

TITLE 20

MISCELLANEOUS

CHAPTER

1. ALARM SYSTEMS.

CHAPTER 1

ALARM SYSTEMS

SECTION

20-101. Title.

20-102. Definitions.

20-103. Automatic telephone dialing alarm system.

20-104. Permit issuance and renewal.

20-105. Application requirements for an alarm permit.

20-106. Items required for an alarm system to qualify for an alarm permit.

20-107. False alarms.

20-108. Fee assessment.

20-109. Disconnection.

20-110. Penalty.

20-101. Title. This chapter shall be known as the "Alarm Ordinance."
(Ord. #233, Dec. 1992)

20-102. Definitions. Unless it is apparent from the context another meaning is intended, the following words when used in this chapter shall have the meanings indicated herein:

(1) "Alarm system" means any assembly of equipment, mechanical or electrical, arranged to signal the police and/or fire department that an emergency exists or that the services of either or both of those departments are needed. "Alarm system" shall also mean any alarm device which automatically emits an audible, visual, or other response upon the occurrence of any hazard or emergency and is intended to alert persons outside the building to the existence of said hazard or emergency.

(2) "Alarm user" means 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.

(3) "Alarm business" means the business of any individual, partnership, corporation, or other entity engaged in selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, or installing any alarm system or in causing any alarm system to be sold, leased, maintained,

serviced, repaired, altered, replaced, moved, or installed in or on any building, structure, or facility.

(4) "Automatic telephone dialing alarm system" means any alarm system which is a device which automatically or electronically transmits by telephone or telephone line connected to the Central Dispatch Facility a recorded message or code signal indicating a need for emergency response; or, a system which, upon activation, connects to an answering service whose function it is to transmit to the police and/or the fire department a need for emergency response.

(5) "False alarm" means an alarm signal eliciting a response by the police and/or fire department when a situation requiring a response by the police and/or fire department does not in fact exist; but, this definition does not include an alarm signal caused by unusually violent conditions of nature nor does it include other extraordinary circumstances not reasonable subject to control by the alarm user.

(6) "Central dispatch facility" means the central communications center designated by the city council to receive, route, and otherwise handle all incoming police, fire, or other emergency service communications traffic.

(7) "Answering service" refers to a telephone answering service providing among its services the receiving on a continuous basis emergency signals from alarms systems and thereafter relaying the message to the Central Dispatch Facility. (Ord. #233, Dec. 1992)

20-103. Automatic telephone dialing alarm system. (1) It shall be unlawful for any person, natural or corporate, to sell, offer for sale, install, maintain, lease, operate, or assist in the operation of an automatic telephone dialing alarm system over any telephone lines exclusively used by the public to directly request emergency service from the fire and/or police department.

(2) The chief of police or his designee, when he has knowledge of the unlawful maintenance of an automatic telephone dialing alarm system installed or operating in violation of this chapter shall, in writing, order the owner, operator, or leasee to disconnect and cease operation of the system within 72 hours of receipt of the order.

(3) Any automatic telephone dial system installed unlawfully, as set forth in § 20-103(1) hereof, prior to the effective date of this chapter shall be removed within 30 days of the order as contained in § 20-103(2) hereof. (Ord. #233, Dec. 1992)

20-104. Permit issuance and renewal. (1) The chief of police or his designee is hereby authorized to grant a revocable alarm users permit to any alarm user located in the city to operate, maintain, install, or modify a police or fire alarm device, and no such device shall be operated unless such permit shall have first been issued.

(2) A permit issued pursuant to this chapter may be revoked at any time by the chief of police or his designee upon the giving of ten (10) days notice in writing by registered mail, to the permittee, sent to the address shown on the permit. Violation of this chapter, following conviction thereof, shall constitute grounds for revocation of the permit. The failure of the chief of police or his designee to revoke the permit following finding of the city court that there has been a violation of this chapter, shall be not deemed a waiver of the right to revoke the permit.

(3) The chief of police or his designee shall charge a fee for the issuance of any such permit, said fee being set and published from time to time as circumstances require by resolution of the city commission. (Ord. #233, Dec. 1992)

20-105. Application requirements for an alarm permit. Application for an alarm permit shall be made on forms provided by the chief of police or his designee and shall be accompanied by the fee as stipulated in § 20-104(5) hereof. The application form shall request the following information.

(1) The type of alarm system.

(2) The name, address, and telephone number of the applicant's property to be serviced by the alarm, and the name, address, and telephone number of applicant's residence if different. If the applicant's alarm is serviced by an alarm company, then the applicant shall also include the name, address, and telephone number of that company.

