

COUNCIL BILL NO. 2015-001

AN ORDINANCE

AMENDING CHAPTER 4 AND SECTION 19-8.1  
OF THE CHAMPAIGN MUNICIPAL CODE, 1985  
(Alarm Systems)  
(Licenses and Permits – Alarm User Fee)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHAMPAIGN,  
ILLINOIS, as follows:

**Section 1.** That Chapter 4 entitled “Alarm Systems,” of the Champaign Municipal Code, 1985, is hereby amended to read as follows:

**“Sec. 4-1. Definitions.**

The following words and phrases,

*Alarm* means an audible or mechanical or electrical signal from a detection system which indicates a when used in this chapter, shall have the meanings respectively ascribed to them: disturbance of the detection system or some other activity that requires urgent attention.

*Alarm system* means any assembly of equipment which is designed or functions to provide an audible or mechanical or electrical signal which indicates a disturbance or some other activity that requires urgent attention.

*Alarm user* means any person who owns or is in control of premises protected or intended to be protected by an alarm system.

*Audible alarm signal* means any security alarm signal that may be heard outside of alarmed premises which results in the dispatch of Police Department personnel.

*Automatic communication device* means a device which is connected to any communication line and is programmed to transmit to a voice message or a code signal which indicates a need for an emergency response.

*C.A.D.* means Computer Aided Dispatching

*Chief* means the Chief of Police of the City of Champaign's Police Department or the Chief's designee.

*Do It Yourself (DIY) systems* means an alarm system that is purchased and installed by the alarm user or consumer

*Emergency* means the reasonable belief that immediate action by police officers will prevent the commission of a crime or will prevent the escape of a person who has committed a crime or will assist a person in need of immediate medical attention.

*Enhanced Call Verification* means a monitoring procedure requiring a minimum of two (2) calls to two (2) different telephone numbers attempting to reach a responsible party prior to requesting police services.

*Facility and premises* means the location or the structure or the property of an alarm user, and includes any and all walk-up windows, drive-up facilities or other auxiliary structures associated with and located within one hundred (100) feet of the primary structure provided that the auxiliary structure is owned by the same entity as the primary structure and is physically connected to the primary structure. Each individually owned or operated business within a mall, shopping center, or cluster of stores, shall be considered as one facility and premise. Each individually owned or occupied condominium, apartment or other area used for residential purposes shall be considered as one facility and premise.

*False alarm* means the transmission of an alarm signal requesting an emergency response by the Police Department in instances where an emergency situation does not, in fact, exist, and to which Police Department personnel personally respond. Provided, however, it shall not be considered a false alarm if the system has operable standby battery power and the transmission is caused by an electrical power outage; and, it shall not be considered a false alarm if the transmission is caused by a telephone line interruption. In case of a dispute, the burden of establishing the electrical power outage or the telephone line interruption will be on the user asserting the same.

*Financial institution* means banks and savings and loan associations chartered by the State or the United States of America.

*Interconnect* means to connect an alarm system to a communication device, either through an automatic dialing device or through a mechanical device which utilizes any communication system, for the purpose of transmitting an emergency message upon activation or disturbance of the alarm system.

*Public Nuisance Alarms* means ten (10) or more false alarms to one location in a twelve (12) month period or three (3) or more false alarms to one location in a twenty-four (24) hours period.

*Rules and regulations* mean those rules and regulations promulgated in accordance with section 4-2.

*Show-up fees* means those fees assessed by the City and billed to any alarm user whose false alarms exceed the allowable number as set forth in Section 4-7.

**Sec. 4-2. Alarm registration required. Standards, regulations, requirements and duties.**

(1) Each facility or premises in which an alarm system is located shall be registered with the Champaign City Clerk. The alarm system shall be registered within five (5) days following installation of any alarm system and prior to its use. Each alarm user shall register annually for each facility or premise. Such registration is non-transferable. The fee for registration is as specified in Chapter 19 of this Code.

(2) Every alarm user shall file with the Chief or the Chief's designee and with the alarm company which monitors the detection system (if one is used) the names and telephone numbers of the persons who are authorized by the alarm user to secure the facility and premises upon which the alarm system is located and who exercises control over the alarm system during any hour of the day or night. The alarm user shall keep the list of authorized persons current.

(3) All registrations shall be made on forms provided by the City and shall contain such information that is required by the rules and regulations promulgated by the Chief pursuant to this chapter.

(4) The Chief may establish rules and regulations for the maintenance and operations of alarm systems installed in the City, for the submission of information concerning registration of alarm users, and for the procedures used in connection with this chapter.

