

ARTICLE V. - ALARM SYSTEMS

Sec. 13-51. - Definitions.

For the purpose of this article, the following terms have the definitions herein ascribed to them:

Alarm site: Any premises or location served by a general alarm system.

Alarm system: A device or system that transmits a signal intended to summon police of a municipality in response to a burglary. The term includes an alarm that emits an audible signal on the exterior of a structure. The term does not include an alarm installed on a vehicle, unless the vehicle is used for a habitation at a permanent site, or an alarm designed to alert only the inhabitants within the premises.

Burglar/intrusion alarm notification: Notification intended to summon the police, which is initiated or triggered manually or by a stimulus characteristic of unauthorized intrusion.

Commercial unit: Any business establishment.

Director: The chief of police or his authorized representative.

Emergency medical assistance alarm notification: A notification intended to summon emergency medical assistance from the city.

False alarm notification: A false police alert, false burglary alarm notification, or false emergency medical assistance alarm notification, but shall not include a false robbery alarm notification.

False burglar/intrusion alarm: An alarm notification to the police when the responding officer finds no evidence of unauthorized intrusion or attempted unauthorized intrusion.

False robbery alarm notification: A robbery alarm notification to the police when the responding police officer finds no evidence of a robbery or attempted robbery.

Fire alarm notification: A notification to the fire department intended to summon fire fighting forces, which is initiated or triggered manually by an alarm system designed to react to any of the visual or physical characteristics of fire.

General alarm system: A device or system that transmits or relays a signal, indirectly, other than by community antenna television cable, intended to summon emergency police, fire or emergency medical assistance services of the city.

Governmental unit: Any tax supported entity or structure, including public buildings.

Local alarm: An alarm system that emits a signal at an alarm site that is audible or visible from the exterior of a structure and has as its purpose the summoning of aid from the police department or the deterring or apprehension of an intruder.

Permit: A certificate, license, permit, or other form of permission that authorizes a person to engage in an action.

Permit holder: The person who has received an alarm permit and is directly responsible for management and control of the alarm site. In any multiple-family dwelling unit (more than four dwelling units per building), the permit holder shall be the occupant of the individual multiple-family dwelling unit.

Police alert alarm notification: An alarm notification which does not differentiate between burglar/intrusion and robbery but is intended to summon the police whenever a real and immediate threat to life exists.

Site: The premises upon which the alarm notification is located.

(Ord. No. 715, § 1, 10-14-1991; Ord. No. 98-1041, § 1, 6-15-1998; Code 1983, § 13-51)

Sec. 13-52. - Permit required, application, transferability, false statements.

- (a) A person commits an offense if he operates or causes to be operated an alarm system, or if he installs or causes to be installed an alarm system, without obtaining a valid alarm permit. Alarm permits that have expired or have been suspended will be invalid.
- (b) *Reserved.*
- (c) *Reserved.*
- (d) Upon receipt of the required fee and completed application form, the director shall issue a permit unless there is cause to believe the equipment responsible for initiating an alarm will not be maintained and operated in accordance with this article or the applicant will not comply with each provision of this article.
- (e) Each permit application must contain the following information:
 - (1) Name, address, and telephone number of the person who will be the permit holder and be responsible for the proper maintenance and operation of the alarm system and payment of fees assessed under this article.
 - (2) The street address of the property on which the alarm system is to be installed and operated.

- (3) Classification of the alarm site as either residential, commercial or governmental unit.
 - (4) Any business name or title used for the premises on which the alarm system is to be installed and operated.
 - (5) The name of one other person to respond to an alarm in the event the permit holder is unavailable.
 - (6) Any other information required by the director which is necessary for the enforcement of the article.
- (f) An alarm permit cannot be transferred to another person. However, the individual designated to respond to an alarm or relay an alarm may be changed. A permit holder shall inform the director of any change that alters information listed on the original permit application. No fee shall be assessed for such changes.
- (g) Any false statement or misrepresentative of a material fact made by an applicant for the purpose of obtaining an alarm permit or renewal, or while making a change thereto, shall be sufficient cause for refusal to grant, or suspension of, a permit.
- (Ord. No. 715, § 2, 10-14-1991; Ord. No. 722, § 1, 12-2-1991; Ord. No. 834, § 1, 12-20-1993; Ord. No. 98-1041, § 1, 6-15-1998; Code 1983, § 13-52; Ord. No. 03-1516, § 2, 12-15-2003)

Sec. 13-53. - Other types of alarms.

- (a) A person shall not install or maintain a general alarm system except for the purpose of eliciting responses to burglaries/intrusions, robberies, fires, water flow, or requests for emergency medical assistance, unless specifically authorized by the director.
 - (b) If innovations in alarm systems or other types of alarm devices adversely affect emergency police services of the city, the director may promulgate rules and regulations in order to protect the city's emergency police services.
- (Ord. No. 715, § 3, 10-14-1991; Code 1983, § 13-53)

Sec. 13-54. - Fee for permit.

A fee established by resolution of the city council is required annual for each permit. All permits will expire one year from the date of issuance.

(Ord. No. 715, § 4, 10-14-1991; Ord. No. 722, § 1, 12-2-1991; Ord. No. 98-1041, § 1, 6-15-1998; Code 1983, § 13-54; Ord. No. 03-1516, § 2, 12-15-2003; Ord. No. 05-1616, § 2, 9-19-2005)

Sec. 13-55. - Service charge.

