in fact, no such emergency exists, and, shall include any activation of an alarm system by whatever means, but shall not include alarms resulting from any of the following causes:

- (a) Criminal activity.
- (b) Earthquake causing structural damage to the protected premises;
- (c) Hurricane winds causing structural damage to the protected premises;
- (d) Flooding of the protected premises due to overflow of natural drainage;
- (e) Lightning causing physical damage to the protected premises;
- (f) Fire causing structural damage to the protected premises verified by the fire department;
- (g) Telephone line malfunction verified in writing to the police department by an authorized telephone company supervisor within seven (7) days of the occurrence; or
- (h) Electrical service interruption verified in writing to the police department by the local power company manager within seven (7) days of the occurrence.

If the alarm, when communicated to the police department before an officer is dispatched to investigate, is clearly identified to the department as resulting from authorized entry, authorized system test, or other non-criminal cause through use of a pre-assigned code number, it shall not be considered a false alarm.

If police and/or fire units, responding to an alarm and checking the protected premises according to standard department operating procedures, do not discover any evidence of unauthorized entry or criminal activity, or any evidence of a fire, there shall be a rebuttable presumption that the alarm is false. Entries in the police department "daily log" shall be prima facie evidence of the facts stated therein with regard to alarms and responses.

(10) "Fire officer" means the fire chief of White House Fire Department or his designated representative.

(11) "Law enforcement officer" means the chief of police of the White House Police Department or his designated representative.

(12) "Residential premises" means any structure or combination of structures which serve as dwelling units including single-family as well as multifamily units. (as added by Ord. #98-15, July 1998, as replaced by Ord. #06-19, March 2006)

20-202. Registration required. (1) Every person who shall own, operate, or lease any alarm system shall, prior to use of the alarm system, whether residential or commercial, give notice to the White House Police Department Records Section on forms to be provided and obtain a permit. The information submitted on the forms shall include:

- (a) The name of alarm company;

- (b) Whether installed in a residential or commercial property;
- (c) The name, address, business and/or home telephone number of the owner or lessee of the alarm system;
- (d) The names, addresses and telephone numbers of at least two (2) persons to be notified in the event of an alarm activation, including the name, address, and telephone number of at least one local person to be responsible for the alarm system. (as added by Ord. #98-15, July 1998, and amended by Ord. 99-06, April 1999, as replaced by Ord. #06-19, March 2006, and amended by Ord. #06-30, Aug. 2006)

20-203. False alarm service charge. An alarm user shall be charged a service charge of twenty-five dollars (\$25.00) for each false alarm in excess of one (1) in any three (3) month period transmitted by any alarm system. Such service charge shall be remitted to the city by the alarm user upon receipt of the statement for such service charge. (as added by Ord. #98-15, July 1998, and renumbered by Ord. #99-06, April 1999, as replaced by Ord. #06-19, March 2006)

20-204. Liability of city limited. The city assumes no liability for:

- (1) Any defects in the operation of an alarm system.
- (2) For failure or neglect to respond appropriately upon receipt of an alarm.
- (3) For failure or neglect of any person in connection with the installation, operation or maintenance of an alarm system.
- (4) The transmission of alarm signals, prerecorded alarm messages or the relaying of such signals and messages. (as added by Ord. #98-15, July 1998, and renumbered by Ord. #99-06, April 1999, as replaced by Ord. #06-19, March 2006)

20-205. Penalties. (1) It is a violation of this chapter to have a functional alarm system without having obtained a permit as required by § 20-202.

(2) Having an alarm activated without a permit shall constitute a violation of this chapter.

(3) It is a violation of this chapter to have more false alarms than are allowable within a fiscal permit year as set in § 20-203.

(4) Any person who owns, operates or leases an alarm system and who knowingly and purposefully fail to respond or have his designee respond to his premises within one (1) hour after notification by police or fire personnel of alarm activation, whether false or not, shall be deemed to have violated this chapter.

(5) It is a violation of this chapter for an alarm company or sprinkler company to make functional a newly installed alarm system if the owner, operator or lessee of the alarm system does not have a currently valid alarm

permit, unless there is a life-threatening situation making immediate operation of the alarm system necessary. In such case, the permit shall be obtained the next business day.

(6) It is a violation of this chapter for an alarm company to set off a false alarm while installing, repairing or doing maintenance work on an alarm system. If the fire or police department is notified to cancel the call within five (5) minutes of the original call, it will not be considered a false alarm, unless the responding White House unit arrives on the scene before the original call is canceled.

(7) Any noncompliance with the requirements of this chapter shall constitute a violation, and each incidence of noncompliance shall constitute a separate violation, punishable as provided in § 20-203.

(8) There shall be a fee of twelve dollars (\$12.00) whenever a citation involving an alarm permit violation listed in section (2) of this section is dismissed by the city judge upon correction of the violation. The judge may waive this fee after determination of indecency. (as added by Ord. #98-15, July 1998, and renumbered by Ord. #99-06, April 1999, as replaced by Ord. #06-19, March 2006)

CHAPTER 3**PUBLIC RECORDS POLICY AND FEES****SECTION**

20-301. Establishment of records management policy.

20-302. Fees.

20-301. Establishment of records management policy. The city shall adopt and maintain a records management policy by resolution. (as added by Ord. #13-10, Dec. 2013)

20-302. Fees. The city shall collect the same fees as are authorized in Tennessee Code Annotated, § 8-4-604 for copies of public records. (as added by Ord. #13-10, Dec. 2013)