**Sec. 4-3. Security alarm users.**

Every security alarm user shall:

1. Be knowledgeable about the operation of the security alarm system(s) and know their user and verification codes; and
2. Maintain the alarmed premises and the security alarm system(s) in a manner that will minimize or eliminate false security alarms; and
3. Notify the private security alarm monitoring agency of any false security alarm activations as soon as the security alarm user is aware of the false alarm; and
4. Abstain from and prevent any manual activation of the security alarm system(s) except when emergency assistance is needed.

**Sec. 4-4. Do it yourself alarm system.**

No person shall utilize or install an alarm system which is capable of directly dialing or otherwise capable of sending an electronic communication to the fire department, the police department or the 911 agency. Any registration or permitting requirements, fines, or fees and response limitations that apply to the user of the professionally installed systems shall also apply to the use of a do it yourself system.

**Sec. 4-5. Annual update of alarmed premises.**

Every alarm company doing business within the City of Champaign shall provide their alarmed locations to the Chief for each facility or premise at which an alarm system is located annually. The purpose of this is to insure accurate premise locations in the City.

**Sec. 4-6. Independent alarm verification procedure.**

Every security alarm system monitoring agency doing business within the City of Champaign shall provide to the Chief an independent procedure which attempts to determine whether a burglar alarm signal from a security alarm system requires immediate response and shall incorporate enhanced call verification (ECV). The independent alarm verification procedure is not required for holdup, panic, businesses that sell firearms or other alarms received by independent verification, such as a 911 call.

- (1) The independent alarm verification procedure shall include at least one of the following:
  - (a) An attempt to establish voice communications with the security alarm agency or a person authorized by such agency at or near the alarmed premises, which person may indicate whether there is an immediate need for an emergency response. If verification cannot be established the alarm company shall attempt to contact a second responsible person such as a key holder prior to notifying the police department; or
  - (b) The alarm monitoring agency shall attempt telephone and/or video (if applicable) verification to the protected premises after receipt of an alarm signal to determine if emergency response is required. If verification cannot be established the alarm company shall attempt to contact a second responsible person such as a key holder prior to notifying the police department; or
  - (c) When the alarm is verified as being false as a result of getting a valid pass code, the operator will not request police dispatch; or
  - (d) When alarm monitoring agency operator does not receive a valid pass code due to the premises phone recording a busy signal or no answer, the agency must attempt to contact a different phone number where a responsible party can typically be

reached such as listed key holder to determine if emergency response is required;  
or

- (e) When the alarm monitoring agency has made an attempt to call the premises and an additional key holder without success, the police will be notified that an alarm has been activated and police response is requested.
- (2) Upon the Police Department's first response to a false security alarm from a private security alarm monitoring agency which does not include an independent verification procedure, the Chief or Chief's designee shall notify the owner or agent of the alarmed premises that:
- (a) The owner shall have a period of not to exceed sixty (60) days within which to bring the security alarm system into conformity with the requirements of this Section; and,
  - (b) After such period, the Police Department will provide response services only to alarm signals from alarmed premises that are independently verified in accordance with this Section.

**Sec. 4-7. Show-up fees.**

- (a) Each alarm user shall pay a show-up fee to the City for responding to each false alarm caused by the alarm user's system in accordance with the following schedule:
  - (1) All false alarms occurring within thirty (30) days after registration of the alarm system, or within thirty (30) days after written notice of the registration requirement is sent user, no fee;
  - (2) During any twelve (12) month period commencing thirty (30) days after the alarm is registered:
    - (i) One (1) to three (3) false alarms, no charge;
    - (ii) Four (4) to nine (9) false alarms, one hundred dollars (\$100.00) fee per false alarm;
    - (iii) Each false alarm after nine (9) false alarms, one hundred and fifty dollars (\$150.00) fee per false alarm.
  - (3) For unregistered users, thirty (30) days after the notice required by section 19-81 has been sent, two hundred dollars (\$200.00) per false alarm.
- (b) All show-up fees shall be paid within thirty (30) days of the date of billing by the City unless an appeal of the fee is filed in accordance with this Code.
- (c) Each individual facility or premise at which an alarm system is located will be registered separately and will be billed show-up fees accordingly.

- (d) Governmental entities shall not be required to pay any show-up fees.
- (e) Any alarm user who is billed for show-up fees by the City may appeal such fees to the Chief or the Chief's designee. An appeal must be filed within thirty (30) days from the date of billing.
- (f) The Chief or the Chief's designee may direct abatement or refund of show-up fees; provided, however, that no abatement or refund of any show-up fees shall be granted unless the applicant proves to the satisfaction of the Chief or the Chief's designee that no false alarm occurred, or that there is an error in the total number of false alarms. Payment of the show-up fee which is the subject of an appeal, if the appeal is denied, shall be due fourteen (14) days after the Chief or the Chief's designee mails notice of the decision to the appellant.