(a) *False burglar/intrusion alarms:*

(1) If within the first 12-month period of the date of issuance of a permit, and within all successive 12-month periods, four or more false burglar/intrusion alarms are emitted from either a residential, commercial or multiple-family unit, the director shall assess the permit holder or person in control of that alarm site a civil penalty as established by resolution of the city council for each subsequent false burglar/intrusion alarm notification emitted from the site within said 12-month period in accordance with state law. This section shall also apply to alarm systems in place at the time this article becomes effective.

(2) *Reserved.*

(3) No service fee shall be assessed against a governmental unit; however, a warning notice shall be issued in writing for each false alarm emitted which exceeds five false alarms in any calendar month.

(b) *Time limit to pay.* A permit holder shall pay a fee assessed under this article within 30 days after mailing of notice that fee has been assessed. The director may suspend or refuse to renew a permit for failure to pay the fee assessed.

(c) *Exemption from charges.* The permit holder will be exempt from any fee charged for a false alarm notification which is later shown to have been justified or which was due to a natural or manmade catastrophe or other situation specifically exempted by the director, pursuant to uniform city standards.

(Ord. No. 715, § 5, 10-14-1991; Ord. No. 722, § 1, 12-2-1991; Ord. No. 98-1041, § 1, 6-15-1998; Code 1983, § 13-55; Ord. No. 05-1616, § 2, 9-19-2005; Ord. No. 06-1693, § 1, 11-6-2006)

Sec. 13-56. - Proper alarm system operation and maintenance.

(a) A permit holder shall:

(1) Cause an adjustment to be made to the sensory mechanism of his alarm system in order to suppress false indications; and

(2) Maintain premises containing an alarm system in a manner that enables proper operation of the alarm system.

(b) No alarm permit holder shall activate the alarm system to send an alarm notification to the police for test purposes, unless the alarm permit holder first notifies the director or his representative, and the alarm company monitoring control center prior to the testing of the system that the signal is for testing purposes only.

(Ord. No. 715, § 6, 10-14-1991; Code 1983, § 13-56)

Sec. 13-57. - Reset required.

- (a) A user of a general alarm system that causes an alarm notification to be sent directly to the city shall adjust or cause the adjustment of the mechanism so that upon activation, the system will transmit only one alarm signal and will not transmit another alarm signal without first being reset in such a manner that it will not automatically resound, unless there is an outside stimulus characteristic of an unauthorized intrusion.
- (b) All local alarms shall be equipped with a device that silences or resets the local alarm after a 20-minute alarm sounding permit.

(Ord. No. 715, § 7, 10-14-1991; Code 1983, § 13-57)

Sec. 13-58. - Suspension of permit, reinstatement after suspension.

- (a) The director may suspend or refuse to renew a general alarm system permit for any violation of this article.
- (b) The director may suspend or refuse to renew an alarm permit if a general alarm system generates more than one robbery alarm when used to report an offense other than a robbery in any 12-month period.
- (c) The director may suspend or refuse to renew an alarm permit if there is a false statement of a material matter in the application for a permit.
- (d) The director may suspend or refuse to renew an alarm permit if:
 - (1) A general alarm system from a residential, commercial, or governmental unit that has had eight or more false alarms during the preceding 12-month period.
 - (2) *Reserved.*
- (e) A suspension may be lifted or permit reinstated upon a sufficient showing that the conditions which caused the action have been corrected and if the director determines that the alarm system is likely to be maintained and operated in a responsible manner in accordance with the provisions of this article.

(Ord. No. 715, § 8, 10-14-1991; Ord. No. 98-1041, § 1, 6-15-1998; Code 1983, § 13-58; Ord. No. 03-1516, § 2, 12-15-2003; Ord. No. 06-1693, § 1, 11-6-2006)

Sec. 13-59. - Indirect alarm reporting.

A person who is engaged in the business of relaying alarm notifications to the city shall:

- (1) Send notification of an alarm to the city by human operator, unless such notification is by a direct computer terminal.
- (2) Keep his business premises in compliance with state law.
- (3) Allow an inspection of his business premises at reasonable times by the director or representative.
- (4) Report alarms only over a special telephone number, or numbers designated by the director.
- (5) Send alarm notifications to the city in a manner and form determined by the director.

(Ord. No. 715, § 9, 10-14-1991; Code 1983, § 13-59)

Sec. 13-60. - Recorded message alarm notification prohibited.

No permit will be issued for systems using automatic telephone dialing to report an alarm condition by means of a recorded message.

(Ord. No. 715, § 10, 10-14-1991; Code 1983, § 13-60; Ord. No. 03-1516, § 2, 12-15-2003)

Sec. 13-61. - Protection of financial institutions.

- (a) A financial institution required to have an alarm system pursuant to the provisions of the Bank Protection Act of 1968 (12 USC 1882) shall install that alarm system to an indirect alarm reporting agency for the purpose of reporting burglaries, robberies and fires. The alarm system may be of a local nature also.
- (b) The director shall have the right, at reasonable times and upon oral notice, to inspect the alarm system at the alarm site, and require necessary repairs or improvements. If the director finds that the alarm system continually fails to operate or be operated to his satisfaction, he may terminate the permit.

(Ord. No. 715, § 11, 10-14-1991; Code 1983, § 13-61)

Sec. 13-62. - Violations; penalties.

It shall be unlawful for any person to violate any of the provisions of this article, and any such person who violates a provision of this article is guilty of a separate offense for each day or portion of a day during which the violation is committed, continued or permitted, and each offense is punishable by a fine not to exceed \$500.00.

(Ord. No. 715, § 12, 10-14-1991; Code 1983, § 13-62)