(3) An emergency telephone number of the user or his representative to permit prompt notification of alarm calls and to assist police and/or fire personnel in the inspection of the property.

(4) It is the applicant's responsibility to immediately notify the chief or his designee in writing of any and all changes in the information on file with the city regarding such permit. Failure to do so shall constitute grounds for revocation of the permit. (Ord. #233, Dec. 1992)

20-106. Items required for an alarm system to qualify for an alarm permit. (1) All alarm systems shall have a backup power supply that will become effective in the event of power failure or outage in the source of electricity.

(2) All alarm systems will have an automatic reset which silences the annunciator within thirty (30) minutes after activation and which will not sound again as a result of the same event that resulted in the original activation.

(3) Any system installed on or after the effective date of this chapter must comply with the requirements stipulated in this section. Preexisting installations must comply with this section within six (6) months of the effective date of this chapter. (Ord. #233, Dec. 1992)

20-107. False alarms. (1) Whenever an alarm is activated in the city, thereby requiring an emergency response to the location by police and/or fire personnel, a police and/or fire officer on the scene of the activated alarm shall determine whether the emergency response was in fact required as indicated by the alarm system or whether in some way the alarm system malfunctioned and thereby activated a false alarm.

(2) If the police or fire officer at the scene of the activated alarm system determines the alarm to be false and no emergency seems necessary, then said officer shall submit a report of the false alarm to the city manager, or his designee, and the respective chief. A written notification of emergency response and determination of the response shall be mailed or delivered to the alarm user at the address noted on the permit or location where alarm was activated. The permit holder upon receipt of the notification shall be entitled to a hearing before the city manager or his designee and permit holder desiring a hearing shall request said hearing within ten (10) days of date of notification.

(3) The chief of police or his designee shall have the right to inspect any alarm system on the premises to which response has been made and he may cause an inspection of such system to be made at any reasonable time thereafter to determine whether it is being used in conformity with the terms of this chapter.

(4) It shall be a violation of this chapter to intentionally cause a false alarm, and any person who intentionally causes a false alarm shall be subject to the penalty provisions hereof.

(5) There shall be provided to the alarm user, a ten (10) day grace period during the initial installation of the alarm system. Ten (10) days after the permit has been issued by the chief of police or his designee, § 20-108(1) will not apply. Any emergency response provided by the city thereafter will be under the provisions of § 20-108, unless otherwise noted herein.

(6) It shall be required and provided that any alarm business testing or servicing any alarm system notify the police and/or fire departments and instruct said departments of the location and time of said testing and servicing. This section shall apply to any waiting period after the initial installation period has ceased. § 20-108(1) will not apply to the alarm user if prior notice of said testing has been made to the respective departments as outlined in this section. Any violation of this section herein will be assessed under the provisions outlined in § 20-108. (Ord. #233, Dec. 1992)

20-108. Fee assessment. (1) It is hereby found and determined that more than three (3) false alarms within a permit year are excessive and constitute a public nuisance. The activation of four (4) or more false alarms within a permit year will be handled in the following manner:

(a) A service charge shall be automatically levied against the alarm user of \$25.00 upon the occurrence of the fourth (4th) false alarm, and those thereafter. All service charges levied shall be paid to the city

by the alarm user within thirty (30) days of the date of the written notice of said charges. Failure to make payment within thirty (30) days from date of the notice shall result in a misdemeanor and be charged as such in the Spring City Municipal Court.

(b) The seventh (7th) false alarm within a permit year shall result in revocation of the alarm user's permit in the following manner:

(i) The alarm user shall be given ten (10) days advance written notification that the alarm user's permit will be revoked, which written notice shall set forth the reasons for such revocation.

(ii) The notice shall specify the specific date of revocation by certified mail.

(iii) Reinstatement of the permit may be made upon receipt of a letter from an alarm company that the alarm system is operating properly and upon inspection and approval by the chief of police or his designee and receipt of a \$100 reinstatement fee.

(c) Additional false alarms within the permit year shall be handled in the manner as § 20-108(1)(b) hereof. (Ord. #233, Dec. 1992)

20-109. Disconnection. In the event an alarm system emitting an audible, visual, or other similar response shall fail to be deactivated within the time limitations specified in § 20-106 hereof, the town shall have the right to take such action as may be necessary in order to disconnect any such alarm. (Ord. #233, Dec. 1992)

20-110. Penalty. Any person who violates any provision of this chapter shall be guilty of a violation and upon conviction in city court shall be punished in accordance with the general penalty provisions of this municipal code of ordinances. (Ord. #233, Dec. 1992)