**Sec. 4-8. Prima facia proof of violations.**

The following shall be prima facie proof of a violation of this chapter:

- (1) The receipt of a call by the Police Department, Metcad or both from or in relation to an alarm system at a facility or premise which is not registered; or
- (2) A response by the Police Department to an alarm at a facility or premise which is not registered; or
- (3) The receipt of a call from an automatic dialing device by the Police Department or the Police Department's dispatching agency; or
- (4) The interruption of the radio frequency assigned to the Police Department or the Police Department's dispatching agency by an automatic detection device.

**Sec. 4-9. Public nuisance.**

- (a) Excluding false alarms received during the first thirty (30) days after initial installation of an alarm system at a facility or premise, an alarm system shall constitute a public nuisance if ten (10) false alarms occur within a twelve (12) month period.
- (b) When an alarm system has five (5) false alarms within a twelve (12) month period, the Chief shall serve a notice by first class mail, postage prepaid or by personal service to the alarm user and to the alarm business servicing the alarm system, if any, stating that the alarm system is in danger of becoming a public nuisance. The Chief shall require that the alarm user and the alarm business servicing the alarm system submit a written report to the Chief, within ten (10) calendar days of the receipt of the notice, describing those actions that have been taken or those actions that will be taken to discover and eliminate the cause of the false alarms.

(c) Any alarm system deemed a public nuisance under this section shall be removed or disconnected from the premises or facility at which it is located and no alarm system shall be installed on such premises or facilities until either the alarm user satisfies the Chief that sufficient steps have been taken by the user to avoid false alarms or after one year, whichever shall first occur; provided that governmental entities and financial institutions shall not be required to remove or disconnect an alarm system.

**Sec. 4-10. Limited response to specific alarm signals.**

(1) The Chief may direct a limited police response or no response to:

- (a) Any residential or non-residential alarm which has been identified as a public nuisance pursuant to Section 4-9; or
- (b) Any alarmed premises for which three (3) or more false alarm activations have occurred in any twenty-four (24) hour period.

(2) The criteria used to make this determination includes, but is not limited to:

- (a) Type of premises;
- (b) Staffing levels;
- (c) Frequency of alarms, time span between alarms;
- (d) Alarm history in CAD;
- (e) Known CAD cautions;
- (f) Availability of key holders;
- (g) Source of alarm is determined to be non-criminal (i.e. Helium balloons observed near motion detector; and
- (h) Time of day.

**Sec. 4-11. Audible alarm standards.**

No person shall install or use an audible alarm system emitting a signal heard outside the alarmed premises unless such system conforms to the following requirements:

- (1) The alarm shall automatically discontinue within fifteen (15) minutes after its initial activation;
- (2) Responding police personnel shall be authorized to reset, disconnect or disable an alarm which has continued for over fifteen (15) minutes; and,

- (3) Police personnel shall not be responsible for any damage to property or personal injury as a result of their actions for terminating the alarm.

**Sec. 4-12. Limitation of liability.**

The City assumes no liability for any of the following:

- (1) Any defects in the operation of an alarm system;
- (2) The failure or neglect to respond appropriately upon receipt of an alarm from an alarm system; or
- (4) The failure or neglect of any person in connection with the installation and operation of equipment, the transmission of alarms by any means, prerecorded alarm messages, or the relaying of such alarms.”

**Section 2.** That Section 19-8.1 of the Champaign Municipal Code is hereby amended to read as follows:

**“Sec. 19-8.1. Alarm User Fee.**

The fee for registration as a alarm user shall be:

- (a) Initial alarm user registration fee of fifty dollars (\$50.00).
- (b) An annual alarm user fee of twenty (\$20.00).
- (c) If the Police Department receives a false alarm from an unregistered alarm system, the City will provide written notice of the alarm user registration requirements above to the user; if the Police Department receives a false alarm from an unregistered alarm system thirty (30) or more days after said notice is provided or sent, the alarm user shall pay an initial registration fee of one hundred dollars (\$100.00) instead of fifty dollars (\$50.00).
- (d) Governmental entities shall not be required to pay any registration fee.”

**Section 3.** That this Ordinance shall be effective March 1, 2015.

**Section 4.** That the City Clerk is hereby directed to publish this Ordinance so that its effective date is March 1, 2015.



**Section 5.** If any section, paragraph or provision of this Ordinance is held to be invalid or unenforceable, such invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance, or the provision of the Code.

**Section 6.** Any person violating the provisions of this ordinance shall be fined an amount not to exceed \$750.00 and in accordance with the general penalty provisions of the Code set forth in Section 1-21, 1-22, 1-23, and 1-24.

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PASSED:

APPROVED: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney