

CHAPTER 5-2 ALARM SYSTEMS

Section 5-2.01. Purpose.

The City determines that it is in the best interest of all its citizens that all burglary, robbery and fire alarms within the City be subject to certain regulations designed to control false alarms and ensure prompt response. (Prior Code § 17A-2; Ord. 93-24, eff. 08/19/93)

Section 5-2.02. Terminals at Police Department.

All silent burglary, holdup or fire alarms will terminate at the facility operated by the alarm company. No alarm device will be permitted to terminate at the Police Department unless specifically authorized by the Chief of Police. Such terminations at the Police Department will be authorized when it is determined to be in the best interest of the public. (Prior Code § 17A-3; Ord. 89-14 § 1 (part), eff. 5/18/89; Ord. 93-24, eff. 08/19/93)

Section 5-2.03. Permit required.

It is unlawful for any person, corporation, business, commercial establishment or residence to possess any unauthorized type of alarm or any operating burglary, holdup or fire alarm system designed to annunciate audibly outside the confines of any structure or real property or to annunciate at any reception point remote from the annunciating alarm unless a City alarm permit has been issued for each alarm. (Prior Code § 17A-4 (part); Ord. 93-24, eff. 08/19/93)

Section 5-2.04. Permit issuance, fee, term.

- (a) Alarm permits shall be issued by the Police Department.
- (b) A fee, set by City Council resolution, shall be charged for the issuance of this permit.
- (c) Permits shall remain valid for one year from the date of issuance at which time a new permit must be issued. (Prior Code § 17A-4 (1, 2); Ord. 91-8 § 1 (part), eff. 5/16/91; Ord. 93-24, eff. 08/19/93)

Section 5-2.05. Permit contents.

The alarm permit shall bear the following information:

- (a) Date of issuance;
- (b) Date of expiration;
- (c) Name of alarm subscriber or user;
- (d) Address of alarm premises;
- (e) Telephone number of alarm subscriber or user;
- (f) Alarm type;
- (g) Alarm company;
- (h) If an alarm user is not serviced by an alarm company he must provide three (3) emergency numbers of persons who have the ability to shut off the alarm;
- (i) Emergency contact names and telephone number(s). (Prior Code § 17A-4 (3); Ord. 91-8 § 1 (part), eff. 5/16/91; Ord. 93-24, eff. 08/19/93)

Section 5-2.06. Current emergency contact and address.

Failure of the alarm subscriber to keep the Police Department informed of current emergency contact and premises address information may result in the suspension or revocation of the permit.

- (a) In the event of an annunciation, which results in an inability to reach an emergency contact due to the permittee's failure to keep the Police Department informed as required in this section, the permittee shall be subject to a civil penalty assessment fee set by City Council resolution for each incident. (Prior Code § 17A-4 (4); Ord. 93-24, eff. 08/19/93)

Section 5-2.07. Police records of alarms.

It shall be the responsibility of the Police Department to keep accurate records of alarm activity. (Prior Code § 17A-4 (5); Ord. 93-24, eff. 08/19/93)

Section 5-2.08. Operation without permit.

- (a) Possession of an operational alarm system within the City without a permit, or continuing activation of an operational alarm system for which the permit has expired, been denied, revoked or suspended is a misdemeanor.

(b) Persons, corporations, businesses, commercial establishments and residences equipped with operational alarms that do not have a current valid permit shall be subject to the following sanctions:

- (1) First offense, warning and requirement to obtain permit;
- (2) Second and subsequent offenses, issuance of citation for violation of this section. (Prior Code § 17A-4 (6, 7); Ord. 93-24, eff. 08/19/93)

Section 5-2.09. Misuse and false alarms.

Suspension or revocation of alarm permits shall result from any of the conditions set forth in this section; provided, that the Chief of Police, upon a finding of mitigating circumstances, may allow the permittee to continue operating on condition of no further misuse or false alarms:

(a) Alarm misuse; that is, intentional use of an alarm for a purpose for which it was not intended is a misdemeanor:

- (1) First offense: Warning;
- (2) Second offense and subsequent offenses: A second offense or subsequent offense within a one (1) year period of the first, or subsequent violations, may result in revocation of the permit and issuance of a citation for violation of this section.

(b) False alarms resulting from operational error or equipment malfunction: Four (4) false alarms in a twelve (12) month period shall be deemed a public nuisance, may result in permit revocation and shall subject the permittee to a civil penalty assessment fee set by City Council resolution for each subsequent occurrence. (Prior Code § 17A-4 (8); Ord. 93-24, eff. 08/19/93; Ord. 2002-05, eff. 7/18/02; Ord. 2009-02, eff. 3/5/09)

Section 5-2.10. Annunciations and unavoidable false alarms.

No penalty shall be incurred for legitimate alarm annunciation or from those situations in which a false alarm occurs but its cause was beyond operational or equipment control as determined by the Chief of Police. (Prior Code § 17A-4 (9); Ord. 93-24, eff. 08/19/93)

Section 5-2.11. Reactivation of permits.

A permit may be reactivated when the Chief of Police finds, upon verified evidence, that the problems causing the revocation or suspension have been corrected and a reactivation fee set by City Council resolution has been paid. (Prior Code § 17A-4 (10); Ord. 93-24, eff. 08/19/93)

Section 5-2.12. Out-of-City systems.

No alarm systems originating outside the City shall terminate within the Police Department; provided, that the Chief of Police may examine an application for the termination of such alarm system from outside of the City and may permit such a terminal connection within the Police Department upon his written findings supported by verified evidence. The connection of such a system from outside the City to a Police Department terminal will be of substantial benefit to the City because of the location of the property whereon it is proposed to be situated, the surrounding property uses, the nature of and volume of crimes against property in and about that location which could affect nearby properties within the City in the absence of such a connection, or other pertinent factors which appear to him to warrant such permission. The written findings shall specify all of the factors which cause the Chief of Police to regard the connection as warranted, and a copy of such findings shall be reviewed by and approved by the City Manager before the connection is permitted. (Prior Code § 17A-5; Ord. 93-24, eff. 08/19/93)

Section 5-2.13. Automatic telephone dialers.

(a) No person, corporation, business, commercial establishment or residence shall use or cause to be used any telephone device or telephone attachment on any telephone trunk line of the Police Department which reproduces any prerecorded message.

(b) Any person, corporation, business or commercial establishment or residence within the City who utilizes an alarm device, commonly known as a "dialer," as described in subsection (a) of this section, shall be subject to all of the applicable permit regulations of this chapter. (Prior Code § 17A-6; Ord. 93-24, eff. 08/19/93)

Section 5-2.14. Twenty-four hour service required.

No company or person selling, renting, leasing, installing or otherwise providing alarm systems shall install any such alarm system without providing twenty-four (24) hour service for that system.

(a) For the purposes of this section, "alarm system" means any security, robbery or fire alarm device which is installed by a person or persons other than the alarm system user.

(b) "Service," for the purposes of this section, includes the ability to promptly repair a malfunctioning alarm system, and to provide periodic maintenance necessary to the alarm system's normal function.

(c) In the event an audible security alarm sounds within the limits of the City and no person can be contacted to shut the alarm off within a thirty (30) minute period, then the vendor shall be contacted to disable the alarm. All charges for such service shall accrue to the alarm user at a rate no greater than the vendor's standard service charge. The alarm user shall also be subject to a civil penalty assessment fee as set by City Council resolution for each such occurrence. (Prior Code § 17A-7; Ord. 89-14 § 1 (part), eff. 5/18/89; Ord. 93-24, eff. 08/19/93)

Section 5-2.15. Definition.

For the purposes of this chapter "civil penalty assessment fee" means a recovery fee associated with the violation of this Municipal Code based on costs incurred by the City to respond to, mitigate or abate the situation encountered. (Ord. 93-24, eff. 08/19/93)